

County: Shoshone
Stream: Spring
Amount: 1/50 of 1 cubic foot per second
Use: irrigation
Priority: Nov. 10, 1914

10846
1846 ✓

STATE OF IDAHO

Water License No. 10864

WHEREAS, On the 10th day of November, A. D. 1914, Jos. S. Thomas

of Wallace, County of Shoshone, State of Idaho, duly made application (No. 15845) to me for a permit to use two (2) cubic feet per second of the waters of a spring

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

WHEREAS, On the 11th day of December, A. D. 1914, Permit No. 10864 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 11th day of June, A. D. 1915, and for the application to beneficial use of said water on or before the 11th day of June, A. D. 1915, and,

WHEREAS, On the 10th day of April, A. D. 1915, Jos. S. Thomas

the holder of said permit, duly made proof of the completion of adequate works for the diversion of two (2) cubic feet per second of said waters, as evidenced by my Certificate No. 10864 dated April 29, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two (2) cubic feet per second of said water with date of priority of November 10, 1914, and

WHEREAS, On the 15th day of June, A. D. 1915, Jos. S. Thomas

the holder of said permit, duly made proof of the application to beneficial use of 1/50 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Jos. S. Thomas

of Wallace, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 10864, a perpetual right, dating from November 10, 1914 to the use of 1/50 of 1 cubic foot per second of the waters of a spring,

in the County of Shoshone and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point S. 56° 41' E. 1720.2 feet from $\frac{1}{4}$ Cor. of Secs. 13 - 14, T. 48 N., R. 4 E.B.M.

and conducted to ~~applicant's~~ houses of applicant and used to irrigate about 1.22 acres of garden in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 14, T. 48 N., R. 4 E.B.M.

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

WITNESS, My hand and the seal of my office at Boise, Idaho, this 28th day of July A. D. nineteen hundred and fifteen

J. H. SMITH.

(Seal)

State Engineer:

94 2093

No. 15845

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Joe. S. Thomas

Postoffice address: Wallace

County: Shoshone

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The 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. The quantity of water claimed is Two (2) cubic feet per second.

3. Source of water supply: An unnamed spring.

4. Location of point of diversion: 18 S. 56° 41' E. 1720.2 ft. from $\frac{1}{4}$ Cor. of Sec. 13-14 T. 48 N. R. 4 E.B.M.

County of Shoshone

5. To be used for: Domestic purposes. In the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ S. 14 T. 48 N. 5 E.B.M.

I. Irrigation and domestic use: (a) Amount of land to be irrigated:

acres.

(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works:

7. Description of works for diversion:

I. Kind of works: Dam and pipe line.

II. Dimensions of works:

(a) Height of dam 2 feet, length of dam at top 10 feet,

length of dam at bottom 10 feet. Material used in construction: wood and earth.

(b) Capacity of reservoir acre feet. (c) Size of headgate, width feet,

Height feet. (d) Conduit pipe width at bottom feet,

width at water line feet, depth of water feet; diameter of pipe

3 inches; average grade per mile is feet. Length of conduit is 679.0 ft. and it crosses the following quarter sections: The NW $\frac{1}{4}$ of SE $\frac{1}{4}$ S. 14 and the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ S. 14 T. 48 N. R. 4 E.B.M.

8. The time required for the completion of the construction of such work is already completed years.

9. Time required for the complete application of the water to the proposed use is already in use.
additional years.

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

Joseph S. Thomas

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. Nov. 10, 1914.

Returned to applicant for correction November 11, 1914.

Corrected application received December 5, 1914.

APPROVAL OF STATE ENGINEER

The number of this permit is 10864

Recorded in Book 36 Page 10864 Approved December 11, 1914.

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 February 9, 1915 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 March 11, 1915.

The whole of said work to be completed on or before June 11, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 11, 1915.

Witness my hand this 11th day of December, 1914.

Herbert Wing
Acting State Engineer.

Remarks: This spring has been used by the applicant for about twenty (20) years and is used as a supply for two houses and to irrigate a small garden.

The source of supply is well taken care of by the applicant and the pipe line leading from same is in good condition.

The source of supply is upon unlocated public land of the United States.

Proof of completion of works made April 10, 1915.

Certificate of completion issued April 29, 1915.

Permit No. 10864

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Jos. S. Thomas, of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 10864, issued upon Application No. 15845, bearing date of priority of November 10, 1914, authorizing the diversion of two (2) second feet of the waters of an unnamed spring, County of Shoshone, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use two (2) second feet of the waters of an unnamed spring; that the point of diversion of said waters is S. 56°41' E. 1720 ft. from $\frac{1}{4}$ Cor. of Sec. 13-14, E. 48 N., R. 4 E.B.M., and that the place of use of said water is in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 14, T. 48 N., R. 5 E.B.M.

Witness my hand this 29th day of April, A. D. 1915.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 1/50 of 1 second feet

Page 1846

AFFIDAVIT OF L. LEIGHTY,

STATE OF IDAHO,)
) ss.
COUNTY OF SHOSHONE,)

L. LEIGHTY, being first duly sworn, on his oath deposes and says:

That he is a duly appointed, qualified and acting Notary Public within and for the County of Shoshone, State of Idaho; that as such Notary Public he was designated by the State Engineer of the State of Idaho as the officer before proof was to be taken in the matter of the application of Joseph S. Thomas for a water right in Placer Center Mining District, Shoshone County, Idaho, permit No. 10864; that affiant was at his office in the City of Wallace, Idaho, between the hours of 8 in the morning and 6 o'clock in the afternoon on the 29th day of May, 1915,- the day on which such proof was to be taken, and that no person, or persons, appeared to protest the said application.

L. Leighty

Subscribed and sworn to before me this 28th day of June,
A. D. 1915.

JOHN P. SHEEHY,
Clerk District Court.

By J. J. Ballouhan
Deputy.

PERMIT NO. 10864

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER JUN 22 1915

OFFICE OF STATE ENGINEER

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

Ans. Jos. S. Thomas (miner) 37 years

Black Cloud Wallace, 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. Permit No. 10864 Date of priority, November 10, 1914

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

Ans. An unnamed spring, point of diversion bears S. 56° 41' W.

1720.0 feet from 1/4 Cor. S. 13-14, T. 48 N. R. 5 E. B. M.

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

Ans. Earth and wood dam 2' high and 8' wide, and 3" pipe line

capable of carrying 2 cu. ft. per second.

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 supply and to irrigate a garden of 1.22 acres.

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. 2 second feet.

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. The water is now in use and has been for several years past,
using the full amount.

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

Ans. None.

(Sign) Joseph S. Thomas

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

Shoshone, State of Idaho, on this 15th day of June
A. D. 1915

L. Leighty
Notary Public

10864

Permit No. 10864.....

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

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

Ans. Patrick Brady. age 47 Wallace Idaho
MinerQues. 2. Are you acquainted with J. S. Thomas..... the
holder of Permit No. 10864.....? How long have you known him and where does he reside?

Ans. 23 years Black Blount

Ques. 3. Have you read or heard read said Permit No. 10864....., 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. An unnamed spring. The point of diversion bears S. 56° 41' W.
1720 feet from 1/4 corner S. 13-14, T. 48, N. R. 5 E. B. M.
The works consist of an earth and wood dam 2' high and 8' wide
and a 3" pipe line.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. 2 second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-
division 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 supply and to irrigate a small garden in N. E. 1/4 of
S. E. 1/4, section 34, T. 48 N. R. 5 E. B. M.Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what
extent.

Ans.

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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. Tillable land and requires about 2 second feet of water.

10864

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

Ans. No.

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

Ans. The water is now in use and has been for several years past, using the full amount.

(Sign)

Patrick Brady

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 Wallace

County of Shoshone

State of Idaho, on this

15th

day of

June

A. D. 1915

L. Lighty
Notary Public.

My Commission Expires

January 6th 1919

10864

RECORDED

JUN 22 1915

OFFICE OF STATE ENGINEER

Permit No. 10864

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Jos. S. Thomas 36 years, Wallace, Idaho.
 Menden Wallace Idaho

Ques. 2. Are you acquainted with Jos. S. Thomas, the holder of Permit No. 10864? How long have you known him and where does he reside?

Ans. Yes. 25 years Black Cloud Reservoir
 3/4 mile from Wallace

Ques. 3. Have you read or heard read said Permit No. 10864, 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. An unnamed spring. The point of diversion bears S. 56° 41'

W. 1720 feet from 1/4 corner, S. 13-14 T., 48 N., R. 5 E. B. M.

The works consist of an earth and wood dam 2' high and 8' wide
 and a 3" pipe line.

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. 2 second feet.

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 supply and to irrigate a small garden in N. E. 1/4
 of S. E. 1/4 section 34, T. 48 N., R. 5 E. B. M.

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

Ans.

per

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. Tillable land, and requires about 2 second feet of water.

10864

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

Ans. No.

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

Ans. The water is now in use and has been for several years past, using the full amount.

(Sign)

C. B. Wallace

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 Wallace, County of Shoshone, State of Idaho, on this 15th day of June, A. D. 1915.

L. Lighty
Notary Public.

My Commission Expires

January 6th 1919

10864

RECORDED

JUN 22 1915

OFFICE OF STATE ENGINEER

10864

REPORT OF ENGINEER

1. State name of applicant and number of permit: *Joseph S. Thomas, No 10864*
2. State source of water supply: *Unmined spring*
3. Location of point of diversion: *S 56° 41' W. 1720.0 ft from corner of Secs 13-14 T48N. R4E B.M.*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *The works of diversion are fully completed in accordance with terms of Permit*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: _____
 - (b) Width at water line: _____
 - (c) Depth of water: _____
 - (d) Grade per mile: *228 ft.*
 - (e) Capacity of ditch: _____ second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent: *This pipe line is in service and is being used continuously.*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *The amount of land irrigated by this water is 1.22 acres and is all in the N.E. 1/4 of the S.E. 1/4 Sec 14 T48N. R4E B.M.*
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: _____

D. C. Purington

STATE OF IDAHO,

County of *Shoshone*

ss.

Irving C. Purington, 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 *17th* day of *May*, 191*5*

My Commission Expires *C. 1 2, 1915*

Walter B. Neifeld
Notary Public.

10864

Name of Applicant Jos. S. Thomas

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

748N/74E
Delivered to State
1/2/2008

748N/74E

14

13

10864

Permit No. 10864

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Shoshone

ss.

Jos. S. Thomas

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. 10864 and that his postoffice address is Wallace State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 11th, 1915

Third: That the use for which said water is intended is Domestic purposes

Fourth: That on the date above mentioned, the works constructed under said permit were ~~not yet completed~~ fully completed and consisted of the following:

I. Kind of works: Dam and pipe line
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 2.0 feet, length of dam at top 8.0 feet, length of dam at bottom 8.0 feet. Material used in construction earth and wood.

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

(b) Capacity of reservoir acre feet.

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

(d) Conduit pipe width at bottom feet, width at water
(State whether ditch, flume or pipe)

line feet, depth of water feet; diameter of pipe 3.0 inches;

average grade ~~varies 6 ft. in 100 ft.~~ Length of conduit is 679.0 ft. ~~miles~~

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

2.0 second feet of water.

Sixth: That water appropriated under said permit is available for acres of land described as follows:

Seventh. Remarks: That the reservoir formed by this dam is very small being a box built around the spring and the pipe connected directly thereto, no headgate being used. The water is used to supply two dwellings water stock and irrigate a small garden.

Joseph S. Thomas
(Sign here)

Subscribed and sworn to before me this 10th day of April 1915

My commission expires January 6th 1919

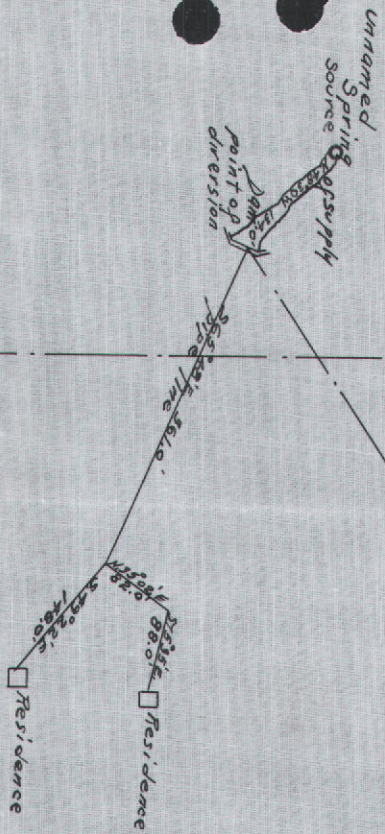
Notary Public.

10864

NW 1/4 of SE 1/4 S.14

NE 1/4 of SE 1/4 S.14

1/4 Cor.
S. 13-14
T. 48 N. R. 4 E.
B. 17.



Scale 1"=200'

10863