

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 30703
 PERMIT No. 22955
 DISTRICT No.

1. Name of Applicant: CARL A. MORTENSEN

Postoffice address: Dayton

County: Franklin

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:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Two (2)

cubic feet per second.

Deep Creek (Un-named stream)

3. Source of water supply: Seepage in hollow leading from / which is a tributary of Bear River

4. Location of point of diversion: About 70 rods East and 20 / rods North
 of the NE $\frac{1}{4}$ of ~~foot distant~~ from the Southwest
 corner of Section 1, T. 15 S., R. 38 E., B. M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
 of Section 1, T. 15 S., R. 38 E., B. M., County of Franklin

5. Water is to be used for 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: \$3,000.00

8. Kind of works: Earth dam about 150 ft. long, pumping plant, sprinkling system.

9. Height of dam 15 feet; length of dam at top 150 feet; length of dam at bottom 75
 feet; material used in dam: Earth

10. Size of headgate: Width 1 $\frac{1}{2}$ ft. pipe for / outlet feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

Take water right out from dam by pumping into sprinkling system.

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

13. The time required for the complete application of the water to the proposed use is No additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? Eventually 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 water of the State of Idaho as herein set forth.

CARL A. MORTENSEN

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. August 8, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22955

Recorded in Book 82

Page 22955

Approved August 15, 1952

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 15, 1952

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 February 15, 1953

The whole of said work to be completed on or before August 15, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before August 15, 1953

WITNESS My hand this 15th day of August, 1952

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN

, Governor of the State of Idaho,

and IRA H. MASTERS

, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th

day of August, 1951.

STATE OF IDAHO

Countersigned:

(SEAL)

By **IRA H. MASTERS**

By

LEN JORDAN

Governor.

Secretary of State.

REMARKS: It is the intention of the applicant to build a dam of sufficient height to make it possible to appropriate the water to beneficial use in the first instance, and later to apply for storage permit and raise the dam and make a reservoir, but applicant is not prepared to submit the data necessary for storage permit at this time. As soon as an engineer can get the necessary information, applicant will make further application. This plan will help out in the overall flood control plan in the Deep Creek area.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15 S.	38 E.	1	25	40	25	Permit No. 22955 CERTIFICATE OF COMPLETION OF WORKS								10	100				
TO ALL WHOM IT MAY CONCERN:			This is to certify that CARL A. MORTENSEN of Dayton, County of Franklin, and State of Idaho, the holder of Permit No. 22955, issued upon Application No. 30703 bearing date of priority of August 8, 1932, authorizing the diversion of two (2) second feet of the waters of an un-named stream (seepage in hollow leading from Deep Creek), tributary to Bear River, County of Franklin, State of Idaho, for irrigation 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 described in said permit; that said works are adequate for diverting and conveying to the place of intended use two second feet of the waters of said un-named stream; that the point of diversion of said waters is about 70 rods east and 30 rods north of the southwest corner of the NE $\frac{1}{4}$ of Section 1, Twp. 15 South, Range 38 East, B.M., and in the NE $\frac{1}{4}$ of said Section 1; and that the lands proposed to be irrigated by the use of said water are described as follows: to-wit; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Twp. 15 South, Range 38 East, B.M.																
WITNESS MY HAND THIS 13th day of July, A.D. 1933.			MARK R. KULP State Reclamation Engineer																
Proof of completion of works made July 6, 1953 Certificate of completion of works issued July 13, 1953																			

LICENCE ISSUED FOR 0.76 SEC. FL.
Pg 5262

OF APPLICANT Carl A. Mortensen, Barton, Idaho.

Form No. 0

25A

50A

Section 1.

x shows point of diversion and
ink line indicates course of hollow

Line marked with xx indicates course of
Deep Creek into which hollow leads eventu-
ally.

Permit Map No. 22955

As Approved

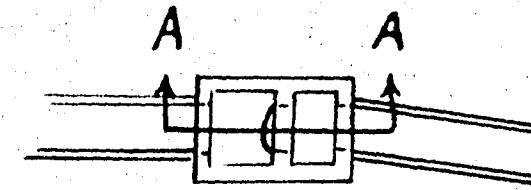
AUG 15 1952

MARK R. KULP

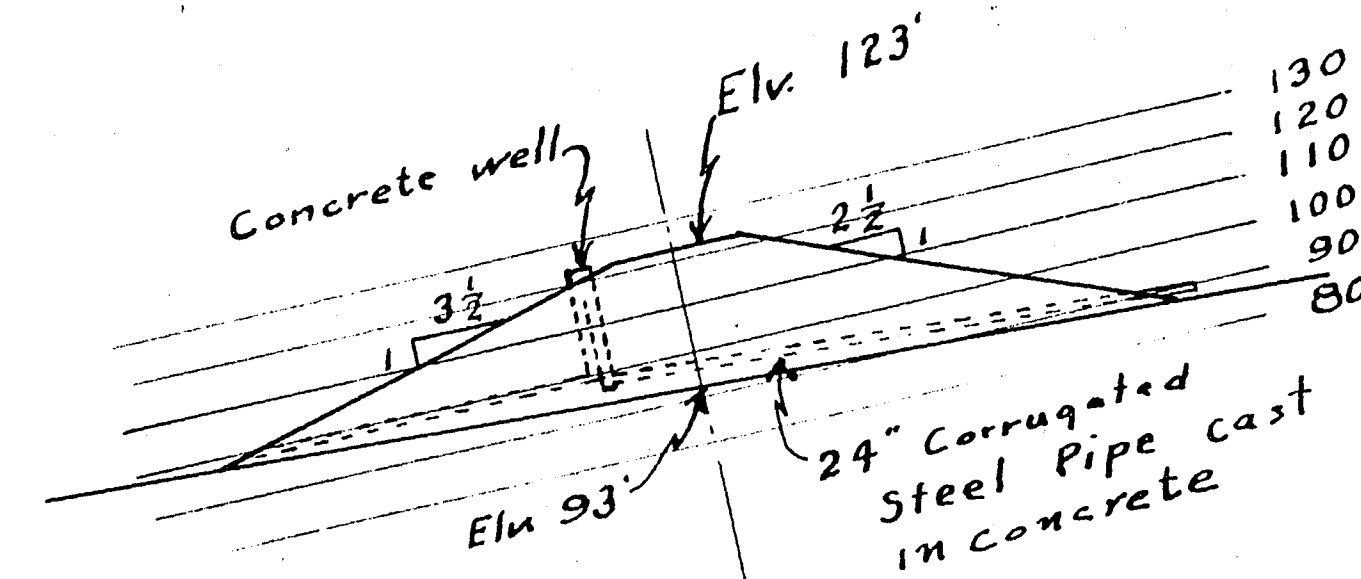
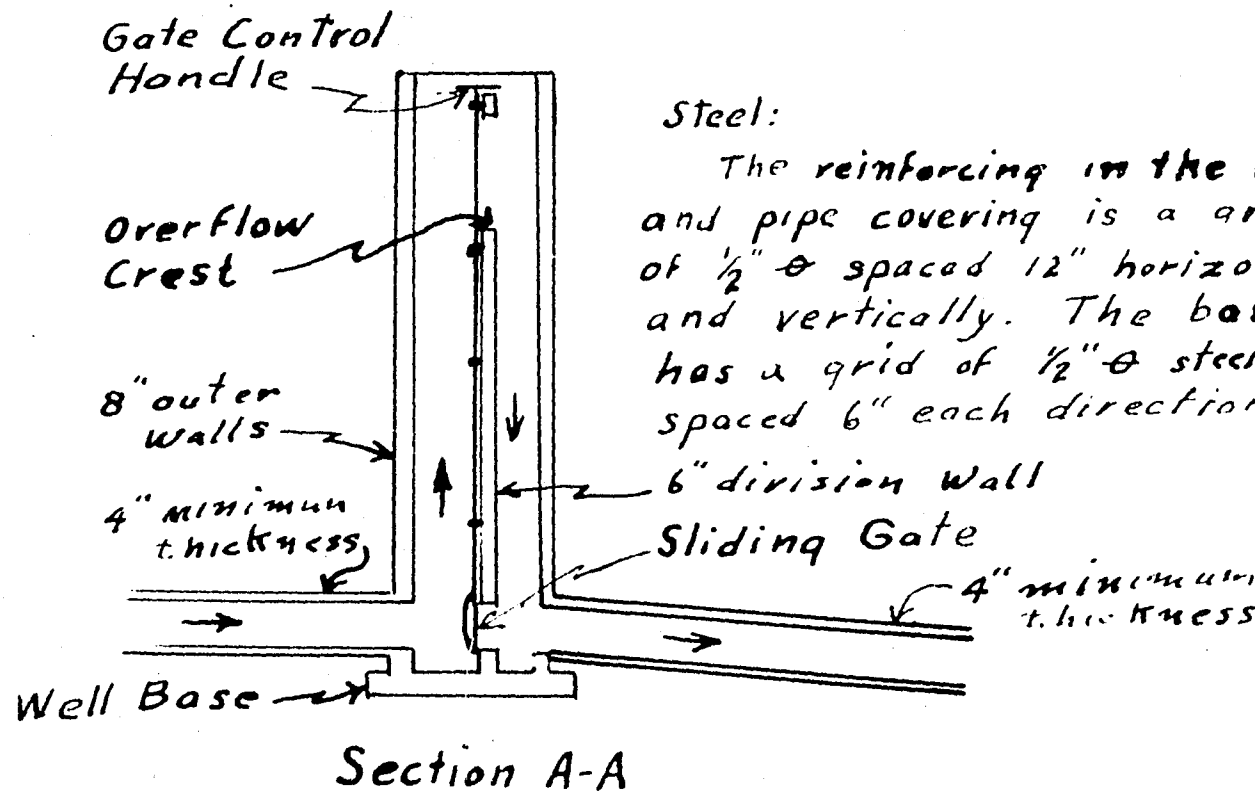
State Reclamation Engineer

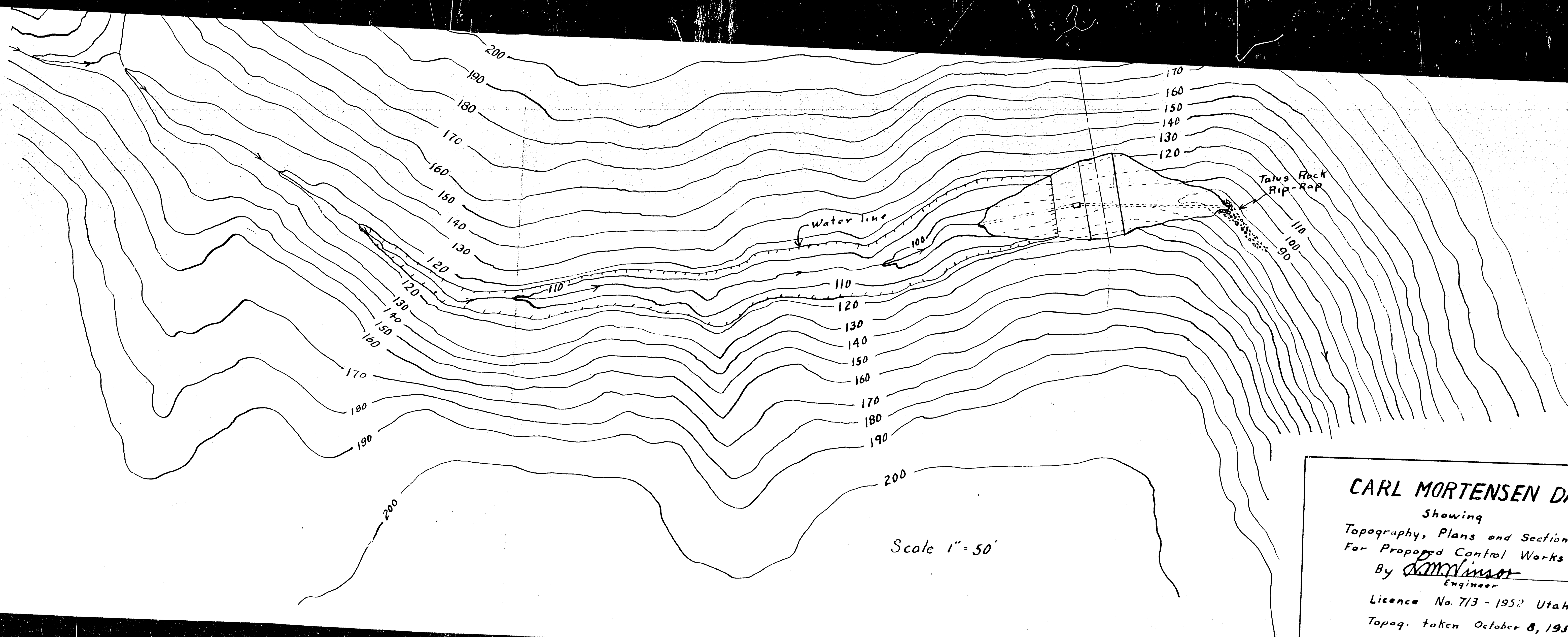
Well and Pipe Detail

scale 1" = 10'



Top View





Scale 1" = 50'

CARL MORTENSEN DAM

Showing
Topography, Plans and Sections
For Proposed Control Works
By J. M. Winsor
Engineer

Licence No. 713 - 1952 Utah

Topog. taken October 8, 1952

Drawn by: Judd Allsop

September 2, 1952

RE: Permit No. 22955

Mr. P. M. Condie
Attorney at Law
Preston, Idaho

Dear Mr. Condie:

We enclose Permit No. 22955 in the name of Carl A. Mortensen, together with departmental receipt No. 24735 for the \$5.25 filing fee.

Since this permit describes an earth dam 15 feet high, it will be necessary for him to send us a sketch of the dam section and surroundings and how he proposes to key it into the sides and bottom and to compact same.

This should be done before construction is commenced.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22955

P. M. CONDIE
ATTORNEY AT LAW
PRESTON, IDAHO

Lock Box 346

RECEIVED
OCT 15 1952

Department of Reclamation

Oct. 14, 1952.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

Re: Permit No. 22955, Carl A. Mortensen.

In your communication of Sept. 2, 1952, regarding the above numbered permit, you ask that Mr. Mortensen submit sketch of the dam section and surroundings, etc.

Mr. Mortensen has been trying to comply with this requirement, but owing to the preoccupation of the engineer with other duties he has been unable to get this information ready for Mr. Mortensen. Will it be possible for you to grant Mr. Mortensen a little additional time? Two weeks should be ample time.

Very truly,

P. M. Condie

22955

LICENSED
ABTRACTER

P. M. CONDIE
ATTORNEY AT LAW
PRESTON, IDAHO

RECEIVED
OCT 28 1952
Department of Reclamation

Oct. 24, 1952.

Department of Reclamation,
Boise, Idaho.

Gentlemen: Re: Permit No. 22955

Sept. 2, 1952, you requested that Carl A. Mortensen, holder of the above named permit should submit sketch of proposed dam.

Under separate cover, Mr. Mortensen is sending you the sketch. He wishes me to remind you that is the matter Mr. Thomas Heath discussed with Mr. Kulp.

Very truly,

P. M. Condie

22955

October 28, 1952

RE: Permit No. 22955

Mr. P. M. Condie
Attorney at Law
Preston, Idaho

Dear Mr. Condie:

Reference is made to your letter of October 24, 1952, in regard to sketch of proposed dam under Permit No. 22955 in the name of Carl A. Mortensen.

This sketch has been received and placed on file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22955

Re: Permit No. 55

MEMO: December 3, 1952

Mortensen told to build dam to hold ten feet of water and observe effect.

Present approval of plans and specifications would be waived, and increase in height would be considered after experience with small dam and the erosion control dam.

MRK

22955

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Mr. Carl A. Mortensen
Dayton
Idaho

BOISE

June 1, 1953

Dear Sir:

Under the terms of your permit No. 22955 you are required to complete your diversion works and make proof of beneficial use on or before

August 15, 1953.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is August 15, 1953, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

22955

Permit No. 22955

STATE OF IDAHO
Department of ReclamationJUL 7 1953
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Franklin, } SS.

Carl A. Mortensen

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. 22955, and that his postoffice address is Dayton, Idaho State of Idaho

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

Third: That the point of diversion of said water is about 70 rods East and 20 rods North distant from the SW. corner of NE $\frac{1}{4}$ of Section ~~xx~~ 1, Tp. 15S, R. 38E. B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug. 15, 1953.

Fifth: That the use for which said water is intended is 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: Small earth dam; pumping plant 30 hp motor; 2500 feet of pipe - 6 inch main line; and Reservoir, dam, ditch, flume, pipe or otherwise) 1800 ft. 3 inch lateral pipe.

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 40 feet, length of dam at bottom 15 feet. Material used in construction earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width ~~xx~~ 10 in. ~~feet~~ height feet. headgate is in corrugated pipe 16 feet in length running through dam, and spillway

(d) Conduit width at bottom feet, width at water line pipe 10 inch (State whether ditch, flume or pipe) in diameter 12 ft. long.

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 2 second feet of water.

Eighth: That water appropriated under said permit is available for 100 acres of land described as follows: 25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, and 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Township 15 South, Range 38 E. B. M.

Ninth: Remarks: That

Carl A. Mortensen
(Sign Here)

Subscribed and sworn to before me this 6th day of July 1953.

My commission expires Nov. 29, 1954.

Notary Public.

22955

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 6, 1953.

(P. O.) Dayton, Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Preston Citizen of Preston, Idaho, published in
the county in which the works are situated.

Carl A. Møstensen

(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.

22955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 22955

Date: July 10, 1953

Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 17, 1953 . the date set for proof, the expense of the publication to be paid by the applicant, Carl A. Mortensen of Dayton Idaho , to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

22955

NOTICE FOR PUBLICATION
 NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 17th day of August, 1953,
 at Preston, County of Franklin, State of Idaho, before
P. M. Condie, Notary Public, proof will be submitted of the
 application to beneficial use of two cubic feet per second of the waters of unnamed stream
 in accordance with the terms and conditions of Permit No. 22955
 heretofore issued by the Department of Reclamation of the State of Idaho.

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

Carl A. Mortensen, Dayton, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is two cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated):
NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
~~to acres in Southwest quarter of Northeast quarter, and 40 acres in~~
~~Southwest quarter of Northwest quarter, 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$,~~
~~Northwest quarter of Southeast quarter of Section 1, Tp. 15 South,~~
Range 38 E. B. M.

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

private ditch

The right to take water from such works is based upon Permit No. 22955

The source of supply from which such water is diverted is an un-named stream

unnamed stream

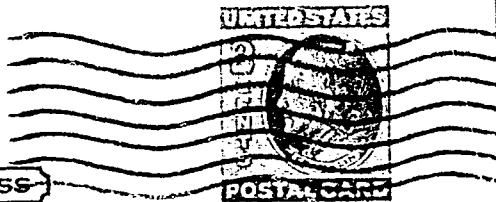
The date of priority which said user is prepared to establish is Aug. 15, 1952.

MARK R. KULP

State Reclamation Engineer.

22955

30-33C



THIS SIDE OF CARD IS FOR ADDRESS

Mark Kump, State Reclamation Engineer
Department of Reclamation
Boise, Idaho

22955

Just A Short Message From *The Preston Citizen* PRESTON, IDAHO

July 11, 1953

Gentlemen: Acknowledging receipt of publication for Carl Mortensen of Dayton, Idaho. His Notice of Proof of Application will be published in our issues of July 23, 30, Aug. 6 and 13.

The Preston Citizen

22955

RECEIVED
JUL 13 1953
Department of Reclamation

July 14, 1953

RE: Permit No. 22955

Mr. Carl A. Mortensen
Dayton
Idaho

Dear Mr. Mortensen:

We enclose Certificate of Completion of Works issued under Permit No. 22955, for the diversion of 2 second feet of water from an unnamed stream (seepage in hollow leading from Deep Creek) with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Township 15 South, Range 38 East, B.M., for the irrigation of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1.

We also enclose departmental receipt No. 26038 for the \$5.00 fee paid in connection therewith.

We have sent to the Preston Citizen notice of beneficial use proof to be made on this permit August 17, 1953, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set you should appear before Mr. P. M. Condie, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing depositions, forms for which we are sending to Mr. Condie by this same mail.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: Mr. P. M. Condie

22955



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

July 25, 1953

RE: Permit No. 22955

RECEIVED
JUL 28 1953
Department of Reclamation

Preston Citizen
Preston
Idaho

Gentlemen:

We have checked notice on Permit No. 22955 of Carl A. Mortensen, appearing in your issue of July 23, 1953, and find same to be correct with one exception.

In the third line of the fifth paragraph, it should be $NW\frac{1}{4}$ $SE\frac{1}{4}$.

Please make this correction in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:fg

Thought we'd just return the copy to show that this time the error was not ours. Thanks.

The Preston Citizen

22955

July 28, 1953

RE: Permit No. 22955

Preston Citizen
Preston
Idaho

Gentlemen:

We are sorry. It is certainly one on us this time.

Thank you for calling attention to it.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22955

P. M. CONDIE
ATTORNEY AT LAW
PRESTON, IDAHO

LICENSED ABTRACTER

RECEIVED
AUG 15 1953
Department of Reclamation

August 14, 1953.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

Re: Application of Carl A. Mortensen-
Permit No. 22955.

I have not yet received the blanks for proof under this
permit. The date set in the notice is August 17th.

Very truly,

P. M. Condie

22955

August 15, 1953

RE: Permit No. 22955

Mr. P.M. Condie
Attorney at Law
Preston, Idaho

Dear Mr. Condie:

In reply to your letter of August 14, 1953, we enclose the necessary forms for proof of Beneficial Use under Permit No. 22955 in the name of Carl A. Mortensen.

Our records show that these forms were sent you on July 14, 1953, but if you have not received them, they must have been lost in the mail.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

22955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 21 1953
Department of Reclamation

Permit No. 22955

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Carl A. Mortensen, Clifton, Idaho, farmer, Dayton, Idaho, P. Office.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of 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. No. 22955.

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

Ans. Unnamed stream, point of diversion; point of diversion about 70 rods East and 20 rods North from SW corner NE $\frac{1}{4}$ Sec. 1, Tp. 15 S., R. 38 E. B. M., and is in NE $\frac{1}{4}$ of said Sec. (SW $\frac{1}{4}$ NE $\frac{1}{4}$)

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Earth dam five feet high, 30 feet long, with 16 feet, 10 inch dia., culvert running through it; 10 inch culvert on top for spillway, 14 feet long. Fairbanks-Morse pump, 30 hp. and 2500 feet six inch main line pipe, 2000 feet three inch lateral pipe.

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. Irrigation; 25 A. in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 50 40 A. in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 A. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Tp. 15 S., R. 38 E. B. M. 10 A. NW $\frac{1}{4}$ SE $\frac{1}{4}$ said Sec. 1. All under cultivation producing wheat, potatoes, beets, clover

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 purpose specified above?

Ans. one and three-fourths cfs.

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.

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

Ans. Beginning on May first, 1953, applied one and three-fourths cubic feet per second during crop season of 1953.

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. No other water.

Carl A. Mortensen
(Sign) Bertie W. Woodward Jr.

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 Preston, County of Franklin, State of Idaho, on this 17th day of August, A. D. 1953,

J. M. Condie
Notary Public, Preston, Idaho.

My commission expires Nov. 29, 1954

22955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22955

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Claude C. Howell, age 40 years, Clifton, Idaho, farmer, Dayton, Idaho.

Ques. 2. Are you acquainted with Carl A. Mortensen, the holder of Permit No. 22955? How long have you known him and where does he reside?

Ans. Yes; known him for fifteen years.

Ques. 3. Have you read or heard read said Permit No. 22955, 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. Unnamed stream. Diversion point about 70 rods East and 20 rods North from SW cor. NE $\frac{1}{4}$ and is in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1. Tp. 15 South, Range 38 E. B. M.

Earth dam five feet high, 30 feet long, with culvert 16 feet long, 10 inch diameter, through dam; 10 inch culvert for spillway, 14 feet long;

Pump and 2500 feet six inch pipe; 2000 feet three inch pipe. Helped to put some of the works together.

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 and three-fourths cubic feet per second; this much required.

I have seen this much 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. Irrigation of 25 A. in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 A in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 A in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 10 A in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Tp. 15 South, Range 38 E. B. M.

22955

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. Sandy loam; one and three fourths & cfs required for irrigation of the land.

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. Have seen the water applied to irrigation since May first, 1953 and during the irrigation season since then.

(Signed) Claude C. Howell

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 Preston,
County of Franklin, State of Idaho, on this 17th day of August,
A. D. 1953.

J. M. Condie
Notary Public.

My commission expires Nov. 29, 1954.

22955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22955

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Bertie W. Winward^{Jr.}, age 50 years, Clifton, Idaho, farmer,
Post Office, ~~Elmore~~ Clifton, Idaho.

Ques. 2. Are you acquainted with Carl A. Mortensen, the holder of Permit No. 22955? How long have you known him and where does he reside?

Ans. Yes. 25 years; resides at Clifton, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22955, 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. Unnamed stream. Diversion point: about 70 rods East and 20 rods North from Sw. corner of NE $\frac{1}{4}$, and is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1, Tp. 15 South, Range 38 E. B. M. Works: Earth dam five feet high, 30 feet long, with culvert 16 feet long, 10 inch. diameter through dam; 10 inch culvert in top for spillway, 14 feet long; pump and 2500 feet six inch pipe and 2000 feet three inch pipe.

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 and three-fourths cubic feet per second; and this much water I have seen 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. Irrigation. of 25 A. in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 A in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 A in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 10 A in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Tp. 15 South, Range 38 E. B. M.

22955

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. Sandy Loam ; one and three fourth cubic feet per second required.

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. Ever since the water was turned onto the land in May, 1953, I have seen the same used for irrigation of the land of the applicant.

Bertie W. Wignward Jr.
(Signed) ~~Carl A. Wignward~~

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 Preston,
County of Franklin, State of Idaho, on this 17th day of August,
A. D. 19 53.

J. M. Moondie
Notary Public.

My commission expires Nov. 29, 1954.

22955

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

Olson E. Smith

, being duly sworn,

deposes and says:

That he is the *Publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *four* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 23, 19*53*, and ending with the issue of *Aug. 13*, 19*53*

Olson E. Smith
Fees, \$ *13 34*

Subscribed and sworn to before me this *17th* day of *August*, 19*53*.

P. M. Condie

Notary Public, Residing at Preston, Idaho

My Commission Expires *Nov 29*, 19*54*

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 17th day of August, 1953, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of Permit No. 22955 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Carl A. Mortensen, Dayton, Idaho.

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

The amount applied to beneficial use is two cubic feet per second.

The place where said water is used: NW¼ SE¼, S¼ NE¼, NW¼ SEP, of Section 1, Tp. 15 South, Range 38 E.B.M.

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

The right to take water from such works is based upon Permit No. 22955.

The source of supply from which such water is diverted is an unnamed stream.

The date of priority which said user is prepared to establish is Aug. 8, 1952.

Mark R. Kulp
State Reclamation Engineer
30-33c

22955

August 21, 1953

RE: Permit No. 22955

Mr. Carl A. Mortensen
Dayton
Idaho

Dear Mr. Mortensen:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Preston Citizen all submitted in proof of Beneficial Use under Permit No. 22955.

Before final action is taken the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj

22955



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, RECLAMATION ENGINEER

BOISE

August 22, 1953

11-50000
AUG 27 1953
Department of Reclamation

RE: Permit No. 22955

The Preston Citizen
Preston
Idaho

Gentlemen:

The affidavit of publication furnished Mr. Carl A. Mortensen in connection with proof on Permit No. 22955 described the land as the $NW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$ and $NW\frac{1}{4}SE\frac{1}{4}$ of Section 1, Township 15 South, Range 38 East, B.M.

The first description is wrong and should be $NW\frac{1}{4}NE\frac{1}{4}$ instead of $NW\frac{1}{4}SE\frac{1}{4}$ which is repeated later on. If you will refer to your issue of July 23rd, you will see that this description is correct, but in some way it seems to have been changed in a later issue.

In order that there may be no question in regard to the publication, will you please furnish this Department with an affidavit of publication containing a clipping from an earlier issue with the correct description.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeannie L. Anderson
Chief Clerk

A:pj

cc: Mr. Carl A. Mortensen

Aug. 24, NOTE: I am enclosing a second proof of publication for you. Do you not recall that after the first publication of this notice you wrote us asking that we make the above correction. I returned the copy to you to show that we followed copy, but in the absence of any other instructions we made the correction as you asked. That is the reason it is right in the first issue and incorrect in the others.

Don E. Smith

Don E. Smith

22 955

AFFIDAVIT OF PUBLICATION

I, Clou E. Smith

Printer of The Preston Citizen,
a newspaper published weekly at
Preston, Franklin County, Idaho,
do solemnly swear that the notice
as per clipping attached was pub-
lished in the regular and entire
issue of said newspaper, and not
in any supplement thereof for

four consecutive weeks,
commencing with the issue dated

July 23, 1953

and ending with the issue dated,

August 13, 1953

Clou E. Smith

Signature.

Subscribed and sworn to be-
fore me this 26 day of

Aug, 1953

(SEAL)

Notary Public.

Preston, Idaho

My commission expires:

May 1, 1957

NOTICE OF PROOF APPLICA- TION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10 A.M. on the 17th day of
August, 1953, at Preston, Coun-
ty of Franklin, State of Idaho,
before P. M. Condie, Notary Pub-
lic, proof will be submitted of
the application to beneficial use
of two cubic feet per second of
the waters of unnamed stream
in accordance with the terms
and conditions of Permit No.
22955 heretofore issued by the
Department of Reclamation of
the State of Idaho.

The name and postoffice ad-
dress of the person or corpora-
tion holding said permit is
Carl A. Mortensen, Dayton, Ida-
ho.

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

The amount applied to bene-
ficial use is two cubic feet per
second.

The place where said water
is used: NW 1/4 NE 1/4, S 1/4 NE 1/4,
NW 1/4 SE 1/4 of Section 1, Tp. 15
South, Range 38 E.B.M.

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

The right to take water from
such works is based upon Per-
mit No. 22955.

The source of supply from
which such water is diverted is
an unnamed stream.

The date of priority which said
user is prepared to establish is
Aug. 8, 1952.

Mark R. Kulp
State Reclamation Engineer
30-33c

22955

April 9, 1954

RE: Permit No. 22955

Mr. Carl A. Mortensen
Dayton
Idaho

Dear Mr. Mortensen:

State law requires an inspection of any Permit being brought to license. I intend to make an inspection in connection with your Permit on Tuesday, April 20, 1954.

Please be prepared to accompany me on this inspection or have someone familiar with the irrigation works, under this Permit do so.

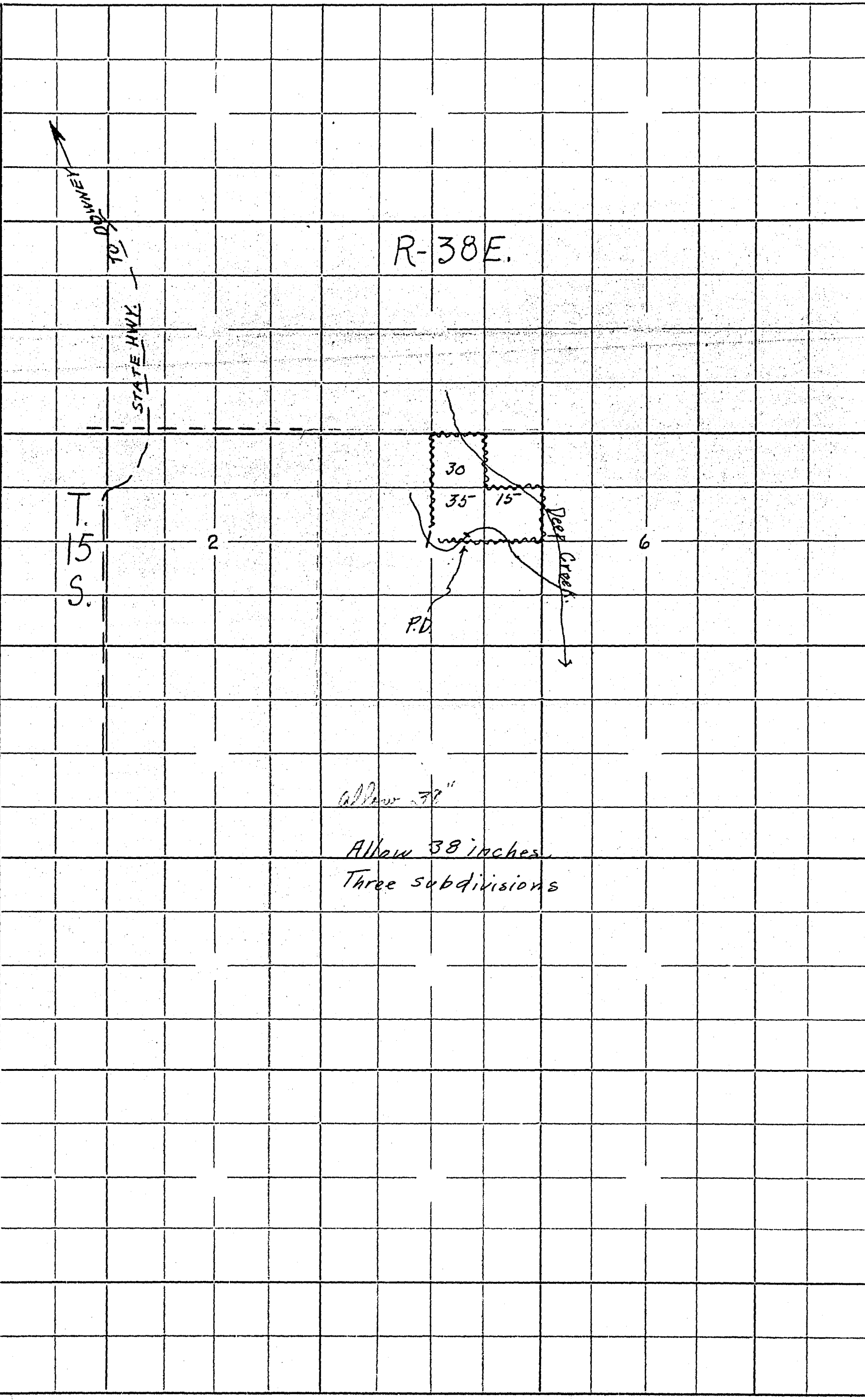
Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

22955



allow 38"

Allow 38 inches

Three subdivisions

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22955

This proof is for Beneficial Use In Water District No.

1. Name of applicant Carl A. Mortensen, Dayton, Idaho
2. Source of water supply: An un-named stream
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1
T. 15 S. R. 38 E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: This system picks up water flowing in a tributary to Deep Creek and lifts it approximately 105' from the stream to the fields whence it is distributed by sprinkler system. Pump is a Fairbanks Morse centrifugal pump 4" intake 3" outlet. Serial No. 783767. Motor is a Fairbanks Morse horizontal motor 30 H.P. 220 V. 72 AMP. Water is delivered through a 6" steel pipe line to the laterals. Water is impounded by a small dam 20' x 80' by 4' wide. Has a 12" culvert pipe 8' long through the top of the dam for a spillway. Also a 12" culvert pipe for an outlet. Water is delivered to the fields through nozzles size 3/32 x 11/64.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions 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 other than irrigation):

NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Twp. 15 South, Range 38 East, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Deep Creek to Bear River.

Remarks:

This system will eventually be enlarged to furnish a bit more water than is now being used.

This examination was made on the 20 day of April, 1954.

(Signed) E. M. Humphrey Examiner.

22955



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

April 30, 1954

RECEIVED
MAY 14 1954
Department of Reclamation

RE: Permit No. 22955

Mr. Carl A. Mortensen
Dayton
Idaho

Dear Mr. Mortensen:

We now have on file the report of our field engineer on examination for Beneficial Use on your Permit No. 22955 which shows that you have irrigated 80 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 1, Township 15 South, Range 38 East, B. M.

Therefore, upon receipt of the statutory fee of \$6.00, a license will be issued for 38 inches or .76 second foot of water from an un-named stream with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:br

Dear Sir;

*Enclosed please find check for \$6.00
for fee of license for the above described
water. Thanking you I am*

*Very truly yours,
Carl A. Mortensen*

22955

✓
May 15, 1954

RE: Permit No. 22955

Mr. Carl A. Mortensen
Dayton
Idaho

Dear Mr. Mortensen:

We enclose License and Certificate of Water Right issued on Permit No. 22955 confirming your right to the use of 0.76 second foot of water from an un-named stream with priority of August 8, 1952, the point of diversion being located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Township 15 South, Range 38 East B.M. and the water to be used for irrigation on land in the W $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1.

We also enclose departmental receipt No. 26664 for the \$6.00 fee paid in connection with beneficial use proof.

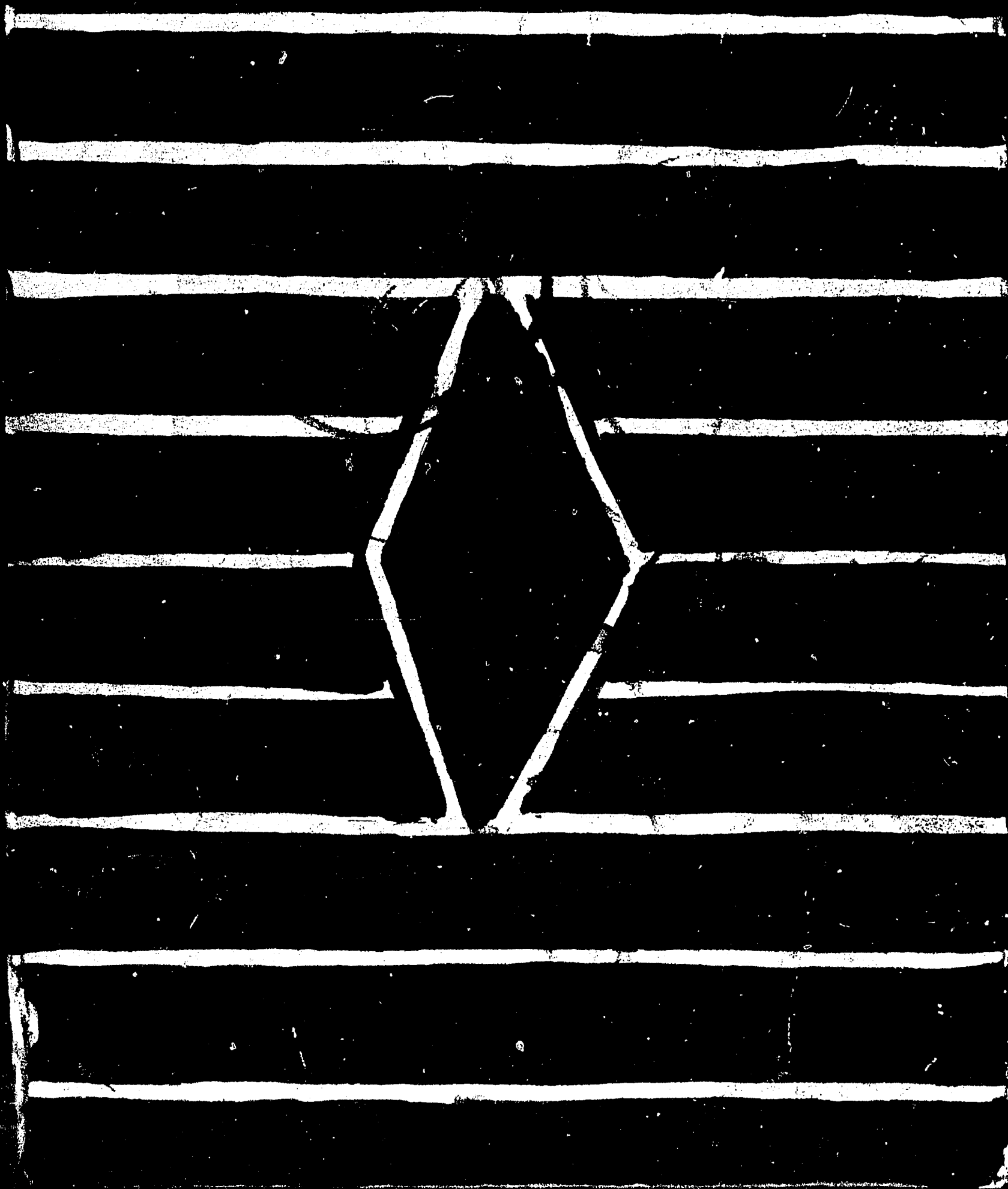
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22955



State of Idaho

License and Certificate of Water Right

Water License No. 22955

Amount 0.76 second foot

Water District No.

Priority August 8, 1952

THIS IS TO CERTIFY that **A. MOR. NSEN**
of **Dayton, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **August 8**, 19 **52**; that Permit No. 22955
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two second feet, was issued thereunder on **July 13**, 19 **53**, showing that said works
were completed on the **6th** day of **July**, 19 **53**; and that on the **17th**
day of **August**, 19 **53**,

CARL A. MORTENSEN

of **Dayton**, State **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **an un-named**
stream, ~~located on~~, for the purpose of **irrigation**
, under Use Permit No. 22955 of the **Department of Reclamation**
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 Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page **5262**, on the **11th** day of **May**, 19 **54**;

The right hereby confirmed dates from **August 8**, 19 **52**;

The Point of Diversion is located

in the **SW 1/4 NE 1/4**, Sec. **1**, Tp. **15S.**, R. **38 E**, B. M. **County Franklin**

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 **0.76** cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	38 E	1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	30
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	25	15
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	10	--
			Number of Acres Actually Irrigated - -		

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 laws of Idaho.

WITNESS the seal and signature of **State Reclamation Engineer**, affixed at **Boise, Idaho**, this
11th day of **May**, 19 **54**.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

