

No. 7320.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John P. Nielson,

Postoffice address: Weston.

County, Oneida, State, Idaho.

2. The quantity of water claimed is 6/10 of one cubic foot per second.

3. Source of water supply Weston Hollow Creek.

County of Oneida. *Franklin*

4. Location of point of diversion: 1620 feet south of NW cor of NE $\frac{1}{4}$ section 17 township 16 south Range 39 East Boise Meridian.

5. To be used for:

I. Irrigation.

(a) Amount of land to be irrigated; thirty acres.

(b) In the following legal subdivisions: In the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 17 township 16 south Range 39 East Boise Meridian.

6. Estimated cost of works: About ten dollars.

7. Description of works for diversion;

I. Kind of works: One small ditch.

II. Dimensions of works:

(d) Conduit, ditch, width at bottom one foot, width at water line two feet. Average grade per mile is 5.25 feet. Length of conduit is one fourth mile and it crosses the following quarter sections: On land to be irrigated to land described in 5 1 (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is: Work is completed and been in use during entire irrigation season of 1909.

9. Time required for the complete application of the water to the proposed use is 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.

John P. Nielson,

Applicant,

By S. P. Morgan, Agent.

JONES CURRY LEAF, PAT. FEB. 7, 1906

PUBLISHED BY THE U.S. GOVERNMENT PRINTING OFFICE

APPROVAL OF STATE ENGINEER.

The number of this permit is 5084.

Date of first receipt of application 9 am. August 18, 1909.

Recorded in Book 14, Page 5084, Approved August 18, 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 hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before October 17, 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 November 18, 1909.

The whole of said work to be completed on or before February 18, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to February 18, 1910.

Witness my hand this eighteenth day of August, 1909.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of proof of completion of works and beneficial use of water mailed applicant Nov. 1, 1909.

Notice of proof received Dec. 27, 1909, fixing February 17, 1910. as date and Weston, Ida., as place of proof.

Publication notice mailed the Preston News January 12, 1910.

Deposition blanks mailed C. H. Norton, M. P. January 12, 1910.

J. O. Webster, Water Commissioner, notified January 11, 1910, to make examination.

Depositions of holder and witnesses received March 9, 1910.

Report of water commissioner received March 30, 1910.

Fees received March 31, 1910.

Affidavit of publication received April 6, 1910.

Certificate and license issued April 23, 1910.

Permit No. 5084.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:-

This is to certify that JOHN P. NIELSON, of Weston, County of Oneida, and State of Idaho, the holder of Permit No. 5084, issued upon Application No. 7320, bearing date of priority of April 18, 1908, authorizing the diversion of six-tenths (.6) of one second foot of the waters of WESTON HOLLOW CREEK, 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 six-tenths (.6) of one second-foot of the waters of WESTON HOLLOW CREEK, that the point of Diversion of said waters is at a point 1620 feet south of northwest corner of Northeast quarter Section 17, Township 16 South, Range 39 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 50 acres in the Southwest quarter of Northeast quarter (SW4 NE4) Section 17, township 16 South, Range 39 East of Boise Meridian.

Witness my hand this 23rd day of April, A. D. 1910.

D. G. Martin

State Engineer.

License issued for 6/10 second feet

Page 609

5084

P5084

SEC.

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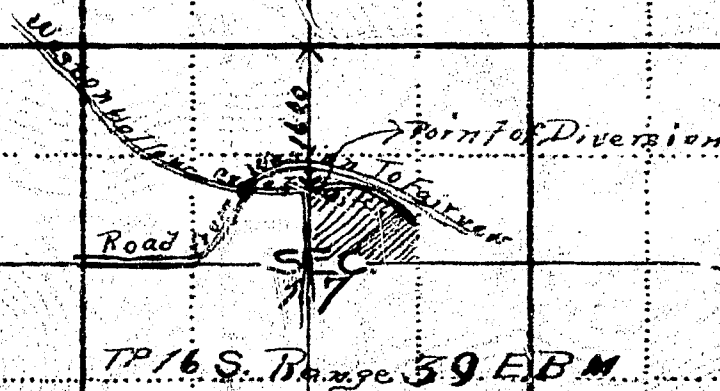
SEC.

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I, S. P. Morgan hereby certify that this is a true and correct Plat
of water location survey made by me, June 28 1909
for John P. Nielsen, of Weston, Omeida Co. Idaho.

S. P. Morgan
County Surveyor

5084

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Permit No. 5084

John P. Nielsen,

Weston, Idaho

Boise, Idaho, September 8, 1909

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.

5084

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, November 1, 1909

John P. Nielson,
Boston, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 5034 and blank Notice of Proof of Beneficial Application of Water under same permit, which notice should be filled out and returned to me at least 60 days before the date upon which it is desired to submit proof, which proof should be on or before February 18, 1910

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

5034

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.)

Historic Idaho

(Date)

Dec 16 1909

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

DEAR SIR: Notice is hereby given that at 2 P.M. on the *17* day of *Feb*

19*09* at *Wiston*

County of *Oneida*

State of Idaho, before *Chas. H. Norton*

proof will be submitted of the completion of works for the diversion of *6/10* cubic feet

per second of the waters of *Historic Hollow Creek*

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

John C. Nielson

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

Wiston,

County of *Oneida,*

State of Idaho.

3. The number of such permit is

5084

and the date set for the completion of such work is

February 18-1910

4. Said water to be used for

Irrigation

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 *One* cubic feet per second.

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

Thirty

acres,

particularly described as follows: *S W 4 NE 4 of section 17 township 16 south Range 39 East Boise Meridian*

(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.

Engineer.

I desire that the above notice be published, according to law, in the *Preston*

News of *Preston Idaho* published in the county in which said

works are situated; the expense of which publication will be borne by

me

(Signature)

John C. Nielson,

5084

Dec-16-1909 'S. of NW 4 cor of NE 4 Sec 17, T. 16S. R. 39E. 3rd Mer

Dec 17 1909

PERMIT NO. 5084

Notice of Proof of Application of Water to Beneficial Use

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

RECEIVED
FEB 27 1909

(P. O.)

Weston Idaho

(Date) Dec 16 1909

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

DEAR SIR: Notice is hereby given that at 2 P. M. on the 18 day of February 1909, at Weston County of Oneida State of Idaho, before Chas. H. Norton proof will be submitted of the application to beneficial use of $6/10$ cubic feet per second of the waters of Weston Hollow Creek in accordance with the terms and conditions of Permit No. 5084 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 John P. Nielson - Weston - Idaho
2. The use to which said water has been applied is Irrigating 30 acres of land
3. The amount applied to beneficial use is Six Tenths ($6/10$) Cubic ft.
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) S. W. $1/4$ N. E. $1/4$ of section 17, township 16 south Range 39 East Boisea Meridian
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Weston Hollow Creek & Nielson's Ditch
6. The right to take the water from such works is based upon Permit No. 5084
7. The source of supply from which such water is diverted is Weston Hollow Creek
8. The date of the priority which said user is prepared to establish is 1887
By purchase right Aug 18, 1909

I desire that the above notice be published, according to law, in the Preston News of Preston Idaho, published in the county in which said water is to be used; the expense of which publication will be borne by me

(Sign)

John P. Nielson

5084

NOTICE OF PROOF OF COMPLETION OF WORKS
AND
APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at _____ on the _____
day of _____ 19____, at _____
County of _____ State of Idaho, before _____
proof will be submitted of the completion of works for the diversion of
_____ cubic feet per second of the waters of _____
_____ and of the application to
beneficial use of said water in accordance with the terms and condi-
tions of Permit No. _____ heretofore issued by the State Engineer
of the State of Idaho.

1. The name and postoffice address of the person, or corpora-
tion, holding said permit, are _____
_____ John P. Nielson, Weston, Idaho.

2. 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 use, in accordance with the
plans accompanying the application for such permit, is _____
_____ cubic feet per second.

3. The use to which said water has been applied is irrigation
and domestic _____ purposes, and the amount applied
to beneficial use is _____ cubic feet per second.

4. The place where said water is used is _____
_____ SW4 NE4 Sec. 17, Tp. 16 S.,
_____ R. 39 E. B. M.

5. The date of priority which said user is prepared to establish
is _____ August 18, 1909.

JAS. STEPHENSON, Jr.,

State Engineer.

JAS. STEPHENSON, JR.
STATE ENGINEER

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

dep

Permit 5084.

January 11, 1910.

Mr. J. O. Webster,
Water Commissioner,
Idaho Falls, Idaho R.D.#5

Sir:-

John P. Nielson, of Weston, Idaho, the holder of Permit No. 5084, authorizing the diversion of six-tenths of one second foot of the waters of Weston Holly creek, desires to make proof of completion and beneficial use of water on February 17, 1910.

Very truly yours,

Inc.

State Engineer.

By...

5084

State of Idaho

ENGINEERING DEPARTMENT
BOISE

JAMES STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works
and
Proof of Beneficial Use of Water.

Boise, Idaho,

January 12, 1910.

c/o John P. Nielson
Chas. H. Norton,
Dear Sir: Weston, Idaho.

I enclose herewith the following forms to be used in connection with
proof of completion of works and beneficial use of water under permit

No.
5084.

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..... the date set for proof,
the enclosed forms (two for permit holder and two each for two disinter-
ested witnesses) should be filled out and sworn to, at
..... before..... Weston,
Idaho

2. When the depositions have been taken they should be mailed to
this office, together with affidavit of publication of notice and fees as
follows: Fee for proof of completion of works is \$5.00 for ten second
feet or less. Over ten second feet a charge of 30 cents a second foot is
made. The fee for beneficial use of water, for power purposes is \$5.00;
if for irrigation, \$2.00 for each 40-acre tract, or fraction, to which
water has been beneficially applied.

When these have been received, together with report of the Water Com-
missioner, if everything is properly executed, Certificate of Completion of
Works and License will issue.

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

5084

Jan. 14 1910

Hon. James Stephenson Jr.
State Engineer
Boise Idaho

Dear Sir:

I have received your favor
relating to examination of ditch work
for completion of work and
beneficial use of water, under
permit #5084. held by John P. Hall
Nielsen.

I will attend to the
matter and report as soon
as possible.

Very Truly Yours:

J. O. Webster

RECEIVED

JAN 17 1910

OFFICE OF STATE ENGINEER

5084

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. John P. Niles, age 33, Farmer

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. _____

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

Ans. #5044 date Aug 18 1909, 6/10 of one second foot per sec. of water, Wester, Hollow Creek, Part of division 1626 of 1st south of the river of N.E. 1/4 of sec 17 T. 16 N. R. 39 E. B. 22 N. 1/2 sec 17

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, the soil is between a sand & clay heavy loam

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. The water was turned into works of diversion during the fall of 1909

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 the works are completed & comply with the terms of the permit

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. _____

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

Ans. The works consist of one irrigation ditch one foot wide at bottom, two feet wide at water line cost about ten dollars(Sign here.) John P. Niles

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 Wester, County of Blaine, State of Idaho, on this ten day of February, A. D. 1910.

My commission expires July 1, 1911

MAR 10 1910

OFFICE OF THE

5044

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

PERMIT NO. 5084

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. L. A. Fifield, age 33, Farmer

Ques. 2. Are you acquainted with John P. Pulser, the holder of Permit No. 5084, authorizing the diversion of $\frac{1}{10}$ of one second-foot of the waters of Western Hollow Creek, at Western Idaho for irrigation purposes? How long have you known him, and where does he reside?

Ans. Fifteen years, He resides at Western Idaho

Ques. 3. Have you read or heard read said Permit No. 5084, 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. I am acquainted with said land, it is a tract of low level land, it is a heavy loam & fertile soil that it will require one second foot for profitable cultivation.

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

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

Ans. Work consists of an irrigation ditch & is capable of carrying one second foot of water.

(Sign here.)

L. A. Fifield

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 Western, County

of Pocatello, State of Idaho, on this seventeenth day of

February

A. D. 1910

RECEIVED

MAR 3 1910

My commission expires July 1, 1911.

C. H. Nator

5084

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

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Frank Fifield

Age 32, Farmer

Ques. 2. Are you acquainted with

John P. Nelson

the

holder of Permit No. 5084, authorizing the diversion of $\frac{4}{15}$ second-feet of the waters of

Weber Hollow Creek

at Weston Idaho

for irrigation purposes? How long have you known him, and where does he reside?

Ans. I have known him for 2 years

He resides at Weston Idaho

Ques. 3. Have you read or heard read said Permit No. 5084, 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. I am acquainted with said land, it is a tract

of low level land, it is a heavy loam, I estimate that it will require one second foot for profitable cultivation

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

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

Ans. Work consists of one irrigation ditch, and is

capable of carrying one second foot of water

(Sign here.)

Frank Fifield

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

Cresida

State of Idaho, on this

Twenty-fifth

day of

February

A. D. 1900

RECEIVED

C. H. Watson A. P.

My Commission expires July 8, 1901

MAR 2 1910

OFFICE OF STATE ENGINEER

5084

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. John P. Nelson, age 33, Farmer
Wesley, 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. #5084, The date of priority is Aug 18, 1909

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

Ans. Wesley Hollow Creek, 1620 feet South of
W. corner of Sec 17, T. 14. South R. 39 E. B. M.

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. One ditch, capable of carrying one
irrigating stream

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.)

Ans. For irrigation 12 acres located 1620 feet
South of W. corner of the N.E. 1/4 of section
17, T. 14. South Range 39 E. B. M.

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

Ans. _____

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

Ans. 1/10 of One Cubic foot per second

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. _____

RECEIVED

MAR 9 1910

STATE OF IDAHO

5084

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

Ans. For irrigation purposes, on above described
land, after Aug 18th 1907, to the full amount

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.

(Sign)

Jno P. Nielsen

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 Western

County of Breeda, State of Idaho, on this seventeenth

day of February A. D. 1910.

My Commission
expires July 1, '11.

E. F. Hester
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

STUBBINS CO., PRINTERS & BINDERS, BOISE
7318

5084

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. Frank Tefuld, age 37, Farmer
West Idaho

Ques. 2. Are you acquainted with John P. Nielsen the holder of Permit No. 3984? How long have you known him and where does he reside?

Ans. 10 years. He resides at West Idaho

Ques. 3. Have you read or heard read said Permit No. 3984, and are you familiar with its provisions and conditions?

Ans. 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. West Hollow Creek, 1620 feet south of N.W. corner of N.E. 1/4 Sec 17 T11N R12E S39. One irrigation ditch

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. I have about 4/5 of one 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.)

Ans. For irrigation of about 12 acres of land, at the above described point of diversion

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

Ans. _____

RECEIVED

MAR 9 1910

5004

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. Land is a heavy loam. Estimate that it will require one second foot for profitable cultivation

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

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

Ans. I have seen Applicant use water for irrigation

(Sign) Frank Field

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 Water

County of Oneida, State of Idaho, on this seventeenth day of February A. D. 19 10

C. H. Nator
Notary Public

Permit No. _____
Proof of Application of Water to
Beneficial Use
DEPOSITION OF WITNESS

Received and filed _____
BY THE CLERK OF THE DISTRICT COURT
7817

5-08-11

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. L. G. Gifford age 33, Tanner

Ques. 2. Are you acquainted with John P. Nelson the

holder of Permit No. 5084? How long have you known him and where does he reside?

Ans. I have known him for five years. He
resides at Westport Idaho

Ques. 3. Have you read or heard read said Permit No. 5084, and are you familiar with its provisions and conditions?

Ans. 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. Weston Hollow Creek, 1620 feet south of the NW corner
of the NE 1/4 of Sec. 17, T16S, R39E
C. B. Meridian. One irrigation ditch

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. I have seen 4/10 of one 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.)

Ans. For irrigation of about 10 acres of land
at the above described point of diversion

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

Ans. _____

RECEIVED

MAR 9 1910

OFFICE OF THE COMMISSIONER

5084

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. Land is a heavy loam. I estimate that it
will require one second foot for profitable cultivation

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

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

Ans. I have seen applicant use water for irrigation

(Sign) L A. Field

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 Wester

County of Oneida, State of Idaho, on this seventeenth day of February A. D. 1910

C. H. Norton
Notary Public

Permit No. _____
Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed _____

BYNO-YORK CO., PRINTERS & BINDERS, BOISE
7817

5084

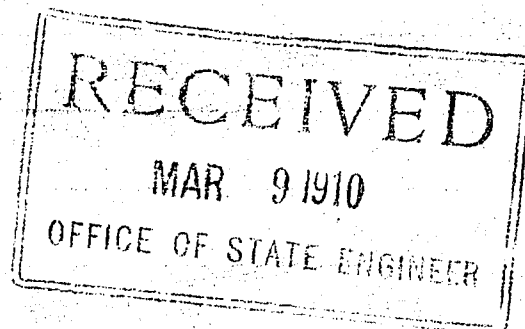
This certifies that the notice of Proof
of completion of works by John P. Hansen
to securing .6 of cubic foot of water for
irrigation purposes, has been duly
published in the Preston News, a
periodical published weekly in
Preston, Oneida Co., Idaho

Wm T Chatterton

Subscribed & sworn to before me
this 7th of March 1910

C. H. Zator
Notary Public

My Commission
expires July 8, 1911



508

March 9, 1910.

Permit 5084

John P. Nielsen,
Boston, Idaho.

Sir:-

I am today in receipt of depositions in proof of completion of works and beneficial use of water under, also your affidavit in regard to publication of notice. In regard to the affidavit of publication would say that the affidavit required must be from the publisher of the paper. This can be obtained upon payment to him of advertising fees.

There still remains the fees due the state amounting to \$7.00, the fee for proof of completion of works being \$5.00 and for beneficial use \$2.00.

Mr. J. A. Webster, water commissioner of 1st division, will attend to the examination of works and report on same as soon as weather conditions will permit.

Very truly yours,

State Engineer.

By...

P.S.

Am returning you herewith the permit.

P5084

Report of Engineer

1. State name of applicant and number of permit: John F. Nielson - Permit 5084
2. State source of water supply: Weston Hollow creek
3. Location of point of diversion: 1620' S. of NW cor. of NE4 of Sec. 17, Tp. 16 S., R. 39 E.
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 foot*
 - (b) Width at water line: *2 feet*
 - (c) Depth of water: *16*
 - (d) Grade per mile: *50*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *The terms of permit have been fully completed with*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *30 acres in south and west part of the SW4 of NE4 of Sec. 17, Tp. 16 S., R. 39 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:

STATE OF IDAHO,

County of _____

} ss.

J. O. Webster
Water Commissioner
1st Div.

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.

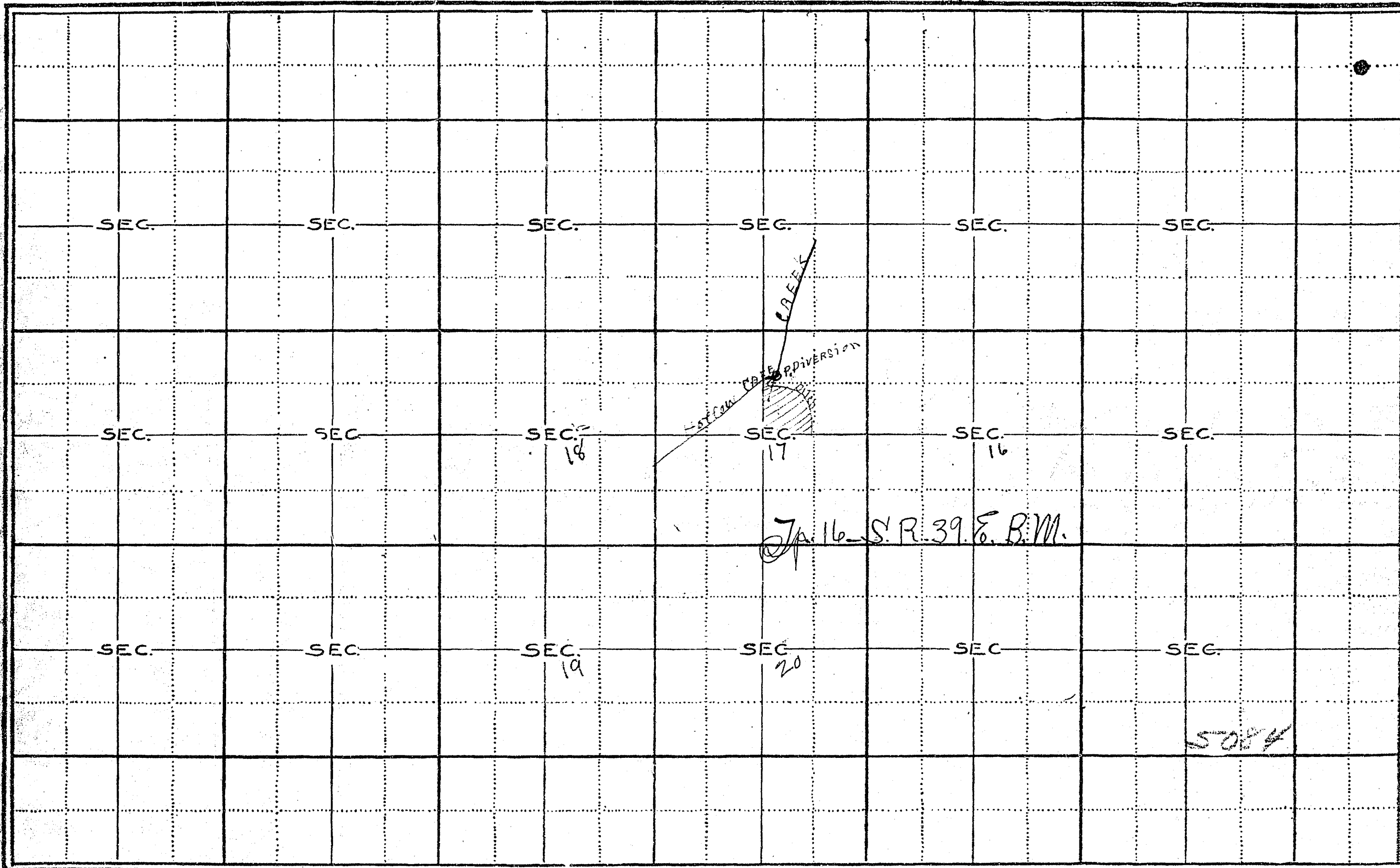
Subscribed and sworn to before me this _____

day of _____

190 _____

My Commission Expires _____

Notary Public



W eston Idaho 3/20/10
Mr Jas Stephenson Jr.
State Engineer
Boise Idaho.

Dear Sir:-

I have this date paid the Preston News for publication of notice and Mr Roz well forward to you affidavit of publication & left this to the Notary Mr Norton to do and paid him for it and thought - he knew what was required and also left the amount for proof of claim and in calling upon him he informed me that he had neglected to enclose it with the other papers I am enclosing herewith my check for the amt. \$7.00 Mr Webster comes tomorrow

Yours very truly

J. M. P. Fisher

RECEIVED

MAR 21 1910

OFFICE OF ENGINEER

5084

10/10

5084

March 31, 1910.

Permit 5084

John P. Nielson,
Weston, Idaho.

Sir:-

I am just in receipt of yours of the 20th inst. inclosing check for \$7.00, fees due in proof of completion of works and beneficial use of water under above permit. Inclosed find receipts.

As the affidavit of publication has not yet been received, it would be well for you to write to the publisher of the paper and have him send it direct to this office. As soon as this is received the matter of issuing certificate and license will be taken up.

Very truly yours,

State Engineer.

R2511-12

By...

5084

642 - 6 to be combined

AFFIDAVIT OF PUBLICATION.

RECEIVED

APR - 6 1910

STATE of IDAHO,
County of Oneida } SS

I, Watkin L Roe do solemnly swear that I am one of

OFFICE OF STATE ENGINEER

the publishers of the CACHE VALLEY NEWS, a semi-weekly newspaper of general circulation published each week at Preston, Oneida County, 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 Jan, 1910 and that the last publication was made on the 17th day of Feb, 1910 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.

Watkin L Roe

Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 2 p. m. on the 17th day of February, 1910, at Weston, County of Oneida, State of Idaho, before Chas. H. Norton, N. P., proof will be submitted of the completion of works for the diversion of 6 cubic feet per second of the waters of Weston Hollow Creek, and of the application to beneficial use of said water in accordance with the terms and conditions of permit No. 5084 heretofore issued by the state engineer of the State of Idaho.

The name and postoffice ad-

Subscribed and sworn to before me this 2 day of March, 1910

Joseph Davis
Notary Public.

I, _____, Register. do hereby certify that a notice, a printed copy of which is hereunto 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 _____ day of _____ 1910.

5084

dress of the person holding said permit, are John P. Nielson, Weston, Idaho.

2. 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 use, in accordance with the plans accompanying the application for such permit, is 6 of 1 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 6 of 1 cubic feet per second.

4. The place where said water is used is SW 1/4, section 17, Tp 16 South, R 39 E, B. M.

5. The date of priority which said user is prepared to establish is Aug. 18, 1909.

Jas. Stephenson, Jr.

Jan 13 F 17 State Engineer

Boise, Idaho, May 10, 1910

Permit No. 5084

John P. Nielson,
Weston, Idaho

Sir:--

Inclosed herewith find Certificate of
Completion of works and Water License
issued under above Permit.

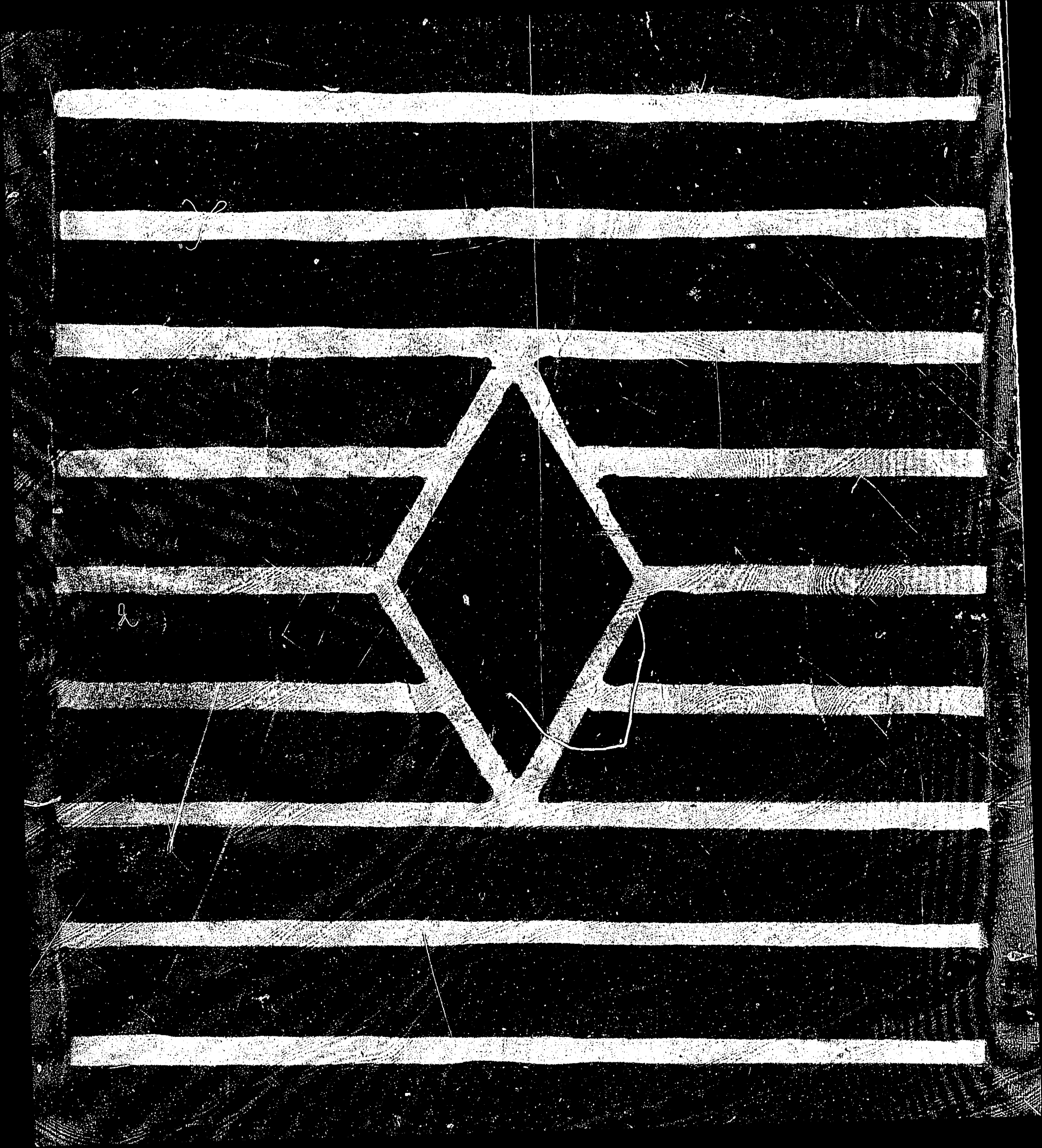
Very truly yours,

State Engineer,

By _____

Enc. WL.C.

5084



Oneida County, +
Weston Hollow Creek, +
.6 second feet, +
Irrigation & Domestic, +
Priority, August 18, 1909.

S T A T E O F I D A H O

Water License No. 5084.

WHEREAS, On the 18th day of August, A. D. 1909, JOHN P. NIELSON, of Weston, County of Oneida, State of Idaho duly made application (No. 7320) to me for a permit to use six-tenths (.6) of one cubic foot per second of the waters of WESTON HOLLOW CREEK, County of Oneida, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 18th day of August, A.D. 1909, Permit No. 5084 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 18th day of February A.D. 1910, and for the application to beneficial use of said water on or before the 18th day of February, A.D. 1910

and, - WHEREAS, On the 17th day of February, A.D. 1910, JOHN P. NIELSON, the holder of said permit duly made proof of the completion of adequate works for the diversion of six-tenths (.6) of one cubic foot per second of said waters, as evidenced by my Certificate No. 5084, dated April 25, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use six-tenths (.6) of one cubic foot per second of water, with date of priority of August 18, 1909, and,

WHEREAS, On the 17th day of February, A.D. 1910, JOHN P. NIELSON, the holder of said permit duly made proof of the application to beneficial use of six-tenths (.6) of one 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 JOHN P. NIELSON, of Weston, County of Oneida, State of Idaho, the holder and owner of said Permit No. 5084, a perpetual right, dating from August 18, 1909, to the use of six-tenths (.6) of one cubic foot per second of the waters of WESTON HOLLOW CREEK, 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 at a point 1620 feet south of northwest corner of Northeast quarter of Section 17, Township 16 South, Range 39 East of Boise Meridian, and conducted to and upon (30 acres in the Southwest quarter of Northeast quarter (SW4 NE4) Section 17, Township 16 South, Range 39 East of Boise Meridian, 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 April, A.D. Nineteen hundred and ten.

D. G. Martin,

State Engineer.