

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 19474
Permit No. 13703
District No. 5-D

1. Name of Applicant: JOSEPH E. MARTINSEN and WILLIAM H. CROSSLEY

Postoffice address: Thatcher

County: Bannock

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 2/5 cubic feet per second.

3. Source of water supply: Clear Spring which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 25 , T. 11 S., R. 39 E., B. M., County of Bannock

5. Water is to be used for: Domestic and irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the

of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 100

8. Kind of works: Ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1 $\frac{1}{2}$

feet; dimensions of flume

Diameter of pipe inches; length of conduit 1 $\frac{3}{4}$ miles.

Average grade per mile 7 feet.

12. The time required for the completion of such work is one half years.

13. The time required for the complete application of the water to the proposed use is 6 mo. ~~additional years~~

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? **no** If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

JOSEPH E. MARTINSON
WILLIAM H. CROSSLEY Applicant.

By WM. H. JACKSON, JR. Agent.

Date of first receipt at office of State Engineer 9 A. M. August 10, 1918

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 13703

Recorded in Book 48 Page 13703 Approved August 20, 1918

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 approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **October 19, 1918** 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 20, 1918**

The whole of said work to be completed on or before **February 20, 1919**

Beneficial use of water appropriated in accordance herewith, to be made on or before **February 20, 1919**

Witness my hand this 20th day of August, 1918.

FRED A. WILKIE State Engineer.

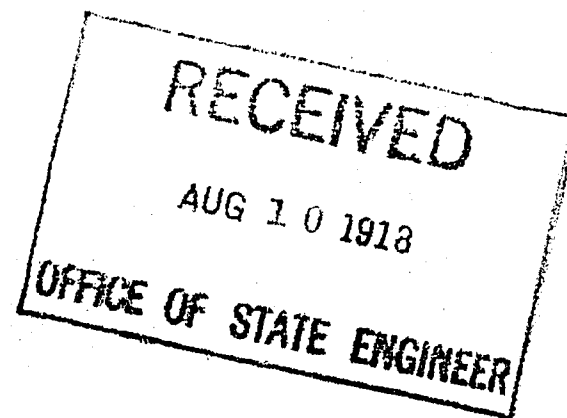
Remarks: Spring is on unentered Gov. Land

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 S	40 E	29			5	5			10									20	
Proof of Completion of Works made December 3, 1918. Certificate of Completion of Works issued December 14, 1918. Permit No. 13703. CERTIFICATE OF COMPLETION OF WORKS. To All Whom It May Concern: This is to certify that Joseph E. Martinsen and William H. Crossley, of Thatcher, County of Bannock, and State of Idaho, the holders of Permit No. 13703, issued upon Application No. 19474, bearing date of priority of August 10, 1918, authorizing the diversion of 0.4 second feet of the waters of Clear Spring, County of Bannock, State of Idaho, for irrigation and domestic purposes, have 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 0.4 second feet of the waters of Clear Spring; that the point of diversion of said waters is in the NE¼SE¼ Sec. 25, T. 11 S., R. 39 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW¼NE¼, SE¼NE¼ and SW¼NW¼ Sec. 29, T. 11 S., R. 40 E., B.M. Witness my hand this 14th day of December, A. D. 1918. FRED A. WILKIE, State Engineer of the State of Idaho. License issued for <u>0.4</u> second feet <i>Page 1463</i>																			

Wm. L. Jackson, Jr.
Laws, Real Estate
Insurance

POCATELLO, IDAHO

8-6-1918.



Hon. Fred H. Wilkie,
State Engineer,
Boise, Idaho.

Dear Sir:-

Enclosed herewith application for permit of Martinson and Crossley together with the necessary maps. This land or rather this spring is on government land, as the entry of Mrs. Merrill has not been allowed, and therefore there is no hindrance to his filing on the spring.

Enclosed also herewith certified check in the sum of \$1.00 to pay the fee in this connection.

Yours very truly,

Wm. L. Jackson, Jr.

WHJ° LAWS.

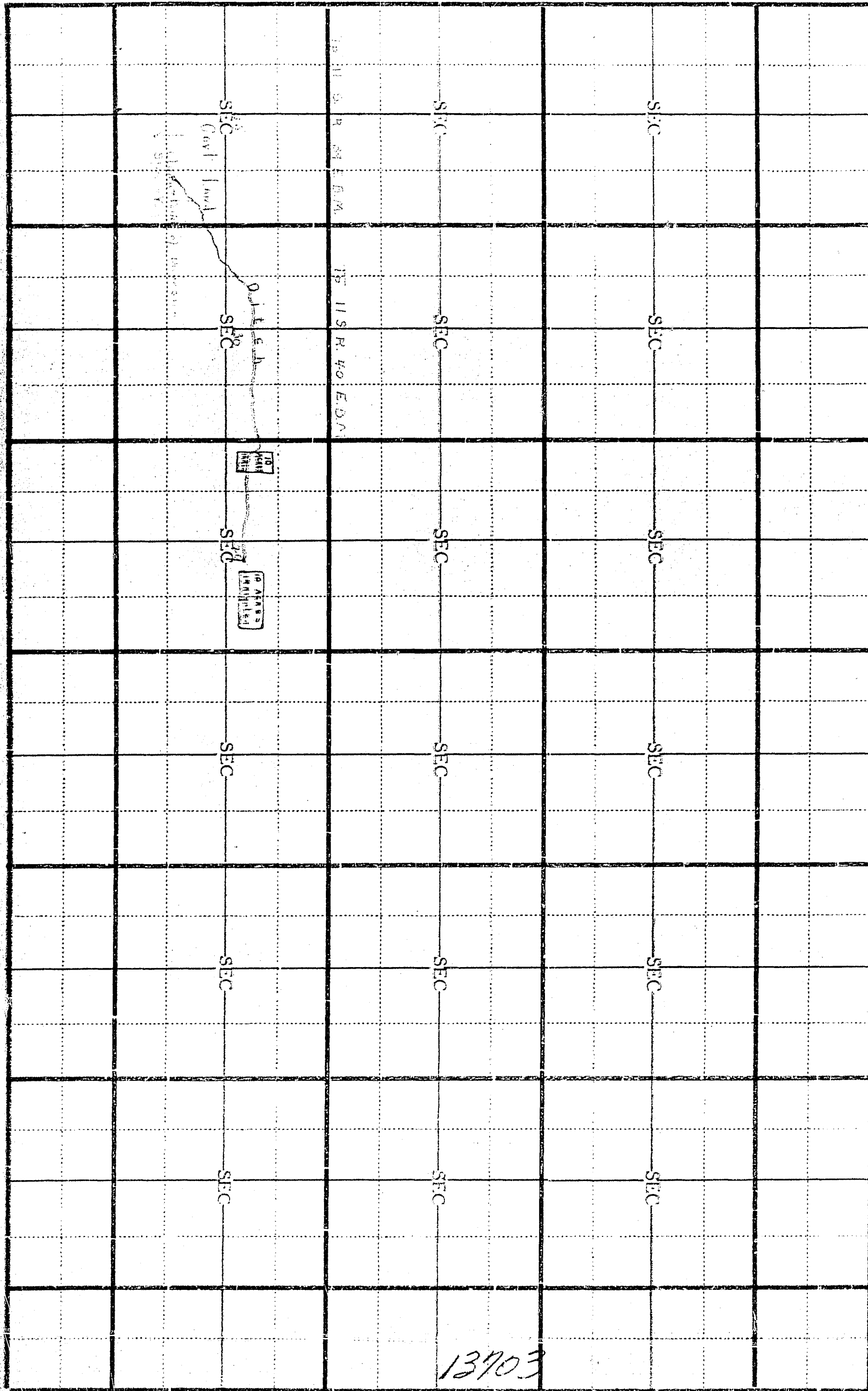
Aug 10 1918

13703

MARLINSON + Crossley

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

Printed and for Sale by The Tribune, Pocatello, Idaho



13703

Permit Map No. **13703**

As Approved

AUG 20 1914

BY
FRED A. WILKIE
STATE ENGINEER

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Boise, Idaho, Aug. 24, 1918

Wm. H. Jackson, Jr.

Box 358,
Pocatello, Ida.
Dear Sir:

#13703

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.

J. H. SMITH,
~~XXXXXXXXXX~~

State Engineer.

FRED A. WILKIE

13703

State of Idaho
ENGINEERING DEPARTMENT
BOISE

November 22, 1918.

Martinson & Crossley,

Jas. C. martinson
Thatcher, Idaho.

DEAR SIR:

I enclose herewith blank notice of Proof of Application of Water to Beneficial Use under your Permit No. 13703-----, 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,

FRED A. WILKIE,

State Engineer.

13703

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Martinson & Crossley,
Jos. E. Martinson,
Thatcher, Idaho.
Dear Sir:—

November 22, 1918.

Under the terms of your permit No. 13703-----, you are required to complete your diversion works on or before Feb. 20, 1919----- I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give 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,

FRED A. WILKIE,

State Engineer.

13703

Permit No. 13703

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bannock

SS.

Joseph E. Martinson NW 1/4 Sec 25, T11N, R39E, B1M, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 13703, and that his postoffice address is Shafter Bannock Co State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Clear Springs

Third: That the point of diversion of said water is

In NE 1/4 SE 1/4 of Sec 25, T11N, R39E, B1M

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb 20, 1919

Fifth: That the use for which said water is intended is Domestic & irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works:

ditch

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 5 feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 3 feet, depth of water 1 1/2 feet; diameter of pipe inches; average grade per mile is 7 feet. Length of conduit is 1 3/4 miles.

Seventh: That said works are capable of conducting to the place of intended use

9/5

second feet of water.

Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: 5 acres SW 1/4 NE 1/4 and 5 acres in

SE 1/4 NE 1/4 and 10 acres in SW 1/4 NW 1/4 of
Sec 29, T11N, R40E, B1M.

Ninth: Remarks: That

Joseph E. MartinsonWilliam H. Menzies Corossley

(Sign here)

Subscribed and sworn to before me this

3

day of

December1918

My commission expires

Dec 27, 1919W. N. Wendenhall

Notary Public.

13703

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

December 3-1918

(P. O.)

Shafter Idaho

TO THE STATE ENGINEER,

Boise, Idaho.

DEAR SIR:

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

Gem Valley Progress of

Grace Idaho

, published in the

county in which the works are situated.

Joseph E. Martinson

William H. Henry Crossley

(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.

13703

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 11 a. m. on the 20¹³ day of Feb^{March}, 1919,
 at Lago, County of Bannock, State of Idaho,
 before Wm H Mendenhall, Notary Public, proof will be submitted
 of the application to beneficial use of 2 1/2 cubic feet per second of the
 waters of Clear Springs in accordance with the terms and conditions of
 Permit No. 13703 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 Jos E. Martensen & W. H. Crossley, Thatcher, Ida
2. The use to which said water has been applied is Domestic & irrigation
3. The amount applied to beneficial use is 2 1/2
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW⁴ NE⁴; SE⁴ NE⁴ & SW⁴ NW⁴ of Section 29 T²S R⁴E Range 40 East 3 M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is is
6. The right to take water from such works is based upon Permit No. 13703
7. The source of supply from which such water is diverted is Clear Springs
8. The date of the priority which said user is prepared to establish is Aug. 10 - 1918
1st Jan 1919

FRED A. WILKIE,

State Engineer.

5-D

13703

December 6th, 1913.

Re Permit 13703.

Jos. E. Martinson and
Wm. H. Crossley,
Thatcher, Idaho.

Gentlemen:--

We are in receipt of your affidavit, with fees, for proof of completion of works under the above permit, also, notices for proof of use of water. The certificate of completion of works will be issued and mailed to you soon.

Notice of final proof will be mailed to the Gem Valley Progress, at Grace, for the required four weeks publication prior to February 20th and deposition blanks will be mailed to the notary public, Wm. H. Mendenhall.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

13703

December 21, 1918.

Re Permit No. 13703.

Joseph E. Martinsen,
Thatcher, Idaho.

Dear Sir:

Enclosing herewith Certificate of Completion of works issued under the above numbered permit with receipt for fee.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

13703

RECEIVED

FEB 1919

OFFICE OF STATE ENGINEER

Hatcher Idaho Feb 1 1919

Mr. Fred A. Wilkie State Engineer
Boise, Ida

Dear Sir:

Notice of final proof which was
to have been mailed by you to the "Gem Valley
Progress" for the required 4 weeks publication
prior to Feb 20, 1919 has not yet appeared in
that paper

This is for permit 13703

Please have same attended to and oblige
Yours truly

Joseph E. Martinson
William H. Crowley

13703

February 4, 1919.

Re Permit No. 13703.

Jos E. Martinson and
William E. Crossley,
Thatcher, Idaho.

Gentlemen:--

Replying to yours of the 1st inst.
would say that notice of final proof was mailed
to the Gem Valley Progress in due time for the
required publication but, as we have received
no reply from them, I take it the letter has
been lost in the mails. I am, therefore, sending
a new notice, setting March 15th as a new date
for making proof, thus allowing for the required
four week publication from next week's issue of
the paper.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

13703

State of Idaho

A. E. ROBINSON
STATE ENGINEER

ENGINEERING DEPARTMENT BOISE

Boise, Idaho, Feb. 4, 1919.

Gem Valley Progress,
Grace, Idaho.
Dear Sirs:

Enclosed find Notice for Publication of Proof of ~~Completion of Works~~
and Beneficial Use of Water under Permit No. 13703 which please publish
once a week for four consecutive weeks in your paper in accordance with
provisions of Sec. 4, House Bill No. 146, laws of the Seventh Session of
the Legislature. The expense of this publication will be paid by

Hos. E. Martinsen & Wm. H. Crossley, of Thatcher, to whom you will please
furnish proof of publication of this notice on or before March 13, 1919.

Please promptly acknowledge receipt of this notice, and kindly mail
me your first issue containing its publication that I may compare it with
my records.

Yours truly,

FRED A. WILKIE ~~State Engineer~~
A. E. ROBINSON
State Engineer.

(P. O.)

(Date)

State Engineer, Boise.

Dear Sir:

I have your letter of enclosing Notice of Proof
of Completion of Works and Beneficial Use of Water under Permit No. 13703 which
~~XXXXXXXXXXXXXXXXXXXX~~
will be published as you request, beginning with our issue of

13703

Published At Grace,
Buckle of the Richest
Farming Belt In Idaho

Gem Valley Progress

HECTOR T. EVANS, EDITOR & MANAGER

PRINTING & PUBLISHING

An Independent Home Paper

Issued On Every Friday

Grace Ida

Artistic Job Printing
Executed Correctly
and With Dispatch

House every town and city

Notice For Application

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 11 a. m. on the 15th day of March, 1919, at Lago, County of Bannock, State of Idaho, before Wm H. Mendenhall, Notary Public, proof will be submitted of the application to beneficial use of 0.4 cubic feet per second of the waters of Clear Springs in accordance with the terms and conditions of Permit No. 13703 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 Jos. E. Martensen, and Wm. Crossley, Thatcher, Idaho.

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

3. The amount applied to beneficial use is 0.4 sec. ft.

4. The place where said water is used (if used for irrigation, give full and accurate description of lands irrigated) sw 1-4 ne 1-4, ss 1-4 ne 1-4 and sw 1-4 nw 1-4 sec 29, T11 S, R 40 E, B. M.

5. The date of the priority which said user is prepared to establish is Aug 10, 1918.

FRED A. WILKIE, State Engineer.

*Grace Ida
Feb 27, 1919*

The attached clipping.

*Who shall I make proof to.
How long is the Prob. of this
Notice
L. V. Progie's
By H J Evan. Mgr*

RECEIVED

FEB 20 1919

OFFICE OF STATE ENGINEER

13703

PLEASANT VIEW FARM

W. H. MENDENHALL & SONS PROPS

THATCHER IDAHO. Feb 20, 1919.

State Engineer,
Boise Idaho.

Dear Sir,

Joseph Martensen and William Croosley
came to my office today to submit proof for the
appropriation of water.

I have not been informed by your office
that I have been appointed to take their proof
and the necessary blanks have not been
sent to me.

Yours Very Truly,

W. H. Mendenhall.

Notary Public.

RECEIVED

FEB 24 1919

OFFICE OF STATE ENGINEER

13703

February 24, 1919.

Re Permit 13703.

Mr. W. H. Mendenhall,
Thatcher, Idaho.

Dear Sir: --

Replying to yours of the 20th inst.
would say that we wrote Mr. Martinsen and Mr. Crossley
on February 4th, advising them that it would be nec-
essary to change the date for making proof to March 13th,
in order to allow time for the required four weeks pub-
lication of the notice. I herewith enclose depositann
blanks to be used in making proof on that date.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

DBU

13703

Thatcher Idaho.

March 13 , 1919.

State Engineer

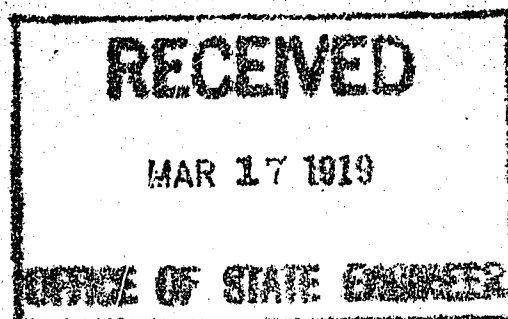
Bise City. Idaho.

Dear Sir:-

By request of Martinsen and Crossley I am writing you to ask that in the interest of economy you appoint August Miller to examine his ditch. I am quite sure that Mr. Miller will be competent to do the necessary work ,

Yours very truly.

W. H. Mendenhall



13703

PERMIT No. 13603**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Jos. E. Martinsen, 39 years, Thatcher, Farming, Thatcher Idaho.William H. Crossley, 40 years Thatcher, Farming, Thatcher 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. 13703, August 10, 1918. Priority August 10, 1918.

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

Ans. Clear Spring, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Tp. II S, Range
39 east 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. Ditch two feet wide at bottom three feet at water line and one
and one half feet deep with 7 feet grade per mile and is 1 3 $\frac{3}{4}$
miles long. Dug in the spring increasing the flow thereby.
Will convey two cuft. of water easily.

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. Domestic and irrigation 5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 29;
5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29; and 10 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
of Sec. 29 Tp. II s, R 40 E. B.M. Land cultivated and raising
Alfalfa and grain by reason of the irrigation.

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. _____

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. _____

13703

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

Ans. During the irrigation season of 1917 and 1918 flooded the ground and raised crops thereby amount used $2/5$ of cu ft. and all of the land described have been irrigated.

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.

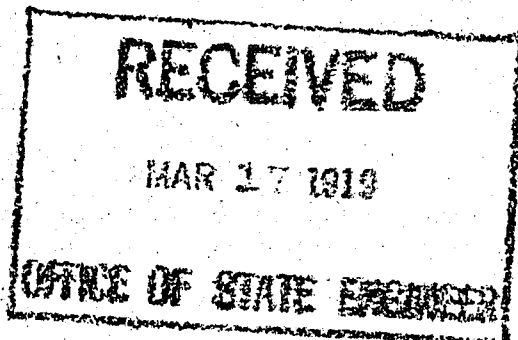
Ans. none.

(Sign) Joseph E. Martinson
W. H. Crossley

I hereby certify that the foregoing testimony was read to the above subscribed 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 Thatcher, County of Bannock State of Idaho, on this 13 day of March A. D. 1919

W. H. Mendenhall
Notary Public.

13703



Permit No. 13703

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Emanuel Crossley, age 43, Thatcher, Farming Thatcher IdahoQues. 2. Are you acquainted with Joseph E. Martinsen and Wm. H. Crossley, the holder of Permit No. 13703? How long have you known him and where does he reside?Ans. Yes. Known Martinson for six years, lives Thatcher Idaho.
have known Wm. H. Crossley for forty years he lives ThatcherQues. 3. Have you read or heard read said Permit No. 13073, 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. Clear Spring. Ne¹ SE¹ Sec. 25. Tp II S. R 39 E B.M.the springs have been dug out to increase the water. The water
runs from the spring into the ditch. The ditch is 1½ feet
deep and about two feet wide. with good fall

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. Will carry one hundred inches. Have seen about twenty five
inches so conveyed.

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. Domestic and irrigation 5 acres in NW¹ NE¹ Sec 29. In the
SE¹ NE¹ 5 acres have been irrigated and in the SW¹ NW¹
ten acres have been irrigated. Land cultivated and hay grain
and garden stuff has been raised.

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. Part clay and sandy loam ground is sloping. one inch of
water per acre is necessary for profitable cultivation.

13703

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

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. 1918 saw water run over the ground and have seen all the land described above irrigated and crops raised thereon.

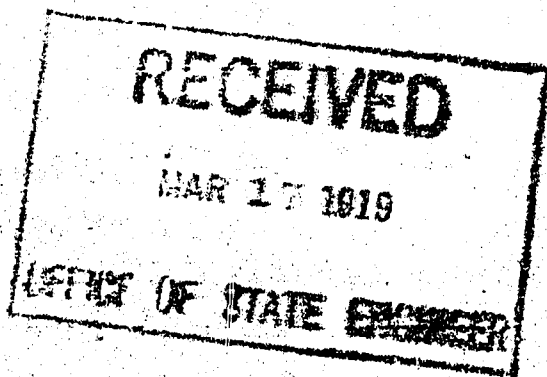
(Sign) *Emanuel Crossley*

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 Thatcher, County of Bernook State of Idaho, on this 13 day of March A. D. 1919

W. H. Mendelhall
Notary Public.

My commission expires Dec. 27, 1919.

13703



Permit No. 13703

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Alma H. Christensen, age 36, Thatcher, Farming, Thatcher
Bannock Co Idaho.

Ques. 2. Are you acquainted with Joseph E. Martinsen & Wm. H. Crossley the holder of Permit No. 13703? How long have you known him and where does he reside?

Ans. Jos. E. Martinsen known him for six years resides at Thatcher
Wm. H. Crossley known him nine years resides Thatcher Idaho.

Ques. 3. Have you read or heard read said Permit No. 13703, 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. Clear Springs. NE¹ SE¹ Sec. 25. Tp. II S R 39 E. B. M.
Considerable work has been done to increase the flow of the
spring and the ditch is well made being about two feet wide
1 $\frac{1}{2}$ feet deep and has an abundance of fall.

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. Will easily carry 100 inches and I have seen about 25 inches

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. Five acres irrigated in NW¹ NE¹
5 acres in the SE¹ NE¹ and 10 acres in the SW¹ NW¹ section
29 Tp. II s. R. 40 e. I have irrigated a part of this land myself
Cultivated land hay grain and garden stuff is grown.

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. Land is clay and sandy loam ground is sloping
I think it would require an inch to the acre for profitable
cultivation.

13703

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

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. In 1918 I run the water over most of this land and have witnessed all of the 20 acres irrigated during the year and have seen the crops grown by reason of the irrigation

(Sign)

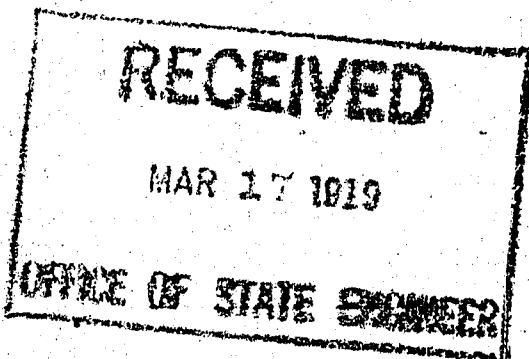
Alma H. Christensen

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 Thatcher, County of Bannock, State of Idaho, on this 13. day of March A. D. 1919.

Notary Public.

My commission expires Dec. 27, 1919.

13703



Germ Valley Progress

Publisher: Return this form to the Register at the end of the period of publication, with the "Affidavit of Publication" separately executed.

Notice For Application

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 11 a. m. on the third day of March, 1919, at Latah County of Bannock, State of Idaho, before Wm. E. Martinson, notary Public, proof will be submitted of the application to beneficial use of water under second of the waters of Clear Springs in accordance with the terms and conditions of Permit No. 13733 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: Jos. E. Martinson, and Wm. Crossley, Thatchers, Idaho.

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

3. The amount applied to beneficial use is 0.4 sec. ft.

4. The place where said water is used (if used for irrigation, give full and accurate description of lands irrigated) sw 1-4 n. 1-4, sec 1-2 nel-4 and sw 1-4 nw 1-4 sec 29, T11 S, R 49 E, B. 20.

5. The date of the priority which said user is prepared to establish is Aug 10, 1915

FRED A. WILKIE, State Engineer

AFFIDAVIT OF PUBLICATION.

I, Orestor Evans
Manager & Foreman, of the
(Publisher or foreman.)

Germ Valley Progress
(Name of newspaper.)

published weekly at Grace, Ida
(Daily or weekly.) (Place.)

do solemnly swear that a copy of the above notice, as per clipping attached, was published Weekly in the regular and
(Daily or weekly.)

entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive issues, commencing with the

issue dated Feb 14, 1919, and ending with the

issue dated March 13, 1919

Orestor Evans
(Signature.)

8th day of March, 1919

John Allsop
Notary Public
(Official designation.)

13703

Subscribed and sworn to before me on

RECEIVED
MAR 27 1919
OFFICE OF STATE ENGINEER

March 18, 1919.

Re Permit No. 13703.

Mr. August Miller,
Thatcher, Idaho.

Dear Sir:--

At the request of Mrsrs. Martinsen and Crossley,
I hereby authorize you to make the examination for proof of
use of water under the above permit and enclose blanks for
report and map. You will arrange with the holders for your
fees for services.

Very truly yours,

W. G. SWENDSEN,

State Engineer.

RMF

By _____

13703

March 18, 1919.

Re Permit 13703. Martinsen & Crossley.

Mr. Wm. H. Mendenhall,
Thatcher, Idaho.

Dear Sir:--

I have today authorized August Miller
to make the required examination and report on
proof of use of water under the above permit, per
your request.

Very truly yours,

W. G. SWENDSEN,

State Engineer.

By _____

13703

REPORT OF ENGINEER

This proof is for _____

In Water District No. _____

1. State name of applicant and number of permit: *Jos. Martinson & Wm. Crowley #13703*
2. State source of water supply: *Clear Spring*
3. Location of point of diversion: *West side of NE⁴ Sec 25, T²S, R¹¹E, 39 East B.M.*

4. Describe works as they exist, giving dimensions and capacities of same:

Spring has been dug out & flow of water increased, ditch is 2 feet wide and has a fall of about 300 feet in two miles

5. State whether or not water has been turned into works of diversion:

yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

10 acres irrigated in SW⁴ of NW⁴ Sec 29, 10 acres irrigated in the SW⁴ of NE⁴ Sec 29 and 5 acres irrigated in SE⁴ of NE⁴ of Sec 29 T²S, R¹¹E, 39 East B.M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? *two*

9. Give names and amount of each right: *Joseph Martinson 10 inches; Wm. Crowley 10 inches*

10. What large stream would the water here appropriated finally reach? *Bear River*

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

no tributaries other than this spring runs direct to river

Remarks: *The ditch in places is not as large as permit calls for but owing to the great amount of fall is ample to carry all the water.*

This examination was made on the *28* day of *April* 19 *19*

(Signed)

Angus B. Miller

Examiner

13703

(This report must be sworn to when not made by an attache of the State Engineer's office.)

STATE OF IDAHO,

County of

Bannock } SS.

Angus B Miller, 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 *28* day of *April* 19 *19*

My commission expires

June 29, 1919 *W. H. Mendenhall*

Notary Public

13703

Instructions To Examiners

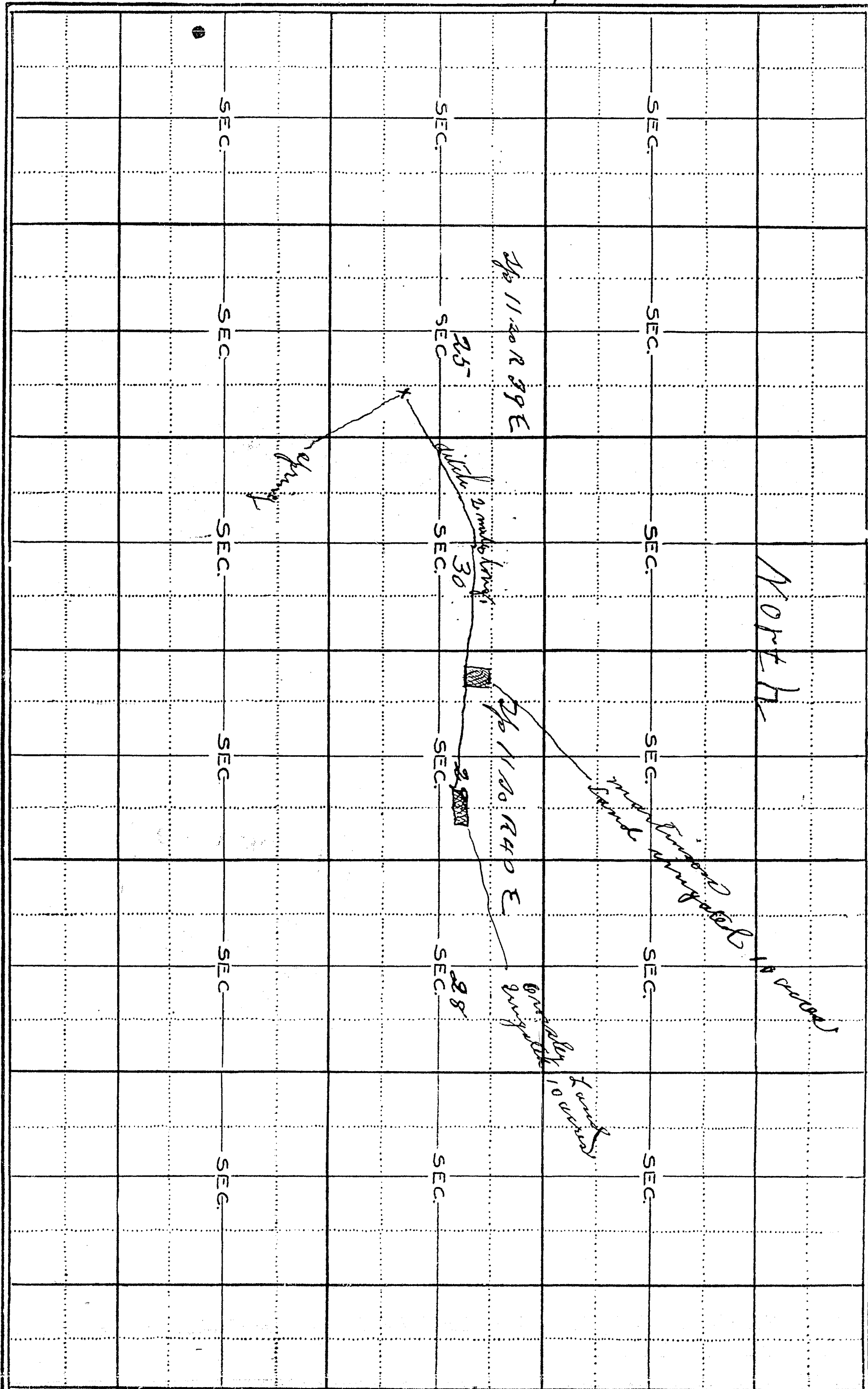
1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

RECEIVED

DEPARTMENT OF RECLAMATION

Name of Applicant

Martinus Crossley



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

13703

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

May 1st
1919

In re: Permit: 13703

Joseph E. Martinsen,
Thatcher, Idaho.

Dear sir:

In checking over the proof of beneficial use of water under the above permit issued to yourself and William H. Crossley, I note that in the deposition of the holder as well as in the deposition of the witnesses that five acres of land is irrigated in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 11 S. R. 40 E. B. M.; while the permit and the report of the examining engineer, this day received, describe the land to be irrigated as the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 11 So. R. 40 E. B. M.

It is evident that in the proof the SW $\frac{1}{4}$ NE $\frac{1}{4}$, was described as the NW $\frac{1}{4}$ NE $\frac{1}{4}$, but in case the proof description is the correction it will be necessary for you to make application to amend the permit.

Kindly submit an affidavit to this office covering the above point if the description given in the proof is not correct.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

13703



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

July 10th,
1919

In re: Permit No. 13703

Joseph E. Martensen,
Thatcher, Idaho.

Dear Sir:

I desire to call your attention to our letter under date of May 1st, in reference to a difference between your final proof submitted under the above numbered Permit, and the report of the engineer. I would suggest that you submit affidavit required by that letter.

Yours very truly,

W. G. Swendsen
Commissioner of
Reclamation

By:

L:M

W. G. Swendsen
Boise Idaho

Dear sir

I did not
get your letter under
date of May 1st
Please send duplicate
of said letter
Yours truly
Joseph E. Martensen

13703

July 16th
1919

In re: Permit: 13703

Joseph E. Martinson
Thatcher, Idaho

Dear sir:

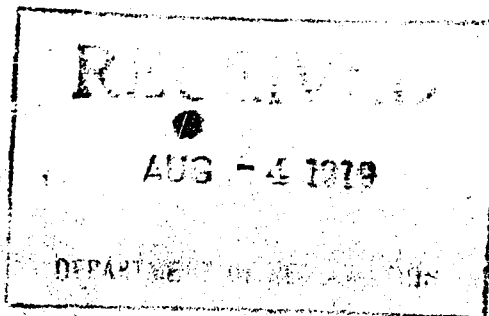
Pursuant to your request, I am
inclosing herewith copy of our letter to
you under date of May 1st.

Yours very truly

W. G. Swendsen
Commissioner of
Reclamation

By:

13703



AFFIDAVIT.

State of Idaho SS.
County of Bannock

Joseph E. Martinsen and William E. Crossley being first
duly sworn deposes and says that they are the holders
of permit number 13703 to appropriate 2/5 cu. ft. of
the water of Clear Springs.

That in submission of proof of the beneficial use of said
water a mistake was made in the description of the land
irrigated wherein five acres was described as being in
the NW¹, NE¹ Sec. 29 Tp. II S. R. 40 E. B. M. and should
read the SW¹ NE¹ Sec. 29 Tp II S. R. 40 E. B. M.

Affiants farther state that the error was purely a
mistake on the part of the person before whom the proof
was made and was not done intentionally, and the
corrected description should read the SW¹ NW¹, SE¹ NE¹.
SW¹ NE¹ Sec. 29 Tp. IIS. R. 40E. B.M.

X Joseph E. Martinsen
X William E. Crossley

Subscribed, and sworn to before me this the 25, day
of July A. D. 1919.

Wm H. Henderson
Notary Public

Tratcher Idaho.

13703

August 16, 1919

In re: Permit #13703

Joseph E. Martinsen,
Thatcher, Idaho.

Dear Sir:

Herewith find enclosed water license

No. 13703.

Yours very truly,

W. G. SWENDESEN

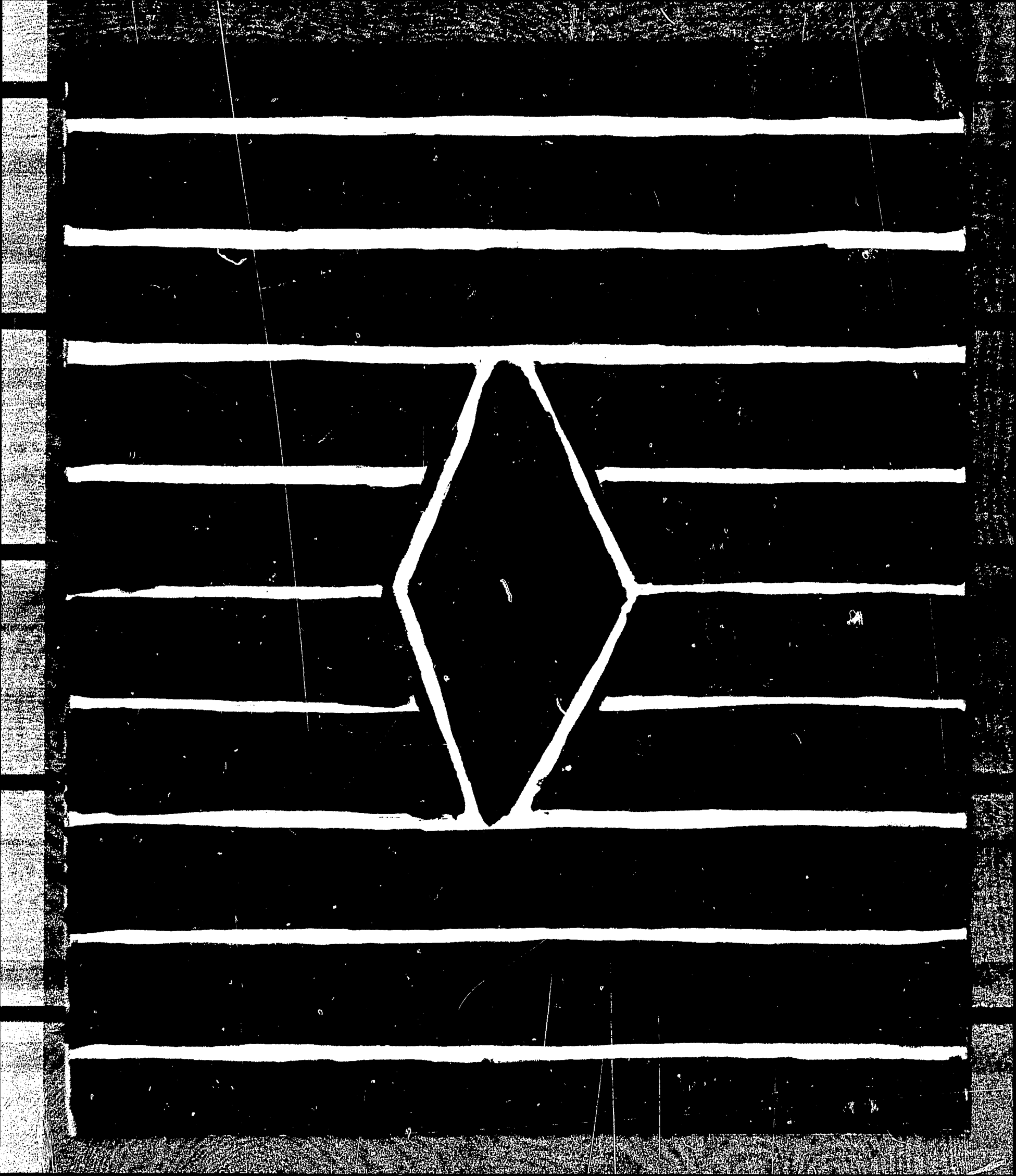
Commissioner of Reclamation

By

Chief Clerk

L:M
Enc.

13703



State of Idaho
License and Certificate of Water Right

Water License No. 13703
Water District No. 5-D

Amount 0.4 sec. ft.
Priority Sept. 1, 1918.

THIS IS TO CERTIFY that Joseph E. Mortinsen and William H. Crossley of Thatcher, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 10, 1918; that Permit No. 13703 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4 second feet, was issued thereunder on December 14, 1918, showing that said works were completed on the 3d day of December, 1918; and that on the 13th day of March, 1919, Joseph E. Mortinsen and William H. Crossley

of Thatcher, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of Clear Spring, a tributary of , for the purpose of irrigation and domestic use, under Use Permit No. 13703 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2463, on the 7th day of August, 1919;

The right hereby confirmed dates from September 1st, 1918;

The Point of Diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, Tp. 11 S., R. 39 E., B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	40 E	29	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10 acres	10 acres
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	5 acres	5 acres
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	5 acres	5 acres
			Total number of acres irrigated:		20

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, State Engineer, affixed at Boise, Idaho, this 6th day of August, 1919.

W. G. Swendsen.

State Engineer
Commissioner of Reclamation.

(SEAL)

13 2086