

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39145
 Permit No. G- 31058
 District No.

1. Name of Applicant: S. Joel Peterson

Postoffice address: Clifton County: Franklin

Assigned to

State: Idaho

2. Quantity of water claimed: 3 C.F.S.

(a) Rate of withdrawal in cubic feet per second
 Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SE 1/4 of the 21
 Twp. 14 S, Rge. 3 E, B.M., County of Franklin

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.

Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
 at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: Well

8. Estimated cost of works: \$ 5000.

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5
 years.

11. If applicant is a corporation, give:

I. (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:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 Clifton Irr. Co. 5 shares, Twin Lakes Canal Co. 15 shares

(a) 3 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.

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.

s/ S. Joel Peterson	Applicant.
	Agent.

March 25, 1963

Approval of State Reclamation Engineer

Page 31058

Approved April 1, 1963

to be filed on or before

and to continue diligently and uninterruptedly to completion, unless

October 1, 1965

we specified to be co

April 1, 1968

75

day of April, 1963

ROBERT E. SHYLTE

ARNOOLD WILLIAMS

Secretary of State

day of April, 19 63

STATE OF IDAHO

(L)

By s/ ARNOLD WILLIAMS

by S/Robert H. Stultz

Secretary of State.

12.

[illegible]

AMENDMENT TO POINT OF DIVERSION

Comes now S. Joel and Constance W. Peterson and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to Appropriate the public waters of the State of Idaho, No. G-31058.

That the point of diversion is described in said permit as being located: SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 14 S., R 38 E., B.M., County of Franklin

That he now requests that the point of diversion be changed to a point located: SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T 14 S., R 38 E., B.M., County of Franklin

That the reason for desiring to make such change is as follows: To be described the exact location of the well, which has been drilled.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Preston, Idaho this 19th day of December, 1966.

/s/ S. Joel Peterson

/s/ Constance W. Peterson

Date of Receipt at Department of Reclamation: December 20, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to permit to appropriate the public waters of the State of Idaho, No. G-31058. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded in book 109 of permits, at page 31058, January 6, 1967

A S S I G N M E N T ✓

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-31058 to Carl A. Mortensen and Wanda P. Mortensen, his wife, of Dayton, Idaho 83232.

/s/ S. JOEL PETERSON, Permit Holder

CONSTANCE W. PETERSON, Wife of Permit Holder

State of Idaho)
 : ss
County of Franklin)

On this 25th day of April, 1967, before me, a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared S. Joel Peterson and Constance W. Peterson, his wife known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ W. D. MAUGHAN

Notary Public residing at Preston, Idaho

My commission expires: 11, September, 1968

BEN B. JOHNSON
ATTORNEY AND COUNSELOR AT LAW
FIRST SECURITY BANK BUILDING
PRESTON, IDAHO

MAR 25 1963

Department of Reclamation

March 23, 1963

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

Dear Mr. Thomas:

Enclosed herewith is the new application for
3 C.F.S. of water, also check for \$5.75.

Sincerely yours,

Ben B. Johnson
T.C.

BEN B. JOHNSON
Attorney at Law

BBJ:tg

Enc.

31058

S Joel Peterson

R 38 E

T
14
S

21

22

Well

Land to be
irrigated

28

27

Permit No. 9-31058

APPROVED

J. H. S. DAVIS APR 1 1953

U.S. DEPARTMENT OF AGRICULTURE

April 9, 1963

Re: Permit No. G-31058
S. Joel Peterson

Mr. Ben B. Johnson,
Attorney at Law,
First Security Bank Bldg.,
Preston, Idaho.

Dear Mr. Johnson:

We enclose Permit No. G-31058 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7813 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit, together with a .25¢ refund.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.
cc: S. Joel Peterson
Clifton, Idaho

31058

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

MAY 6 1963

Department of Reclamation

Preston, Idaho

May 2, 1963

Idaho State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

In connection with a recent real estate mortgage on the property of S. Joel Peterson we wish to advise that as additional security he has pledged his rights under Permit No. G31058 and has agreed that he will not assign or amend the permit without prior consent of the Farmers Home Administration.

Kindly mark your records accordingly and acknowledge receipt of this letter on the attached copy.

Very truly yours,

Paul L. Sullivan
Paul L. Sullivan
Acting County Supervisor

noted



31058

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RECEIVED
NOV 25 1966

Preston, Idaho

Department of Reclamation

24 November 1966

State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Mr. S. Joel Peterson is selling his farm to Carl A. Mortensen. Our records indicate two permits have been issued to Mr. Peterson, Permit No. G 29358 issued on 30 January 1961, and we have in our possession permit No. G 31058 issued 1 April 1963. Would you please advise if both of these permits are in good standing or if one has been cancelled.

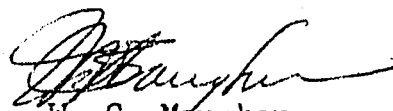
We would appreciate your forwarding the necessary forms and advise us how this permit can be transferred to Carl A. Mortensen. The Farmers Home Administration is making a loan to Mr. Mortensen to purchase the Peterson farm.

In reviewing the enclosed Application for Permit No. G31058, we find the well is located in Section 22 instead of Section 21 as the permit indicates. We have made this correction in red.

It is our understanding that Mr. Peterson has applied on Proof of Completion of Works. Would you please bring us up current on all matters concerning these permits.

Your speedy reply will be appreciated and would you please return the enclosed application.

Very truly yours,


W. C. Maughan
County Supervisor

Enclosure

31058

November 29, 1966

RE: Permits G-29358 and G-31058
S. Joel Peterson

W. C. Maughan
County Supervisor
Farmers Home Administration
Preston, Idaho

Dear Mr. Maughan:

This is in reply to your letter of November 24, 1966, regarding the above numbered permits. Both of these permits are in good standing except that G-29358 has not been licensed because we cannot get the affidavit of publication which was mailed to Mr. Peterson on August 18th of this year. Upon receipt of this affidavit a license will be issued for this permit. It is possible to have both of these permits assigned to Mr. Mortensen and we are enclosing the forms. There is a 50¢ recording fee for each assignment.

It is noted that Permit G-31058 must be amended to correct the point of diversion and the form for changing the point of diversion is enclosed herewith. The fee for recording this amendment is \$1.00. This permit is due on March 26, 1968.

Hope this answers your questions and that these permits will be assigned and amended in order that a license can be issued.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Enclosures

31058

December 15, 1966

RE: Permit numbers G-29358 and G-31058
S. Joel and Constance W. Peterson

Webster C. Maughan
Farmers Home Administration
Preston, Idaho

Dear Mr. Maughan:

We are in receipt of the amendment to point of diversion on the above referenced permits, however, we are sorry to say you can use only one amendment to one permit. Enclosed find an amendment for Permit G-31058 which we have taken the liberty to fill out for you. If you would have the Petersons sign this amendment and return it with \$1.00 recording fee we will record the same.

Sorry for this misunderstanding and hope this hasn't inconvenienced you too much.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment form

31058

Application for Amendment

POINT OF DIVERSION

Permit No G-31058

Department of Reclamation

Comes now S. Joel and Constance W. Peterson
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-31058.

That the point of diversion is described in said Permit as being located:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 14 S., R 38 E., B.M., County of Franklin

That he now requests that the point of diversion be changed to a point located:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T 14 S., R 38 E., B.M., County of Franklin

That the reason for desiring to make such change is as follows:

To be described the exact location of the well, which has been drilled.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Preston, Idaho this 19 day of Dec., 1967

S. Joel Peterson

Constance W. Peterson

Date of Receipt at Department of Reclamation: December 20, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-31058. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 100 of
Permits, at Page G-31058
January 2, 1967

R. Keith Higginson
State Reclamation Engineer

31058

Don W. Samuelson
XXXXXXXXXXXX

January 10, 1967

RE: Permit G-31058
S. Joel and Constance W. Peterson

Webster C. Maughan
Farmers Home Administration
Preston, Idaho

Dear Mr. Maughan:

We are in receipt of the \$1.00 recording fee for the
above numbered amendment to point of diversion which has
been recorded in this office.

Enclosed herewith please find same.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment
Receipt

31058

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Preston, Idaho

RECEIVED
JAN 16 1967

Department of Reclamation

12 January 1967

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

In Reference To: S. Joel
and Constance W. Peterson

Dear Sir:

We received the completed Application for Amendment Point
of Diversion for Permit No. G-31058 and Permit No. G-29358.

1968 *See protest point*
According to your letter dated 7 December 1966, when you
were in receipt of the Amendment and the \$1.00 recording
fee, you would forward the Notice of Publication.

It is my understanding that legal notice must be published
showing the correct land and point of diversion (which would
include the amendment on the two permits described above).

Please send the Notice of Publication and advise what else
is required so that a license can be issued on these two
permits.

Very truly yours,

W. C. Maughan
W. C. Maughan
County Supervisor

31058

January 16, 1967

RE: Permit G-29358 and G-31058
Joel W. Peterson

W. C. Maughan
County Supervisor
Farmers Home Administration
Preston, Idaho

Dear Mr. Maughan:

The amendments to the above permits have been reported. On Permit G-29358 it is presently being re-advertised and upon the expiration of the protest date we will forward a fee letter and a license can be issued. On Permit G-31058 it is not due until 1968, however, it can be published and proofs taken at any time if the works are complete and the water used beneficially.

I hope this answers your question. If we can be of further assistance let us know.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

31058

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RECEIVED
APR 27 1967

Preston, Idaho

Department of Reclamation

26 April 1967

G-31058

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. G-29358
S. Joel Peterson

Gentlemen:

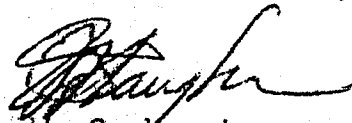
Rec. No. G-31058

Enclosed are the statutory fees totaling \$15.00 which have been required by your letter dated 19 April 1967, for issuing the Certificate of Completion of Works for 1.48 c.f.s. and the License and Certificate of Water Right for 1.48 c.f.s. confirming the right with priority of 26th January 1961.

Also enclosed is the assignment executed by S. Joel Peterson and wife, Constance W. Peterson to assign Permit No. G29358 to Carl A. Mortensen and Wanda P. Mortensen, his wife, also Permit No. 31058.

Mr. Mortensen wishes to complete Permit G-31058 and obtain a license. The works are complete and water used beneficially.

Very truly yours,


W. C. Maughan
County Supervisor

Enclosures

31058

RECEIVED
APR 27 1967

Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-31058 to Carl A. Mortensen and Wanda P. Mortensen, his wife of Dayton, Idaho 83232

*

S. Joel Peterson
Permit Holder S. Joel Peterson

Constance W. Peterson
Wife of Permit Holder
Constance W. Peterson

STATE OF IDAHO)
County of Franklin)

On this 22 day of Apr, 1967, before me, a Notary Public for the State of Idaho, residing at Preston, Idaho personally appeared S. Joel Peterson and Constance W. Peterson, his wife are known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My Commission expires 11 September 1968

[Signature]
Notary Public, Residing at
Preston, Idaho

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

31058

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RECEIVED
MAY 9 1967

Department of Reclamation

Preston, Idaho

8 May 1967

Mr. Donald W. McEldowney
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

G-31058

Dear Mr. McEldowney:

In reply to your letter of April 27, 1967, regarding Permits G-29358 and G-31058, we are enclosing a check in the amount of \$1.00 to pay the cost of recording the assignments.

If further information is needed please let us know.

Very truly yours,

W. C. Maughan

W. C. Maughan (16)
County Supervisor

Enclosure

31058

May 16, 1967

RE: Permit Numbers G-29358 and G-31058
Carl A. and Wanda P. Mortensen
Dayton, Idaho 83232

W. C. Maughan, County Supervisor
Farmers Home Administration
Preston, Idaho 83263

Dear Mr. Maughan:

Enclosed herewith are the assignments of the above referenced permits which have been recorded in this office.

Departmental receipt No. G-11592 is also enclosed. This receipt in the amount of \$1.00 covers the recording fees.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:cjw

Encl: Assignments
Receipt

31058

August 1, 1967

Re: Permit No. G-31058

Preston Citizen
Preston, Idaho 83263

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to September 8, 1967. The expense of the publication is to paid by Carl A. Mortensen, Dayton, Idaho

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

31058

1/65

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 8 P. M., on the 4th day of August,
1967, at Preston, County of Franklin, State of Idaho
before W. C. Maughan, Notary Public, at (address) 73 South
State St., Preston, Idaho, proof will be submitted of the completion
of works for the diversion of 3 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G 31058, heretofore issued by the Department of
~~Reclamation of the State of Idaho.~~

1. The name and postoffice address of the person or corporation holding said permit
is Carl A. Mortensen, Dayton, Idaho 83232

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 14 South,
Range 38 East, Boise Meridian.

5. The place where said water is used is for irrigation of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$,
Section 21; W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 22; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Township 14 South, Range 38 East,
Boise Meridian.

6. The date of priority which said user is prepared to establish is 26 January 1961

State Reclamation Engineer

31058

AUG 1 1967

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 12 July 1967

(P. O.) Dayton, Idaho 83232

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.

Signature Carl A. Mortensen Carl A. Mortensen

(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

31058

August 1, 1967

Re: Permit No. G-31058

Mr. Carl A. Mortensen
Dayton, Idaho 83232

Dear Mr. Mortensen:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-31058.

We have mailed the notice to the Preston Citizen
to be published once a week for four consecutive weeks prior to Sept. 8, 1967,
 , which is the hearing date when the permit holder
Carl A. Mortensen

and two disinterested witnesses must appear before W. C. Maughan, 73
South State Street, Preston, Ida notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Carl A. Mortensen. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

P. S. The date for taking the depositions has been advanced. If this is inconsistent with your plans, please notify us.

31058

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Preston, Idaho

15 September 1967

31058

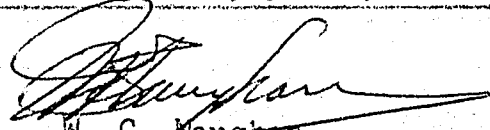
State of Idaho
Department of Reclamation
Room 107, State House
Boise, Idaho 83701

SEP 18 1967
Department of Reclamation

Dear Sir:

We are enclosing Proof of Application of Water to Beneficial Use
Disposition of Holder (1) and Deposition of Witness (2) which
have been completed in connection with Permit No. G 31058 for Carl
A. Mortensen for further processing.

Very truly yours,


W. C. Maughan
County Supervisor

Enclosure

31058

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 31058

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

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

CARL A. MORTENSEN - Dayton, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: Application No.

G 39145 - Permit No. G 31058 - Approved 1 April 1963 - Priority filed 25 March 1963

Ques. 4. State source of water supply: _____

Give location of point of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T 14 S R 38 EPM

Ques. 5. Describe your works of diversion: drilled a deep well

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 3 cfs ; Give name of canal or ditch

or other works by which water is conducted to such place of use: buried main line

_____ ; if a well, state depth of well Approx. 350' ; depth and size of

casing 16' ; depth to water 110 ; if pump is used,

state discharge of pump: 2.5 cfs ; tell how it was measured or determined _____

Engine chart on water discharge ; if sprinkler irrigation, give number and size heads

of nozzles and operating pressure: 100/each - 7/32 nozzle Operation pressure 45 psi

Ques. 6. State for what purpose water is used: irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21 - 45 acres)

SW $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{2}$ Section 22 - 50 acres)

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27 - 5 acres)

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28 - 10 acres)

Total acres 110

All in Township 14 Range 38 East, Boise meridian.

31058

State nature of all improvements which have been made as a direct result of said use:

Proper irrigation of 112 acres of land

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Ivan Bortz -- uncertain, I believe Idaho Falls

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:
none

Ques. 8: 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:

Purchased farm and permit was assigned from Joel Peterson to Carl A. Mortensen

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1961 - 2.5 - 3 cfs - Time used since first use:
used for six years

Ques. 10. Describe all other water rights appurtenant to same place of use:
none

(sign)

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

(Sign)

Carl A. Mortensen
Carl A. Mortensen

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 8 day of September, A. D. 1967.

My commission expires: 11 September 1968

31058

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

SEP 18 1967

Department of Reclamation

Permit No. G 31058

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

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:

Ashby D. Nelson, 43, 255 So. 1st East, Preston, Idaho. Assistant County Supervisor,
Farmers Home Administration.

Ques. 2 Are you acquainted with Carl A. Mortensen, the holder of
Permit No. G 31058? How long have you known him and where does he reside?

One and one-half years. He resides in Clifton, Idaho.

Ques. 3. Have you read or heard said Permit No. G 31058 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Deep Well

Give location of place of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 14 South, Range 38 East, Boise Meridian.

Describe works for conveying water to place of use:

Deep Well, underground main and laterals.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2 to 3 c.f.s. How much water have you seen being so
conveyed? 2 to 3 c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

110 acres: E $\frac{1}{2}$ SE $\frac{1}{2}$, Sec. 21; N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{2}$, Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; NE $\frac{1}{2}$ NE $\frac{1}{2}$,
Sec. 23, Township 14 South, Range 38 East, Boise Meridian.

31058

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

None

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.

Good fertile land. 3 c.f.s. needed for adequate irrigation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? 1966

Other times you have seen such use: I have seen this every year at least 3 times a year (1966 & 1967)

(Signed):

Ashby D. Nelson
Ashby D. Nelson

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 City of

Preston, County of Franklin, State of Idaho, on this 8 day of September, A. D. 1967

W. C. Maughan
Notary Public for the State of Idaho
Residing Preston, Idaho

My commission expires 11 September 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 31058

* * * * *

SEP 18 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

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:

W. D. Pack, 49, 310 So. 3rd East, Preston, Idaho. Field Man for Amalgamated Sugar Co.

Ques. 2 Are you acquainted with Carl A. Mortensen, the holder of Permit No. G 31058? How long have you known him and where does he reside?

Known him for 18 years. He resides in Clifton, Idaho.

Ques. 3. Have you read or heard said Permit No. G 31058 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Deep Well

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 14 South, Range 38 East, Boise Meridian.

Describe works for conveying water to place of use:

Deep Well, underground main and laterals.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2 to 3 c.f.s. How much water have you seen being so conveyed? 2 to 3 c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

110 acres: E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; N $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$,

Sec. 28, Township 14 South, Range 38 East, Boise Meridian.

31058

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

None

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.

Good fertile land. 3 c.f.s. needed for adequate irrigation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? 3 years ago.

Other times you have seen such use: I have seen this every year at least 3 times each year.

(Signed):

W. D. Pack

W. D. Pack

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 City of

Preston, County of Franklin, State of Idaho, on this 8 day of September, A. D. 1967

W. C. Maughan

Notary Public for the State of Idaho

Residing Preston, Idaho

My commission expires 11 September 1968

31058

No 1249

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co-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 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 publication of said advertisement.

Such notice was published in the issue beginning with

August 17, 19 *67*, and ending

the issue of *September 7*, 19 *67*.

24.08
Subscribed and sworn to before me this *31st* day

August, 19 *67*.

Sylvia Bernhau
Notary Public, Residing at Preston, Idaho

Commission Expires

June 1, 19 *71*.

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

Notice is hereby given that on September 8, 1967 at Preston, County of Franklin, State of Idaho, before notary public W. C. Maughan, 73 South State Street, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 3.0 c.f.s. of the waters of a well, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-31058, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Carl A. Mortensen, Dayton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.0 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 14 S, R. 38 E, B.M., Franklin County.

5. The place where said water is used is (E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21; N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 14 S, R. 38 E, B.M.)

6. The date of priority which said user is prepared to establish is March 25, 1963.

R. KEITH HIGGINSON
State Reclamation
Engineer

Legal No. 1249—Pub. August 17, August 24, August 31, September 7, 1967.

SEP 18 1967

31058

October 2, 1967

Re: Permit No. G-31058

Carl A. and Wanda P. Mortensen
Dayton, Idaho 83232

Dear Mr. and Mrs. Mortensen:

We acknowledge receipt of the depositions and affidavit of publication in the

Preston Citizen submitted as proof of completion of works and beneficial use on Permit G-31058.

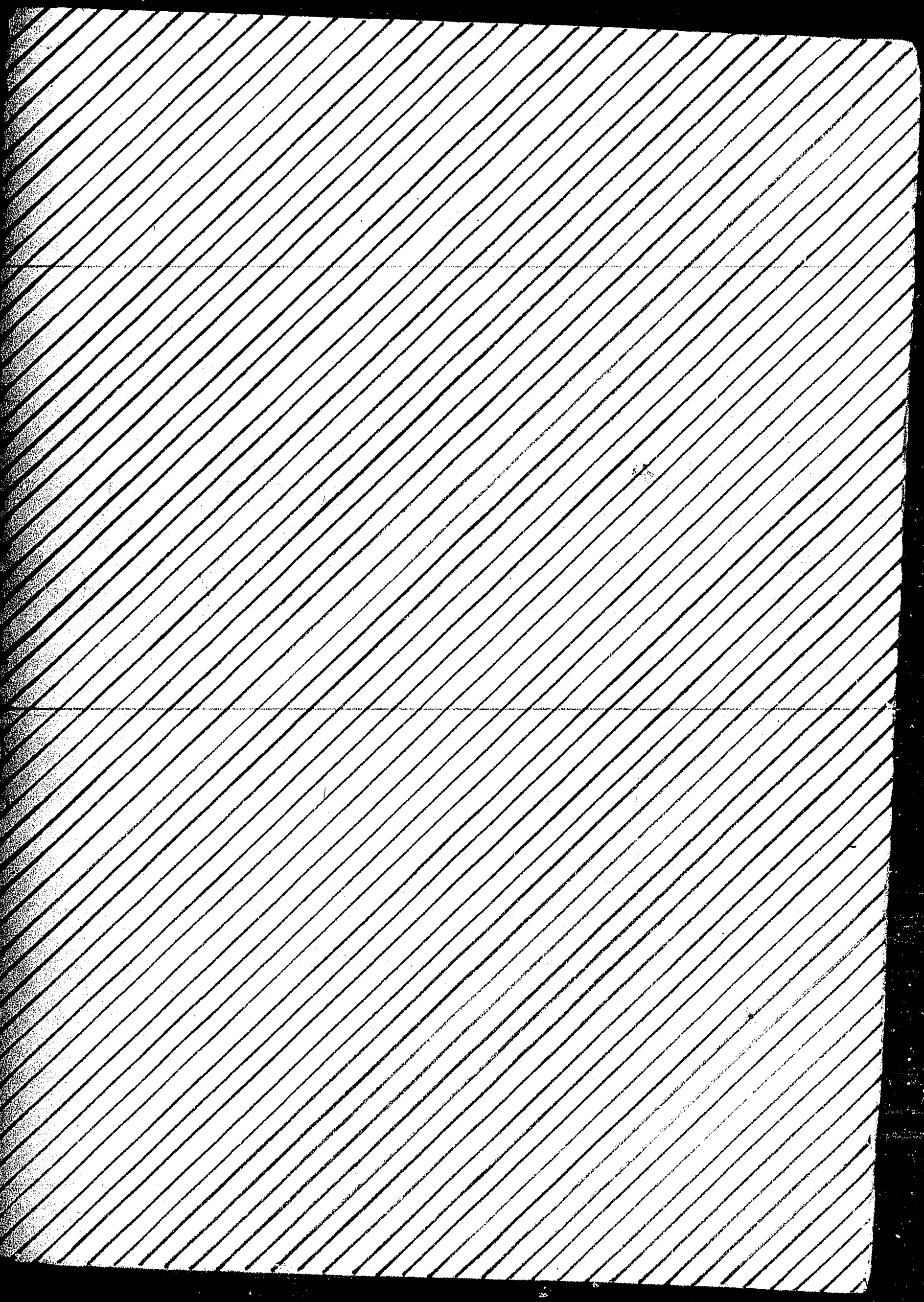
Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

31058



Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

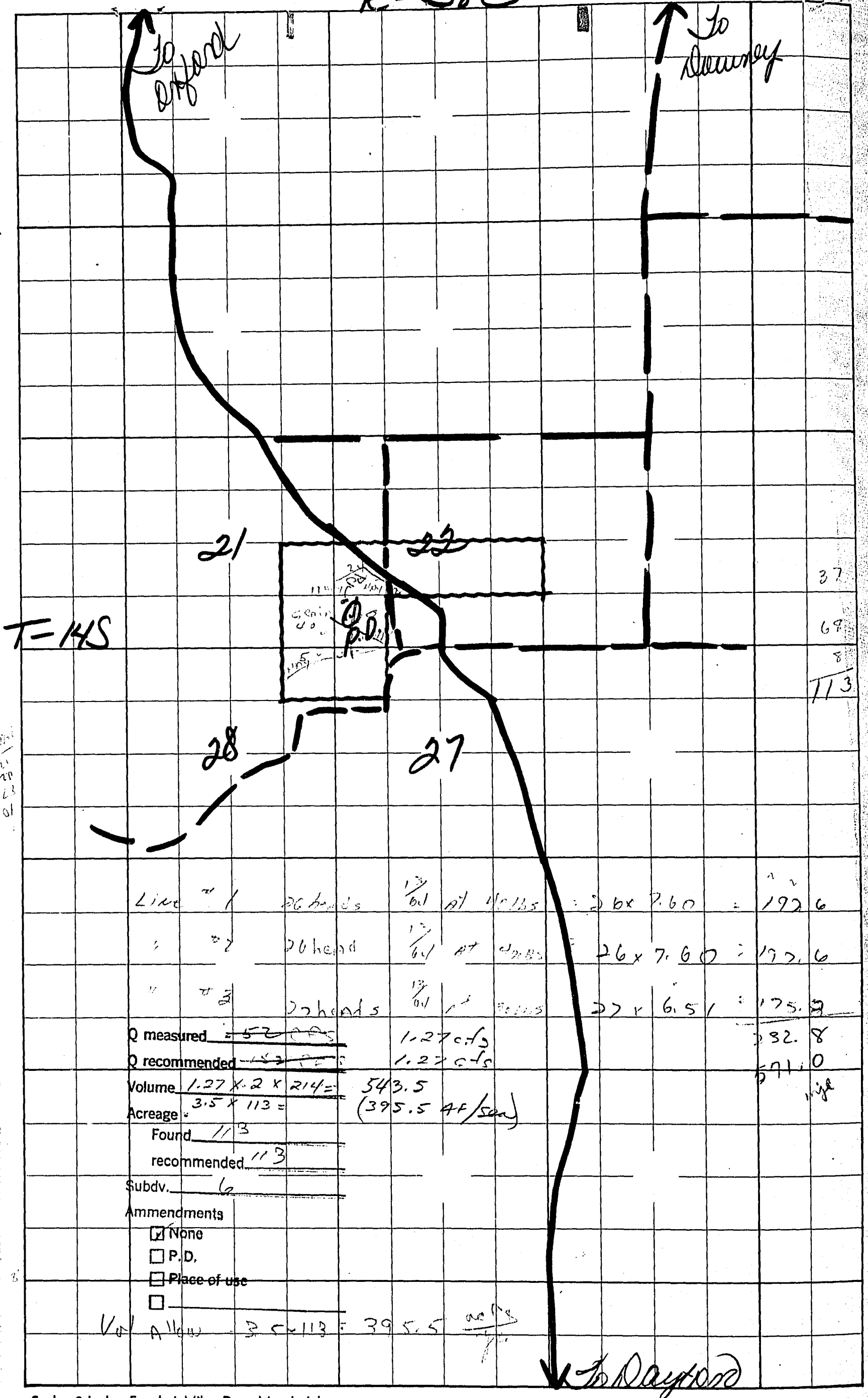
REPORT OF EXAMINER

PERMIT NO. G-31058 / 13-2256

REPORT ON PROOF OF Completion of Works & Beneficial Use

13 2256

R-38E



T-14S

Line #1	26 heads	$\frac{13}{64}$	at 140 lbs	$= 26 \times 7.60 = 197.6$
" #2	26 heads	$\frac{13}{64}$	at 140 lbs	$= 26 \times 7.60 = 197.6$
" #3	26 heads	$\frac{13}{64}$	at 140 lbs	$= 26 \times 6.51 = 175.9$

Q measured $= 52$ ~~214~~ 1.27 c.f.s. 32.8
 Q recommended $= 52$ ~~214~~ 1.27 c.f.s. 571.0
 Volume $1.27 \times 2 \times 214 = 543.5$
 Acreage $3.5 \times 113 = (395.5 \text{ AF/Sec})$

Found 113

recommended 113

Subdv. 6

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Vol Allow $3.5 \times 113 = 395.5$ $\frac{\text{acres}}{\text{sec}}$

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

13 225

35D

Don Westover

A 11.2
B 10.9
34D D84
E 12.6
F 6.4
Howard Henderson
188 D

G 5.9
F 3.0
C 21.1

D 405
Ray Crosshaw
B 182
38D

B 36.4
D 477
22D

A 35.3
D 67
37D
C 26.0
B Dale
473 Ralphs

MAW
E 80
J 40
F 5.1
I 3.1
21 22
28 27

N 39.3
D 4.0
33

Clifton Cemetery
D 100
B 18.0 Ted Rice
54D
L 3.4

G 13.2
F 4.9
12 22 20

5-219

20 21
29 30

5

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

Permit No. G-31058/13-2256

This proof is for C/W & B/U In Water District No.

1. Name of applicant Carl A. Mortensen & Wanda P. Mortensen 747-3491

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22

T. 14 S R. 38 E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: US motor 60HP
8000 120750 Substation pump 10" discharge reduced
to 8" NO SERIAL NUMBER

5. Water is used for: irrigation

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

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):

E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21; N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28,
T. 14 S, R. 38 E, 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?

Remarks: mainline E to W 8 $\frac{1}{2}$ mile. Portion south is 6" aluminum
portable main 1/4 mile long. N $\frac{1}{2}$ SE $\frac{1}{4}$ sec 22 was not
to be irrigated from the well

Mr. Mortenson accompanied the exam.

This examination was made on the 8 day of July, 1970

(Signed) William E. Lewis Examiner.

13 2256

WJL
8-17-70

8

Carl A. & Wanda P. Mortensen *dup will*
Dayton, Idaho

16" - 350'

H - 110'

100 - 7/32 - 45"

Permit No. G-31058 / 132256 Q-2.5 cfs

SYSTEM
NOT ON
23 JUNE 69

Examination for C/W & B/U

County Franklin

Quantity: 3.0 c.f.s. Sec. 22 T14S R. 38E

Source: subterranean

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. 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.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. 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.
6. Give general characteristics of soils, topography, and crops raised.

P.D.: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 14 S, R. 38 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Clifton Irr. Co., Twin Lakes Canal Co.

Filed: March 25, 1963

Due: April 1, 1968

Made: September 8, 1967

Priority: March 25, 1963

13 225

May 15, 1972

Carl A. & Wanda P. Mortensen
Dayton,
Idaho 83232

Dear Mr. & Mrs. Mortensen:

A representative of this department has made an examination of the works covered by your Permit No. 31058/13-2256 and has found the following:

Quantity of water diverted: 1.27 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.27 cfs

The maximum quantity of water diverted shall not exceed 395.5 acre feet per season.

Beneficial Use: Irrigation of 113 acres within the E $\frac{1}{4}$ SE $\frac{1}{4}$ (51), Sec. 21; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (3), Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (5), Sec. 28; NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2), W $\frac{1}{4}$ SW $\frac{1}{4}$ (52).

Sec. 22; Twp. 14 S, Rge. 38 E, B.M.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 14 S, Rge. 38 E, B.M.

The priority date established is : March 25, 1963

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 2256

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

May 15, 1972

Please note change of address.

Carl A. & Wanda P. Mortensen

Dayton, *Clifton*
Idaho-83232- *Idaho 83228*

Dear Mr. & Mrs. Mortensen:

A representative of this department has made an examination of the works covered by your administration
Permit No. 31058/13-2256 and has found the following:

Quantity of water diverted: 1.27 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.27 cfs

The maximum quantity of water diverted shall not exceed 395.5 acre feet per season.

Beneficial Use: Irrigation of 113 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$ (51), Sec. 21; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (3), Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (5), Sec. 28; NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2), W $\frac{1}{2}$ SW $\frac{1}{4}$ (52), Sec. 22; Twp. 14 S, Rge. 38 E, B.M.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 14 S, Rge. 38 E, B.M.
The priority date established is : March 25, 1963

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 2256

June 8, 1972

Re: Permit No. 31058/13-2256

C
O
P
Y
Carl A. & Wanda P. Mortensen
Clifton,
Idaho 83228

Dear Mr. & Mrs. Mortensen:

Enclosed herewith is your Water License issued on the above referenced permit.

Also enclosed is departmental receipt No. 9284 in the amount of \$19.00 covering the licensing fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
Receipt #9284

bc: Eastern District Office

13 2256

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31058/13-2256 Priority March 25, 1963 Amount 1.27 cfs

THIS IS TO CERTIFY, that Carl A. Mortensen & Wanda P. Mortensen
of Dayton, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 31058/13-2256 issued pursuant to Application for Permit dated March 25, 1963,
and has submitted proof to the Department of Water Administration on September 8, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.27 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.27 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.27 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, Twp. 14 S, Rge. 38 E, B.M.

in the county of Franklin; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 395.5 acre feet per year or _____
3.5 acre feet per acre.

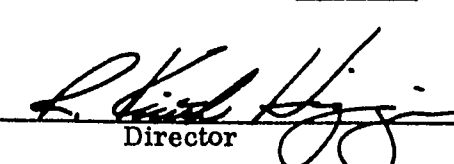
Description and location of place of use:

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 $\frac{1}{4}$	
14 S	38 E	21													11			40	51
		27						3											3
		28	5																5
		22									2	24	28						54

Total number of acres irrigated 113

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
June, 19 72.


Director

13 2256

