

No. 7271.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: H. T. Maughan,
Postoffice address: Preston,
County: Oneida, State, Idaho.
2. The quantity of water claimed is $4/5$ of one cubic foot per second.
3. Source of water supply: (See exhibit "A" attached hereto).
County of
4. Location of point of diversion: (See exhibit "B" attached hereto).
5. To be used for :
I. Irrigation and domestic use:
(a) Amount of land to be irrigated: forty acres.
(b) In the following legal subdivisions: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, T. 16 S Range 38 E. B. M.
6. Estimated cost of works: Two hundred dollars (\$200.00).
7. Description of works for diversion:
I. Kind of works: Dam, reservoir and ditches.
II. Dimensions of works: (See note below).
(a) Height of dam 10 feet. length of dam at top 80 feet, length of dam at bottom 50 feet. Material used in construction: earth.
(b) Capacity of reservoir: forty (40) acre feet.
(c) Size of headgate: Width 1 foot, height 1 foot.
(d) Conduit, ditch, width at bottom $1\frac{1}{2}$ feet, width at water line 2 feet, depth of water $1\frac{1}{2}$ feet. Average grade per mile is $6\frac{1}{2}$ feet. Length of conduit is $\frac{1}{4}$ mile and it crosses the following quarter sections: said ditches being confined to SE $\frac{1}{4}$ Sec. 11 T. 16 S. R. 38 E. B. M. to land described in 5.I (b) above which is the point of intended use.
8. The time required for the completion of the construction of such work is two years.
9. Time required for the complete application of the water to the proposed use is two additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

H. T. Maughan, Applicant.

Remarks: The above describes only one of the sets of diversion works, of which there are two. The dimensions above set out apply to both sets of works.

EXHIBIT A.

The source of the water supply is an unnamed stream fed by eight springs arising at a point between sixty and seventy rods more or less, north-east from the south-west corner of the south-east quarter of sec. 11, T. 16 S. R. 38 E. B. M. in the county of Oneida, State of Idaho.

EXHIBIT B.

There are two points of diversion, as shown by the accompanying map, one about 75 rods and the other about 90 rods north-east from the south-west corner of the south-east quarter of Section 11 T. 16 S. R. 38 E. B. M.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5061.

Date of first receipt of application 4 p. m. August 11, 1909.

Recorded in Book 14, Page 5061. Approved August 11, 1909.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and her by grant the same, subject to the following limitations and conditions:

Work to begin on or before October 10, 1909, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 11 1910.

The whole of said work to be completed on or before August 11, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to August 11, 1913.

Witness my hand this eleventh day of August, 1909.

Jas. Stephenson, Jr.,

State Engineer.

Notice of proof of completion of works received May 26, 1911, fixing August 11, 1911 as date and Weston, Idaho, as place of proof.

Deposition blanks mailed George D. Costo, M. P. July 10, 1911

Publication notice mailed the Preston Booster, July 10, 1911

Water Commissioner notified July 10, 1911, to make examination of works.

Depositions, affidavit of publication and fee received August 14, 1911.

Report of water commissioner received August 17, 1911

Certificate issued August 22, 1911

Permit No. 5061

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that H. D. LAUGHLIN, of Preston, County of Oneida, and State of Idaho, the holder of Permit No. 5061, issued upon Application No. 7271, bearing date of priority of August 11, 1909, authorizing the diversion of $\frac{4}{5}$ of 1 second foot of the waters of UNNAMED STREAM formed by Springs, County of Oneida, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use four-fifths of one ($\frac{4}{5}$ of 1) second-foot of the waters of an UNNAMED STREAM, that the point of diversion of said waters is as follows: (1) 75 rods Northeast from the Southwest Corner of Southeast quarter, section 11; (2) 90 rods Northeast from Southwest corner of Southeast quarter, section 11, Township 16 South, Range 38 East Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast quarter of the Southeast quarter (SE4 SE4), Section 11, Township 16 South, Range 38 East Boise Meridian.

Witness my hand this 22nd day of August, A. D. 1911.

A. E. Robinson,

State Engineer of the

State of Idaho

License issued for $\frac{4}{5}$ second feet

Page 1403

5061

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unnamed Gulch

5061

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Permit No. 5061

Boise, Idaho, September 8, 1909

H.D. Maughan

Preston, Idaho

Dear Sir:

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, Jr.,

State Engineer.

5061

State of Idaho
ENGINEERING DEPARTMENT.
BOISE

D. G. MARTIN
STATE ENGINEER

INSTRUCTIONS
—
PROOF OF COMPLETION OF WORKS

Boise, Idaho, May 1st, 1911.

H. D. Maughn,
Preston, Idaho.
Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 5061.

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof MUST be on or before August 11, 1911.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

A. B. G. MARTIN

State Engineer.

Notice of Proof of Completion of Works

(This blank must be filled out by holder of permit and forwarded by registered mail to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.)

(Date)

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 1 P. M. on the August 11 day of August 11, 1911, at Meridian, County of Gooding, State of Idaho, before Geo. W. Toole proof will be submitted of the completion of works for the diversion of 5/10 cubic feet per second of the waters of Unnamed Gulch in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

H. W. Maughan

2. The postoffice address of such person or the place of business of such corporation is

Preston, County of Oneida, State of Idaho.

3. The number of such permit is 5061, and the date set for the completion of such work is August 11-1911

4. Said water to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the day set for such completion, and the amount of water which said works are capable of conducting to the place of intended use in accordance with the plans accompanying the application for such permit is 5/10 cubic feet per second.

6. The amount of lands for which said water is available is 40 acres, particularly described as follows: S.E. 1/4 of S.E. 1/4 Sec 11 T. 16. S. R. 36. E. 15 N.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the above notice are true:

OFFICE OF STATE ENGINEER

Engineer.

Booster desires that the above notice be published according to law, in the Preston of Meridian published in the county in which said works are situated; the expense of which publication will be borne by H. W. Maughan

(Signature)

H. W. Maughan

5061

May 26, 1911

Permit 5061

H. D. Manghan,
Freston, Idaho

Sir:-

I am today in receipt of your notice of proof of completion of works under above permit. The publication notice will be mailed out in due time for the required thirty days publication prior to August 11th and deposition blanks will be mailed Geo. D. Weston, the notary public before whom proof is to be taken.

Very truly yours,

State Engineer.

By...

5061

NOTICE OF PUBLICATION

Notice is hereby given that at 1 P. M., on the 11th day August,
1911, at Preston, County of Oneida, State of Idaho,
 before Geo. D. Gasto, proof will be submitted of the completion of works
 for the diversion of 4/5 of one cubic foot per second of the waters of an unnamed
stream, in accordance with the terms and conditions of a
 certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

H. D. Maughn

2. The postoffice address of such person or the place of business of such corporation is

Preston County of Oneida, State of Idaho.

3. The number of such permit is 5061, and the date set for the completion of such work is
August 11th, 1911.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and
 the amount of water which said works are capable of conducting to the place of intended use, in ac-
 cordance with the plans accompanying the application for such permit, is 4/5 of one cubic foot
 per second.

6. The amount of lands for which said water is available is 40 acres.

particularly described as follows: S21 SE1, Sec. 11, Tp. 16 S., R. 38, E., B.M.

A. E. ROBINSON.

State Engineer.

State of Idaho

ENGINEERING DEPARTMENT

BOISE

D. G. MARTIN,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works

H. D. Maughn,
c/o Geo. D. Casto,
Weston, Idaho.

Boise, Idaho, July 10, 1911.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No...5061

Deposition of Permit Holder,

Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On...August 11, 1911... the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at

..... Weston, Idaho, before George D. Casto, ...

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00. When these have been received, together with report of the examining engineer if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

~~XXXXXXXXXX~~

A. E. ROBINSON
State Engineer.

526

July 10, 1911.

Charles H. DeCamp,
Water Commissioner,
St. Anthony, Idaho.

Sir:

H. D. Maughn, Preston, Idaho, the
holder of Permit No. 5061, desires to
make proof of completion of works, on
 $\frac{4}{5}$ of one cubic foot per second of
the waters of an unnamed stream, on
August 11th, 1911.

Very truly yours,

State Engineer.

By _____

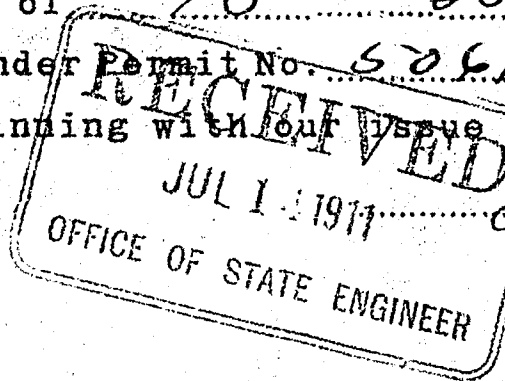
5061

(Place)..... *Preston Idaho*
(Date)..... *July 12 - 1911*

State Engineer, Boise.

Dear Sir:

I have your letter of *70th 8061* enclosing Notice
of Completion of Works under Permit No. *5061* which will be publish-
ed as you request, beginning with our issue of *July 15 - 11*



5061

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. H. D. Maughan, 48 years, Preston, Idaho, farmer, Preston, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. I am acting individually.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 5061, Date August 11th, 1909; four-fifths second feet, the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. II, Tp. 16 S. R. 38 E. B. M.; about 70 rods N. E. of S.W. corner of the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Sec. II, Tp. 16 S. R. 38 E. B. M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Water is to be used for irrigation and for culinary purposes, 40 ac S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Sec. II, Tp. 16 So. of Range 38 East Boise M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes; it was turned into works of diversion early in the month of May, 1911, to its full capacity.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes, and I think they comply pretty closely with requirements.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. If there is any variance it lies in the width of the ditches.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Dam is 20 ft. high on bottom, 30 ft. Long on top, about 40 ft. wide on bottom, 16 ft. wide on top, and about 10 ft. high; two ditches convey the water from intake to place of use, size complies with Permit No. 5061

(Sign here.)

H. D. Maughan

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, in Weston, County of

Oneida,

State of Idaho, on this

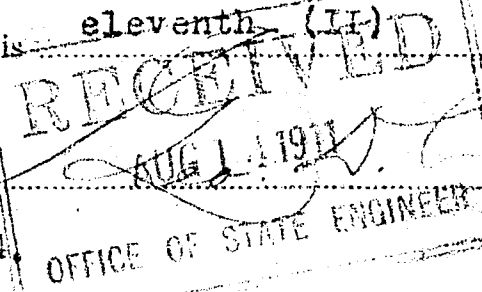
eleventh (11)

day of

August

A. D. 1911.

My Commission expires November 25, 1914.



Notary Public.

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 506I

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Peter D. Maughan, Age 43, Weston, Idaho, Farmer, Weston, Idaho.

Ques. 2 Are you acquainted with H. D. Maughan the holder of Permit No. 506I, authorizing the diversion of 4/5 cu. foot of the waters of two unnamed springs, at Weston, Idaho for Agric. & Domestic purposes? How long have you known him, and where does he reside?

Ans. Yes, I have known him for 40 years, Preston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 506I, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes, it is located in Sec. II, Tp. 16 So. R. 38 E. B. M. is a clayey loam, I think about one cubic foot per second.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes, I think they are amply able to thus care for the said water

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The dam is an earth dam about 10 feet high, about 16 feet wide on top, about 30 feet long on top and 20 feet long on bottom, two ditches convey the water from reservoir to place of use, said ditches are 30 feet long, and are two feet deep, and about 2 feet wide.

(Sign here.)

Peter D. Maughan

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Weston, County

of Oneida, State of Idaho, on this 11th day of August A. D. 1911.

RECEIVED
AUG 11 1911
OFFICE OF STATE ENGINEER

Notary Public

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 5061

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Charles W. Hoopes, 34, farmer, Weston, Idaho.

Ques. 2 Are you acquainted with H. D. Maughan, the holder of Permit No. 5061, authorizing the diversion of $4\frac{1}{5}$ cu ft per second-feet of the waters of two unnamed springs located, at Weston, Idaho for Agri. & Dom. purposes? How long have you known him, and where does he reside?

Ans. Yes, I have known him for 25 years, Preston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5061, and are you familiar with its terms and conditions?

Ans. Yes Sir.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes, it is a clay-loam, located in Sec. II, Tp. 16 So. of R. 38 East Boise Meridian; about $1\frac{1}{2}$ cubic feet per second.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes Sir.

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. It is a dirt dam, 10 feet high, between 70 and 80 feet long on top, about 20 feet long on bottom, and 16 feet wide on top, two ditches carry the water to the place of use, and the works are such, I think, as are sufficient to care for the irrigation of the land in question.

(Sign here.)

Charles W. Hoopes

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be and that said testimony was subscribed and sworn to before me, at my office in Weston, County

of Oneida, State of Idaho, on this eleventh (11) day of

August A. D. 1911.

OFFICE OF STATE ENGINEER

Leo D. Caslo
Notary Public

5061

AFFIDAVIT OF PUBLICATION.

State of Idaho,

County of Oneida, (SS.

Thomas ^G Carter, being first duly sworn deposes and says

that he is the owner and publisher of THE BOOSTER, a weekly newspaper, published at Preston, Oneida County, Idaho; that on the

15 day of July, 1911 H. D. Maughan contracted with affiant for the publication in the columns of THE BOOSTER aforesaid of a legal notice, a copy of which is hereto attached and made a part hereof; that said notice was published for 4 consecutive issues of the paper aforesaid, to-wit; July 15, July 22nd, July 29th & Aug 5th 1911

Thos. G. Carter
Affiant.

Geo. D. Castle
Notary Public.

My commission expires Nov. 25th, 1914.

Notice of Publication

Notice is hereby given that at 1 p. m. on the 11th day of August, 1911, at Weston, County of Oneida, State of Idaho, before Geo. D. Castle, Notary Public, will be submitted of the completion of works for the diversion of 4.5 of one cubic foot per second of the waters of an unnamed stream in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is H. D. MAUGHAN.

2. The postoffice address of such person or the place of business of such corporation is Preston, County of Oneida, State of Idaho.

3. The number of such permit is 5051, and the date set for the completion of such work is August 11th, 1911.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use in accordance with the plans accompanying the application for such permit, is 4.5ths of one cubic foot per second.

6. The amount of lands for which said water is available is 46 acres, particularly described as follows: SE 1-4 SE 1-4, Sec. 11, T. 16 S., R. 38, E. 2 M.

A. E. ROBINSON,

State Engineer.

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AUG 14 1911

OFFICE OF STATE ENGINEER

5061

August 14, 1911

Permit No. 5061

H. D. Maughan,
Preston, Idaho

Sir:-

I am today in receipt of depositions,
affidavit of publication and fee for proof of
completion of works under above permit. Am
inclosing receipt for fee. As soon as the
report of the water commissioner is received the
matter of issuing the certificate will be taken
up.

Very truly yours,

State Engineer.

R3757

By...

5061

Report of Engineer

1. State name of applicant and number of permit: H. D. Haughn 5061
2. State source of water supply: an unnamed stream
3. Location of point of diversion: (1) 75 rods and (2) 90 rods NE from the
SW Corner of the SE $\frac{1}{4}$, Section 11, Tp. 16 S., R. 38, E., B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Does not conform as to dimensions of ditch
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 1'
 - (b) Width at water line: 1 $\frac{1}{2}$ '
 - (c) Depth of water: 6"
 - (d) Grade per mile: 6'
6. State whether or not water has been turned into works of diversion and if so, to what extent: Water was used in ditches during seasons of
1910-11
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$ Sec 11- T-16-S. 7R. 38. E.B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

There are two ditches of the same dimensions. Each capable of carrying 20" to 30"
See plat as to points of diversion

STATE OF IDAHO,

County of _____

} ss.

Chas. H. T. Lacey
Water Com. Div. No. 7.

5061

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

NOTARIZED
Notary Public.
AUG 17 1911
STATE OF IDAHO ENGINEER

Pwp 16-8-7238 E.B.M.

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OFFICE OF PUBLIC ENGINEER

5061

September 6, 1911

Permit 5061

H. D. Maughan,
Preston, Idaho

Sir:-

- Am inclosing you herewith certificate of completion of works issued under above permit.

Very truly yours,

State Engineer.

CCW

By...

5061

A. E. ROBINSON
STATE ENGINEER

State of Idaho
ENGINEERING DEPARTMENT
BOISE

H. D. Maugham,
Preston, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 5061 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,
A. E. ROBINSON,
State Engineer.

5061

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

May 17 - 1913

(P. O.)

Preston Idaho

To the State Engineer,

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Franklin County Citizen

of

Preston Idaho

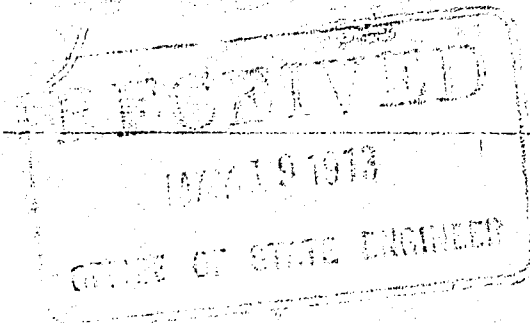
, published in the

county in which the works are situated.

H. W. Maughan

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.



Engineer.

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 19th day of July, 1913, at Weston, County of Franklin, State of Idaho, before Otto Jassman, proof will be submitted of the application to beneficial use of 4 1/2 cfs cubic feet per second of the waters of Unnamed Stream, in accordance with the terms and conditions of Permit No. 5061 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are

H. D. Maughan, Preston, Idaho.

2. The use to which said water has been applied is

Irrigation and domestic use

3. The amount applied to beneficial use is

4 1/2 cfs or cubic feet per second

4. The place where said water is used is [if for irrigation, give full and accurate description of the lands irrigated]

S.E. 1/4, SE 1/4 of Sec. 11, Tp. 16, S. Range 38, E. 37N.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

private ditch

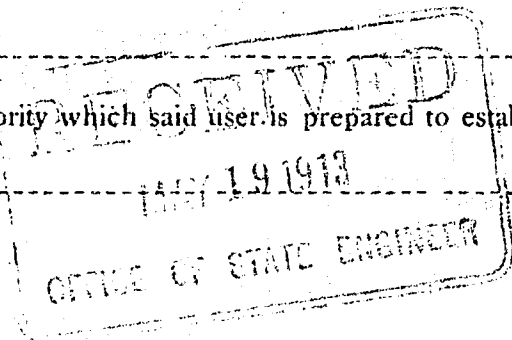
6. The right to take the water from such works is based upon Permit No. 5061

7. The source of supply from which such water is diverted is

springs

8. The date of the priority which said user is prepared to establish is

Aug. 11, 1909



A. E. ROBINSON, State Engineer.

5061

State of Idaho

A. E. ROBINSON
ENGINEERENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS.

Proof of Beneficial Use.

Boise, Idaho,

July 1, 1913.

H. D. Manghan,
c/o Otto Gossman,
Dear Sir: Weston, Idaho.

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your permit No. 5061.

Deposition of Permit Holder,Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On July 13th the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at

2. When the depositions have been taken Weston, before Otto Gossman, U.P. they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received, together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

A. E. ROBINSON

~~XXXXXXXXXX~~ State Engineer.

F. P. KING,

5061

OTTO GASSMAN

Notary Public
and Insurance

Weston, Idaho

July 21 1913

E. P. Ring, State Engineer,
Boise, Idaho.
Dear Sir,

Herewith papers in
water, also chkr of \$2.00
as fee. I hope you will
find papers all O.K.
Yours truly,
Otto Gassman

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JUL 22 1913

OFFICE OF STATE ENGINEER

5261

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Harrison D. Maughan, 52, Preston Idaho
Farmer, Preston Franklin Co. Idaho,

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 5061. Aug 11th 1909. Aug 15th 1909.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Unnamed stream in Big Hollow.

About 70 rods North East from South West corner of S.W. 1/4 of S.E. 1/4
Sec 11, T.P. 16, R. 35, E. 13, N. 1.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam, Reservoir and ditches. One second foot.
Private ditches.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. _____

For Irrigation and domestic purposes. On
S.E. 1/4 of S.E. 1/4, of Sec 11, T.P. 16, R. 35, E. 13, N. 1.
for Irrigation and for domestic use S.W. 1/4 of S.E. 1/4
Sec 11, T.P. 16, R. 35, E. 13, N. 1. Cultivated Land.
Sugar Beets, Grain and Alfalfa and Potatoes.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. _____

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JUL 22 1913

OFFICE OF STATE ENGINEER

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. About One second foot.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

5061

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. 1909 and each year succeeding that date, Irrigation and domestic purposes. All the stream and reservoir furnished. Watershed between Trout Creek and Snake River.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. none on said land.

(Sign) Harrison W. Maughan

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Weston County of Franklin State of Idaho, on this 19th day of July A. D. 1912

Otto Larman
my Commissioner June 27/12 Notary Public.

Permit No.	Proof of Application of Water to Beneficial Use
DEPOSITION OF HOLDER	
Amount of Water	second feet
Source	
County	
Purpose	
Place of use	
Date of Priority	
Received and filed	

Permit No.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *Charles Mylie Hooper, 36, Weston Idaho, Farmer, Weston Franklin Co. Idaho*Ques. 2. Are you acquainted with *Hammond D. Mangham*, the holder of Permit No. *5061*? How long have you known him and where does he reside?Ans. *All my life, Weston Idaho*Ques. 3. Have you read or heard read said Permit No. *5061*, and are you familiar with its provisions and conditions?Ans. *Yes, Yes.*

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. *It rises in Big hollow, In S.W. 1/4 of S.E. 1/4 Sec 11, T. 16, S. R. 38, E. B. M. A dam in hollow, with a ditch each side of hollow.*

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

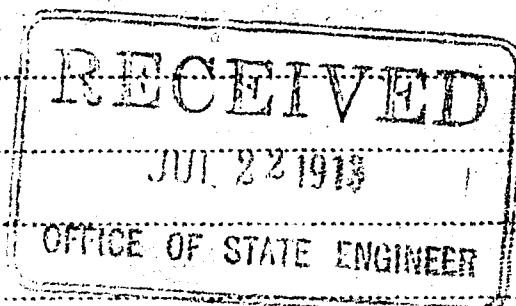
Ans. *One second foot, About 1/2 second foot.*

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. *Irrigation and domestic use, S.E. 1/4 S.E. 1/4 Sec 11, T. 16, S. R. 38, E. B. M. Twenty Five to Thirty Acres. Cultivated land. Alfalfa and grain also Sugar beets & Potatoes.*

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____



Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *Barland covered with sage brush. One second foot of water.*

5061

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. *None at all.*

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. *From 1909 and to present time,
Have been on the land. About 1/2
Acre foot.*

(Sign) *Charles Wylie Hopper*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in *Neeta* County of *Franklin*

State of Idaho, on this *19th* day of *July* A. D. 19*13*

Otto Gassman

Notary Public.

My Commission Expires *June 27th 1916*

Permit No.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *Peter D. Manghan, 45. Weston, Idaho.*
Farmer, Weston, Franklin Co Idaho.

Ques. 2. Are you acquainted with *Harrison D. Manghan*, the holder of Permit No. *5061*? How long have you known him and where does he reside?

Ans. *All my life. Resides in Preston Idaho.*

Ques. 3. Have you read or heard read said Permit No. *5061*, and are you familiar with its provisions and conditions?

Ans. *Yes. Yes.*

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. *Water rising in Big Hollow. In S.W. 1/4 of S.E. 1/4 of Sec 11 T.P. 16 S.R. 38 E.B.M. A dam in hollow and ditch on each side of hollow.*

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

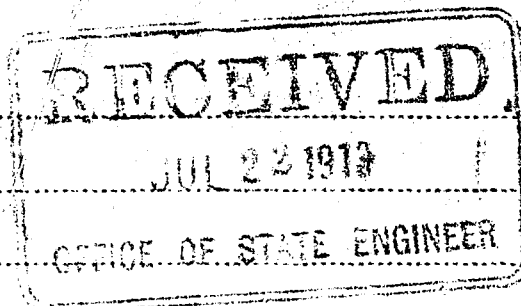
Ans. *One second foot. About 1/2 second foot.*

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. *For Irrigating + domestic use. S.E. 1/4 S.E. 1/4 of Sec 11 T.P. 16 S.R. 38 E.B.M. Twenty Five to Thirty Acres. Cultivated land. Alfalfa and Sugar Beets and grain.*

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____



Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *Clay land covered with sage brush.*
One second foot of water.

5061

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. *No interest whatever.*

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. *Since 1909 until the present time.*

Was on the ground. About 1/2 second feet.

(Sign)

Peter S. Maughan

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in *Weston* County of *Franklin*

State of Idaho, on this *19th* day of *July* A. D. 19*18*

Otto Gassman

Notary Public.

My Commission Expires

June 27-1916

Affidavit of Publication

STATE OF IDAHO, }
County of Franklin } SS

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10:30 a.m. on the 18th day of July 1913 at Weston, County of Franklin, State of Idaho, before Otto Cassman, proof will be submitted of the application to beneficial use of 1.5 of one cubic foot per second of the waters of unnamed streams, in accordance with the terms and conditions of permit No. 561 heretofore issued by the State Engineer of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit are: H. H. Mangham, Preston, Idaho.

2. The use to which said water has been applied is irrigation and domestic use.

3. The amount applied to beneficial use is 1.5

of one cubic foot per second.

4. The place where said water is used is SE 1/4 Sec 11, Tp 16, Range 20 E, B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch.

6. The right to take the water from such works is based upon permit No. 561.

7. The source of supply from which such water is diverted is springs.

8. The date of the priority which said user is prepared to establish is Aug. 11, 1909.

H. H. Mangham, F. P. King, State Engineer.

RECEIVED

JUL 22 1913

OFFICE OF STATE ENGINEER

I, Walter Lee, do solemnly swear that I am one of the publishers of the FRANKLIN COUNTY CITIZEN, a weekly newspaper of general circulation published each week at Preston, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for 4 consecutive weeks, the first publication having been made on the 13 day of June, 1913 and that the last publication was made on the 11th day of July, 1913 that said notice was published in the regular issue of every number of the paper during the periods and times of publication, and that the said notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 18th day of July, 1913.

Notary Public.

I, Walter Lee, Register, do hereby certify that a notice, a printed copy of which is herewith annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the 13th day of July, 1913.

5061

July 22, 1913.

Permit 5061

Mr. H. D. Maughan,
Preston, Idaho.

Sir:

Am today in receipt of depositions, affidavit of publication and fees for proof of beneficial use of water under above permit. Am enclosing receipt for fee. As soon as the report of the examining engineer has been filed, the matter of issuing the license will be taken up.

Very truly yours,

F. P. KING,

State Engineer.

R5704

By _____

P.S.--Am also returning your certificate of completion of works for your own files.

F.P.K.

5061

C. W. H. H. H.

REPORT OF ENGINEER

1. State name of applicant and number of permit: Harrison D. Maughan-Permit 5061.
2. State source of water supply: Springs
3. Location of point of diversion: SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 11, T. 16 S., R. 38 E. B.M.
4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 1 ft.
 - (b) Width at water line: 1 $\frac{1}{2}$ ft.
 - (c) Depth of water: 0.5 ft.
 - (d) Grade per mile: 6 ft.
 - (e) Capacity of ditch: 2/3 of 1 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent: About 25 inches flowing in ditches.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 11, T. 16 S., R. 38 E. B.M.
All under cultivation - 40 acres.
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

Walter H. Heyde

STATE OF IDAHO,

County of _____

ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

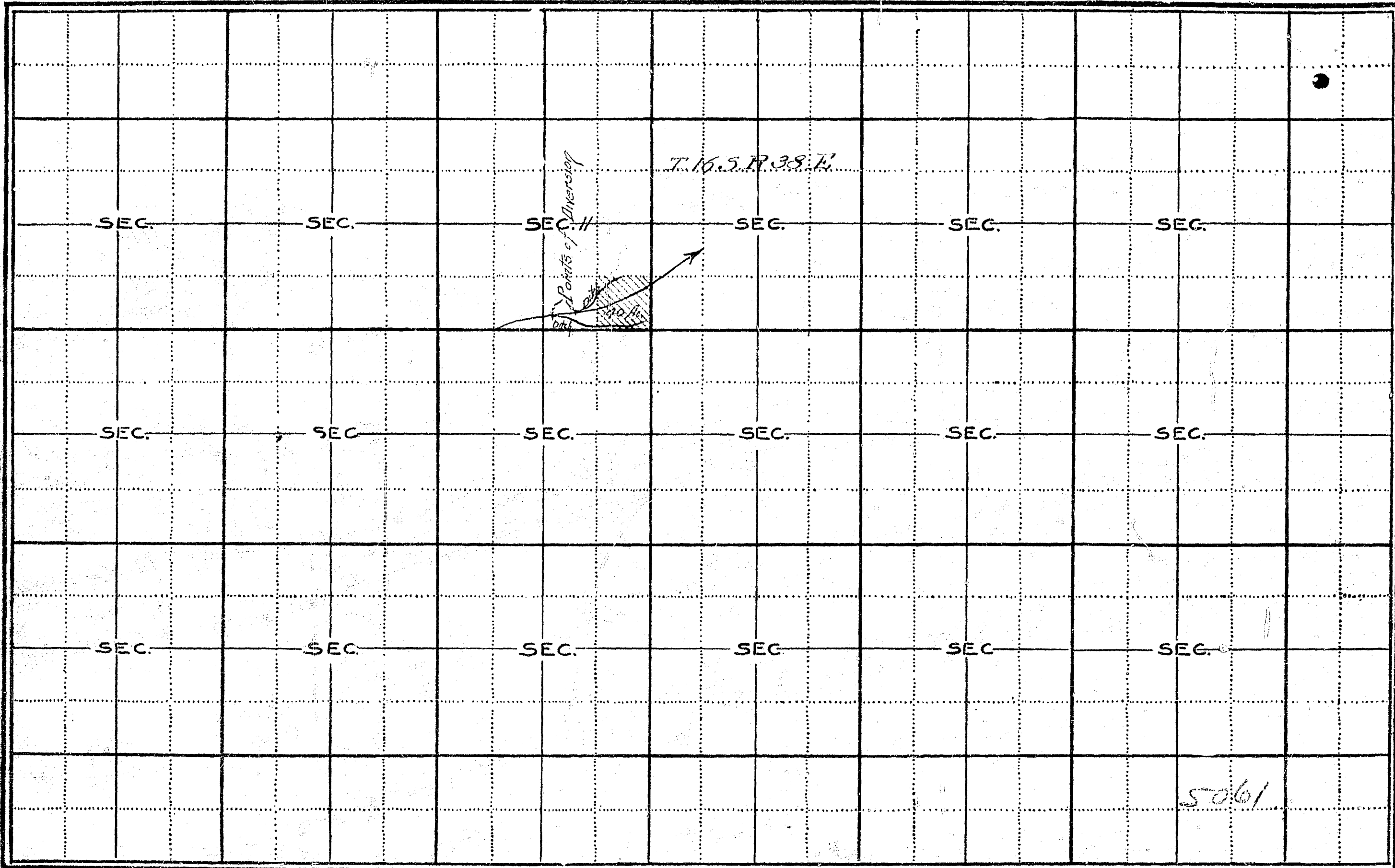
Subscribed and sworn to before me this _____ day of _____ 191____

My Commission Expires _____

Notary Public.

5061

Name of Applicant *Harrison D. Mangham* Permit No. *5061*



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho

August 29, 1913.

Permit 5061

H. D. Maughan,
Preston, Idaho.

Sir:

Am herewith enclosing you water license
issued under above permit.

Very truly yours,

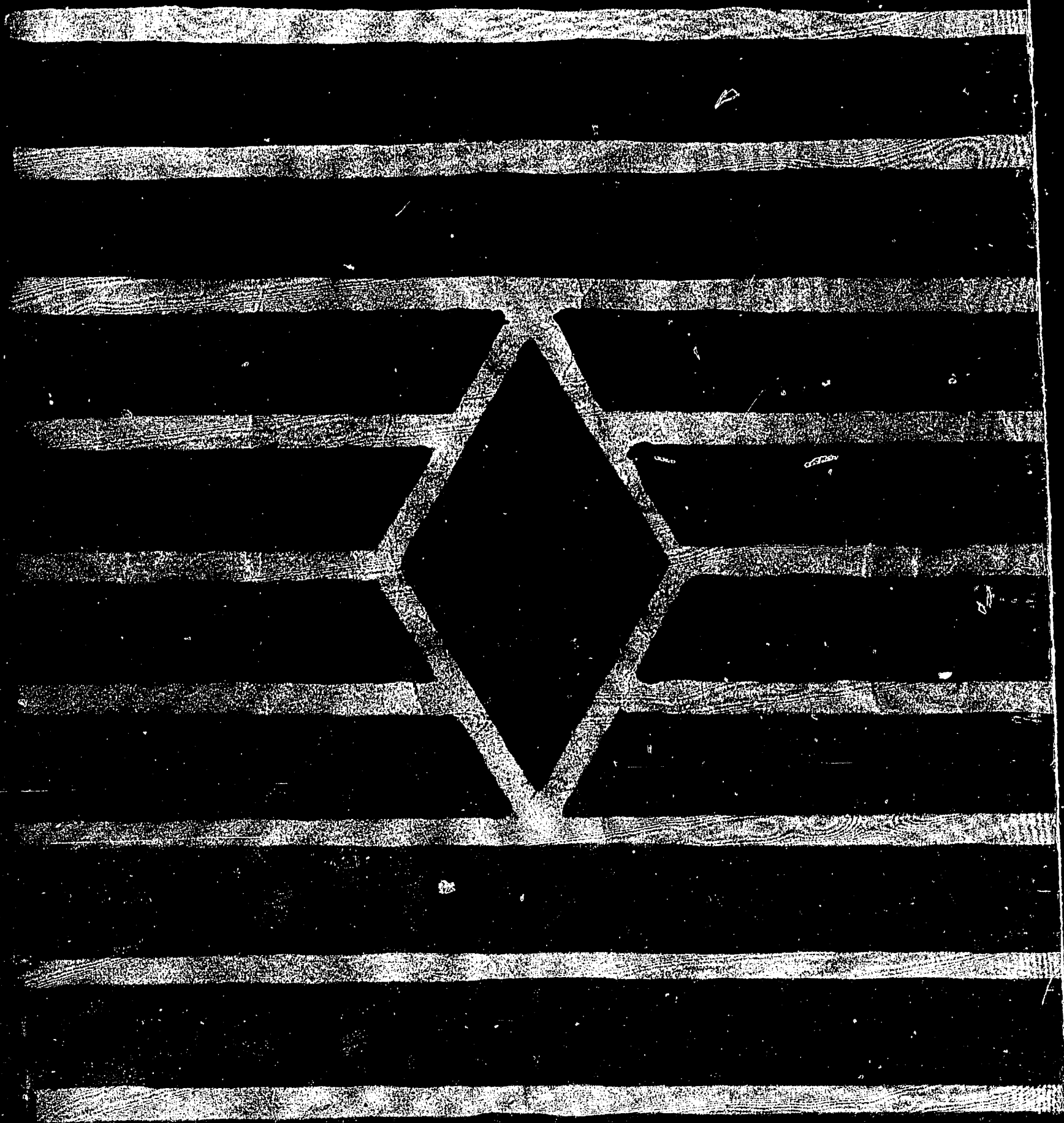
F. P. KING,

State Engineer.

WL

By _____

5061



County: Oneida
Stream: Unnamed Stream.
Amount: 4/5 of 1 Sec.ft.
Use: Irrigation.
Priority: 8/11/11

STATE OF IDAHO

Water License No.....5061.....

WHEREAS, On the 11th day of August, A. D. 1909, H. D. Maughan,

of Preston, County of Oneida, State of Idaho, duly made application (No. 7271) to me for a permit to use 4/5 of 1 cubic foot per second of the waters of an Unnamed Stream fed by springs,

County of Oneida, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 11th day of August, A. D. 1909, Permit No. 5061 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 11th day of August, A. D. 1911, and for the application to beneficial use of said water on or before the 11th day of August, A. D. 1913, and,

WHEREAS, On the 11th day of August, A. D. 1911, H. D. MAUGHAN,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 5061 dated August 22, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4/5 of 1 cubic foot per second of said water, with date of priority of August 11, 1909, and

WHEREAS, On the 19th day of July, A. D. 1913, H. D. MAUGHAN,

the holder of said permit, duly made proof of the application to beneficial use of 4/5 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to H. D. MAUGHAN,

of Preston, County of Oneida, State of Idaho, the holder and owner of said Permit No. 5061, a perpetual right, dating from August 11, 1909, to the use of 4/5 of 1 cubic foot per second of the waters of an unnamed stream fed by Springs.

in the County of Oneida and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 11, T. 16 S., R. 38 E. B. M.,

and conducted to and upon 40 acres in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 11, T. 16 S., R. 38 E. B. M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 23rd day of August, A. D., nineteen hundred and thirteen.

F. P. King,

(Seal)

State Engineer.

13 2026

13-2026

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