

Name of Applicant

LeRoy Mosey & C. E. Plummer

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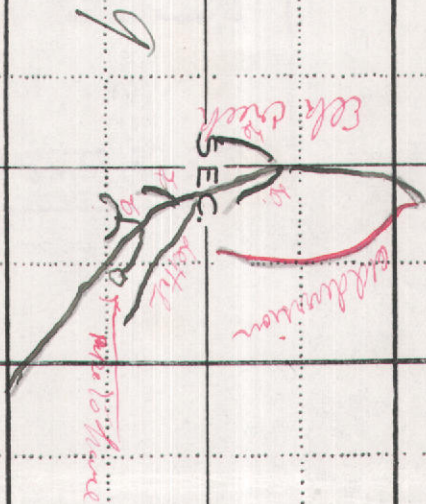
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10797

LeRoy Messey v C.E. Plummer

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— 17 —

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10797

Dr.

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

State of Idaho
License and Certificate of Water Right

Water License No. 10797
 Water District No. 91-C

Amount 16/50 of 1 sec.ft.
 Priority 10-1-1914

THIS IS TO CERTIFY that **LEROY MASSEY and C. E. PLUMTREE** of **Kellogg, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **December 4**, 19 **14**; that Permit No. **10797** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.2** second feet, was issued thereunder on **January 25th**, 19**18**, showing that said works were completed on the **5th** day of **December**, 19**17**; and that on the **8th** day of **February**, 19**18**, **LEROY MASSEY and C. E. PLUMTREE**

of **Kellogg**, State of **Idaho**, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of **East Fork Elk Creek**, a tributary of **Elk Creek**, for the purpose of **irrigation and domestic use**, under Use Permit No. **10797** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Engineer of Idaho and entered of record in Volume **5** of Licenses, at page **2301**, on the **28th** day of **June**, 19 **18**;

The right hereby confirmed dates from **October 1st**, 19 **14**;

The Point of Diversion is located in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$** and in the **SE $\frac{1}{4}$ NW $\frac{1}{4}$** , Sec. **9**, Tp. **48 N.**, R. **3 E.**, B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **16/50 of 1 cubic foot** per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
48 N	3 E	9	NW $\frac{1}{4}$ SE $\frac{1}{4}$		3
			NE $\frac{1}{4}$ SW $\frac{1}{4}$		1
			SE $\frac{1}{4}$ NW $\frac{1}{4}$		10
			SW $\frac{1}{4}$ NW $\frac{1}{4}$		2

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

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this **28th** day of **June**, 19 **18**.

(SEAL)

FRED A. WILKIE

State Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 10030
Water District No. 8-B

Amount .5 sec. ft.
Priority 1-2-1915

THIS IS TO CERTIFY that **SARAH TAYLOR**
of **Almo, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **March 13th**, 19 **14**; that Permit No. **10030**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of **.8 of 1**
second ~~set~~, was issued thereunder on **January 9th**, 19**15**, showing that said works
were completed on the **14th** day of **December**, 19 **14**; and that on the **2nd**
day of **January**, 19 **17**, **SARAH TAYLOR**

of **Almo**, State of **Idaho**, made proof to the satisfaction of the
State Engineer of Idaho, of a right to the use of the waters of **Almo Creek**,
a tributary of **Raft River**, for the purpose of **irrigation and domestic use**,
under Use Permit No. **10030** of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Engineer of Idaho and entered of record in Volume **5** of Licenses, at page **2302**, on the **28th**
day of **June**, 19 **18**;

The right hereby confirmed dates from **January 2d**, 19 **15**;

The Point of Diversion is located
in the **SE ¼ NE ¼**, Sec. **5**, Tp. **15 S.**, R. **24 E.**, B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed **.5 of 1** cubic ~~feet~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	24 E	10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	25

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

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this **28th**
day of **June**, 19 **18**.

(SEAL)

FRED A. WILKIE
State Engineer.

No. 15726

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

94-2226

1. Name of applicant: LeRoy Massey and C. E. Pluntree

Postoffice address: Kellogg 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 1 2/10 cubic feet per second.

3. Source of water supply: Elk Creek (Elk Fork)

4. Location of point of diversion: NE 1-4 of NW 1-4 Sec. 16 Twp. 48 R 3 EBM

County of Shoshone

5. To be used for: Irrigation and Domestic use.

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: about sixty acres.
(b) In the following legal subdivisions: S 1-2 of N.W. 1-4 and SW 1-4 of the NE 1-4
and N W 1-4 of S E 1-4 and N E 1-4 of S W 1-4 Sec. 9, Twp. 48 R 3 EBM.

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

6. Estimated cost of works: \$1000.00

7. Description of works for diversion:

I. Kind of works: Ditch and Flume.

II. Dimensions of works:

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

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

Height feet. (d) Conduit ditch and flume width at bottom one feet,
width at water line one feet, depth of water feet; diameter of pipe

inches; average grade per mile is feet. Length of conduit is 3-8 miles,
and it crosses the following quarter sections: N E 1-4 of the N W 1-4 Sec. 16 and
the East 1-2 of S W 1-4 Sec. 9 Twp 48 R 3 E B M

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

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

LeRoy Massey C. E. Pluntree Applicant.

By LeRoy Massey Agent.

Proof of completion of works made December 5, 1917.
 Certificate of completion of works issued January 25, 1918.

Permit No. 10797.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Le Roy Massey and C. E. Plumbtree, of Kellogg, County of Shoshone, and State of Idaho, the holder of Permit No. 10797, issued upon Application No. 15726, bearing date of priority of October 1, 1914, authorizing the diversion of 1.2 second feet of the waters of Elk Creek, County of Shoshone, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.2 second feet of the waters of Elk Creek; that the point of diversion of said waters is in NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 48 N., R. 3 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 48 N., R. 3 E., B. M.

Witness my hand this 25th day of January, A. D. 1918.

J. H. SMITH,

State Engineer of the State of Idaho.

License issued for 1.32 second feet

Page 2301

17115

May 10, 1966

C
Mr. William L. Tucson,
Attorney at Law,
Hutton Building,
Kellogg, Idaho.

Dear Mr. Tucson:

O
In reply to your letter of May 4, 1966, we are forwarding an application to appropriate surface water and instructions for filing. In regards to your inquiry as to filings on Elk Creek and Deer Creek within the legal descriptions in your letter, our records indicate the following:

P
Y
Permit No.: 17115
License Page: 3646
Holder: Samuel Ofner
Quantity: 0.28 cfs
Priority: June 22, 1929
Source: West Fork of Elk Creek
Point of Diversion: NW1/4NW1/4, Section 9,
Twp. 48 N., Rge. 3 E.B.M.
Land List: NW1/4NW1/4, Section 9, Twp. 48 N.,
Rge. 3 E.B.M. (40 acres)

Permit No.: 10797 ✓
License Page: 2301
Holder: LeRoy Massey & C. E. Plumtree
Quantity: 16/50 of 1 cfs
Priority: October 1, 1914
Source: Elk Creek
Point of Diversion: SE1/4NW1/4, NW1/4SE1/4, Sec. 9,
Twp. 48 N., Rge. 3 E.B.M.
Land List: NW1/4SE1/4, NE1/4SW1/4, SW1/4NW1/4, (16 acres)

Please contact us if we may be of further assistance.

Very truly yours,

DONALD W. McELDOWNNEY
State Water Rights Clerk

Encl. - Form No. 1
Form No. 0 in duplicate
Letter of Instructions
DWMc:pmk

10797

WILLIAM L. TUSON

Attorney at Law

HUTTON BUILDING - KELLOGG, IDAHO - Telephone: SUNset 4-0401

MESSAGE

REPLY

TO

Dept of Reclamation
State of Idaho
Boise, Idaho

DATE

May 4, 1966

Gentlemen -

Please advise of any
record in your office
of water rights for appropriation
of waters from the West Fork
of Elk Creek located in Sections
16, 17, 18 & Township 48N, Range
3 E. B.M. ^{Shoshone County, Idaho} Also appropriation
from Deer Creek in Section
8 T-48N-R 3 E. B.M., Shoshone Co.

SIGNED

Kindly send the necessary

DATE

forms and instructions
with which to file
an application.

Sincerely,
W. L. Tuson

RECEIVED

MAY 9 1966

Department of Reclamation

10797

SIGNED

April 19, 1934

Re: Permits No. 10797 & 17115

MR. MELVIN T. FORBES
Kallows,
Idaho

Dear Sir:

In reply to your letter dated April 10th, we wish to advise that the records of this department show two filings on branches of Elk Creek which is tributary to the South Fork of the Coeur d' Alene River.

Permit No. 10797 was issued to Leroy Massey and C. E. Plumtree. These parties completed their filing, complied with the terms of the permit and obtained a license for .32 of 1 second foot which bears date of priority as of October 1, 1914.

Permit No. 17115 was issued to Samuel Gfner who now has a licensed right for .28 of 1 second foot bearing date of priority as of June 22, 1920.

We presume that you are interested in filing on the water in question and we are, therefore, enclosing blank application together with a pamphlet of instructions for your convenience.

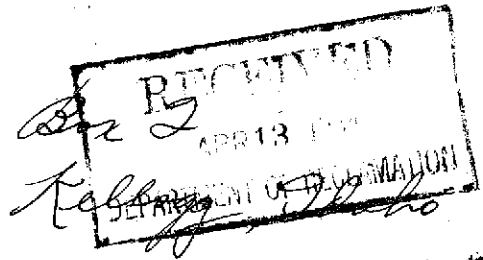
Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG
Encl.

10797



April 10, 1934

U.S. Dept of Reclamation
Boise, Idaho.

Gentlemen,

Please give me information
regarding water rights, for irrigation, etc.,
to Elk Creek, located about one mile
east of Killogg.

Respectfully yours,

Melvin T. Forbes

March 10th 1919

Ans W. McKie
Boise Ida

ack
1/10/19

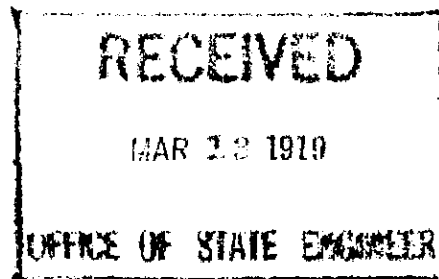
Dear Sir

Enclosed find ^{for}

Please send me
Certified Copy water
License No 10.797

C. E. Plumtree
Kellogg Ida
box 455

✓



10797

FRED WILKIE
STATE ENGINEER

State of Idaho
Engineering Department
Boise

March 5, 1919.

Re Certified Copy.

Mr. C. E. Plumbtree,
Kellogg, Idaho.

Dear Sir:--

A certified copy of Water License No. 10797
will cost \$1.00.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By C. Brown

10797

July 12, 1918.

Mr. Leroy Massey,
Kellogg,
Idaho.

In Re Permit #10797

Dear Sir:

I enclose you herewith License issued
under above numbered permit.

Very truly yours,

FRED A. WILKIE,
State Engineer.

By

10797

June 17, 1918.

Re Permit No. 10797.

Mr. LeRoy Massey,
Kellogg, Idaho.

Dear Sir:--

Replying to yours of the 15th would say that the report of the engineer was duly received. License will be mailed to you just as soon as we can get to it. Our routine work is very heavy just now and it may be a matter of a week or ten days before this can go forward.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

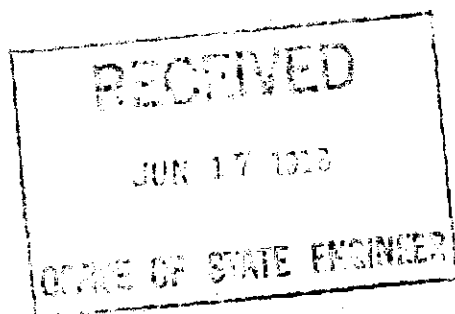
10797

Kellogg Idaho June 15, 1918
State Engineer Boise Idaho
Dear Sir: -

Will you receive the examining
Engineers report on the Massey & Pluntree
water right?

Yours resp.

LeRoy Massey



10797

FRED. W. CALLAWAY
MINING ENGINEER
KELLOGG, IDAHO

May 2, 1918.

Mr. Fred A. Wilke,
State Engineer,
Boise, Idaho.

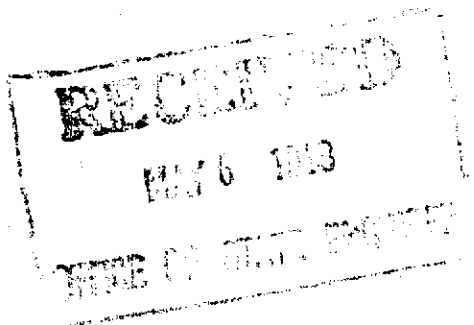
Dear Sir:-

In reply to your letter of April 27, regarding examination
and report for permit No. 10797, Leroy Massy, Kellogg, Idaho.

I will make the examination and report within one week.

Yours truly,

M. J. Dunn



10797

REPORT OF ENGINEER

This proof is for _____

In Water District No. _____

1. State name of applicant and number of permit: Leroy Massey, + C. E. Plumbtree Permit 10797
2. State source of water supply: East Fork of Elk Creek
3. Location of point of diversion: N.W. 1/4 of SE 1/4 + SE 1/4 of NW 1/4 of Sec 9 T48N R3E BM.
4. Describe works as they exist, giving dimensions and capacities of same: 750 ft. Iron Pipe approximately 1800 ft. of ditch 1 ft wide 1 ft deep. Head gates at points of diversion, consists of a board placed across the stream.
5. State whether or not water has been turned into works of diversion: Water is in continuous use for domestic purpose. For irrigation use when needed
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
NW 1/4 of SE 1/4 3 acres NE 1/4 of SW 1/4 1 acre
SE 1/4 of NW 1/4 10 acres SW 1/4 of NW 1/4 2 acres.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? Two
9. Give names and amount of each right Leroy Massey 3/5 cu. ft. 5 1/2 of NW 1/4 500 g.
C. E. Plumbtree 2/5 cu. ft. NW 1/4 of SW 1/4 NE 1/4 of SE 1/4 + SW 1/4 of NE 1/4 500 g.
10. What large stream would the water here appropriated finally reach? South Fork Colorado River
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

The East Fork of Elk Creek empties into the Elk Creek at a point near the center of the NW 1/4 of NW 1/4 of Sec 9 T48N R3E BM. Elk Creek empties into the South Fork Colorado River.

Remarks: There is not enough water for both parties to irrigate their lands at the same time. Each party uses all of the water on alternate days.

This examination was made on the 17 day of May 1918

(Signed) _____

M. J. Dunn

10797

Examiner.

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

STATE OF IDAHO,
County of Shoshone } ss.

M. J. Dunn, 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 18th day of May 1918

My commission expires Apr 15 1921

Charles Berglund
Notary Public.

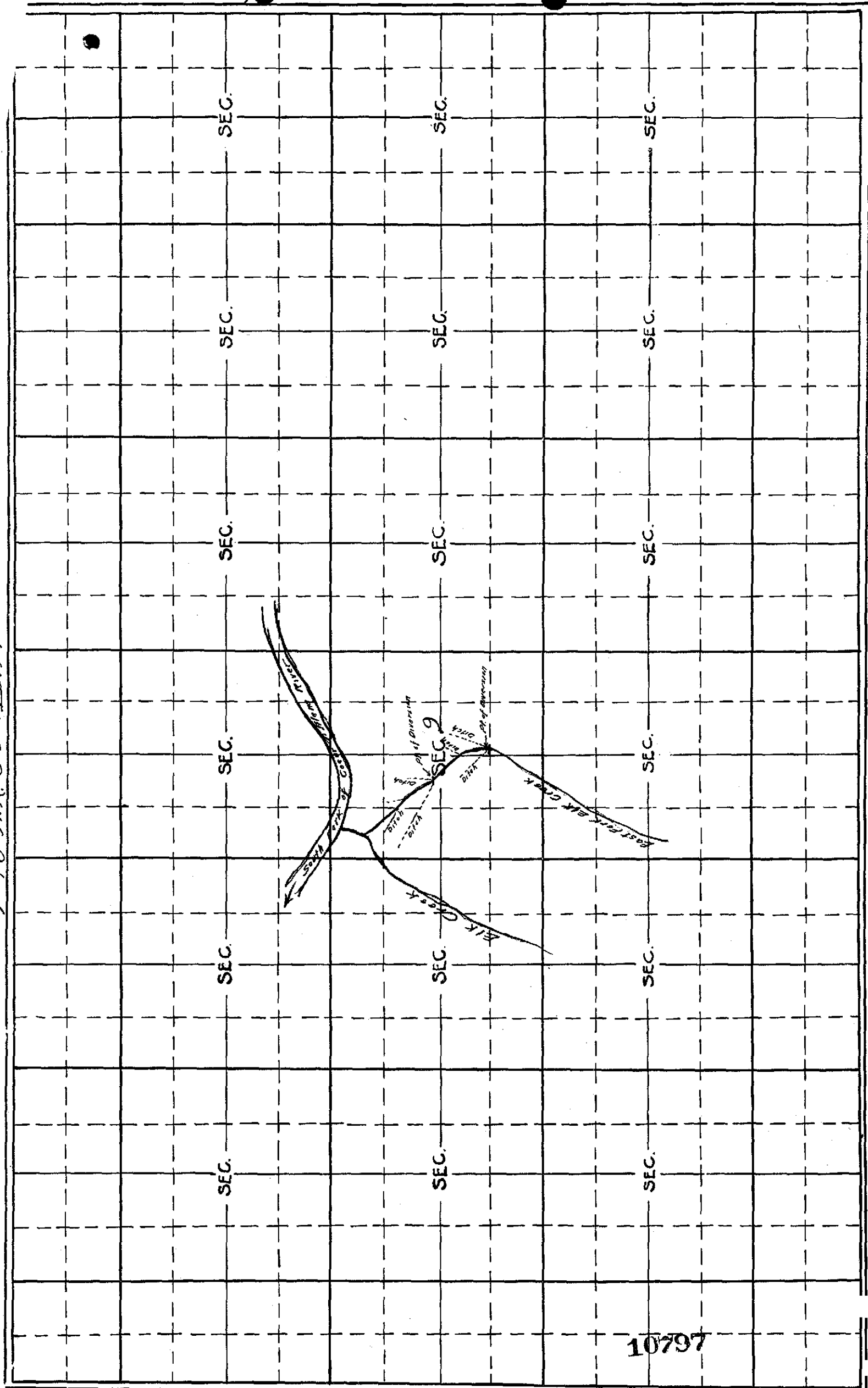
10797

Instructions To Examiners

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

me of Applicant Leroy Massey & C. E. Plumtree

T48 N.R. 3 E. B. M



10797

Office of the State Engineer

Boise, Idaho, Apr. 27, 1916.

Mr. M. J. Dunn,
Kellogg, Idaho.

DEAR SIR:

.....Mr. LeRoy Massey....., residing at Kellogg.....
County of, State of Idaho....., has requested that
you make examination required under Permit No. 10797. Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not
you will be able to make the examination and report as required.

Very truly yours,

FRED A. WILKIE,

~~W. E. ROBINSON~~

State Engineer.

10797

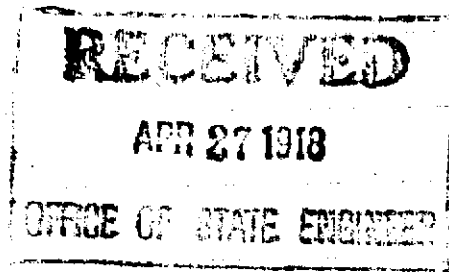
Kellogg Idaho April 24, 1918.
Mr. Fred A. Milke
State Engineer

Baise Idaho

Dear Sir: - Mr. M. J. Dunn, a mining engineer
of Kellogg Idaho. wants to be a good man to examine
and report on our claim, or remainder site No 10797

Yours resp.

Leroy Massey



10797

April 17, 1918.

Re Permit 10797.

Mr. LeRoy Massey,
Kellong, Idaho.

Dear Sir:—

Am in receipt of your letter, enclosing depositions for proof of beneficial use of water under above permit, with checks for fees. The depositions are in proper form and will be placed on file. If you will send the name of some one near you who can make the required examination and report, we will authorize him to do the work and send the blanks for his report and map. I accordingly return again the checks for fees as no additional charge is made at this office where the expense of the examination is paid by the permit holder. You will arrange with the party making the examination for his fees.

Very truly yours,

FRED A. WILKIE,

State Engineer.

2Ch. 24-26

By _____

10797

Kallogg Idaho. April 12, 1918
State Engineer

Baird Idaho.

Dear Sir; I rec'd the checks same time ago
you returned to me. Was surprised
that you had not received all the papers
Mr. Burke was to mail all the papers
including the checks.

I ^{showed} him your letter, he claimed
he handed me the papers on date of
making. I convinced him he was
mistaken, so he began to search for them.
Yesterday I received them thru the mail
so am sending them to you.

I am sorry that this has occurred
but was no fault of mine.

Hoping that this will be satisfactory.

Yours resp.

L. Fay Massey

10797

RECEIVED
STATE OF IDAHO
APR 12 1918

PERMIT No. 10797

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

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

Ans. Leroy Massey, Age 49, Kellogg, Ida., Gardener.

C. E. Plumtree, Age 53, Kellogg, Ida., Mining man and rancher.

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. No. 10797 Oct 1st 1914- Priority 10 of Oct 1906

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

Ans. Elk Creek (East Fork) NW NE $\frac{1}{4}$ of SW $\frac{1}{4}$ -SE $\frac{1}{4}$ of NW $\frac{1}{4}$ -NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 9 Twp 48 N Rge 3 EBM

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

Ans. ditch and pipe, 3 second feet- No name

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, Place of use, S $\frac{1}{2}$ of NW $\frac{1}{4}$, 12 acres- NE $\frac{1}{4}$ of SW $\frac{1}{4}$, 2 acres- NW $\frac{1}{4}$ of SE $\frac{1}{4}$, 1 acre, Sec 9 Twp 48 Rge 3 EBM Cultivated ground-

palced above acreage in cultivation as garden and pasture

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

Ans. None

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

Ans. in excess of three feet in a dry season

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. acquired permit ourselves.

10797

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

Ans. since 1906-irrigation-all of it in dry seasons

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

Ans. _____

(Sign) _____

Edw. Massey
C. E. Plummer

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 Kellogg, County of Shoshone State of Idaho, on this 8th day of February A. D. 1918.

Gary B. Bunker

NOTARY PUBLIC for Idaho residing
at Kellogg, Idaho. My Commission
Expires Oct. 14th. 1920.

10797

RECEIVED

1918

OFFICE OF STATE ENGINEER

Permit No. 10797

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Ava L. Massey, Age 34, Kellogg, Ida., housekeeper.Ques. 2. Are you acquainted with Leroy Massey and C E Plumbtree, the holder of Permit No. 10797? How long have you known him and where does he reside?Ans. Have known Mr Plumbtree four years, have known Mr. Massey for all my life, they reside near Kellogg, Ida.Ques. 3. Have you read or heard read said Permit No. 10797, 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. Source is on East Fork Elk Creek, The water is diverted in five places ~~xxxxxxx~~ in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, in SE $\frac{1}{4}$ NW $\frac{1}{4}$, INNW $\frac{1}{4}$ SE $\frac{1}{4}$ into small ditches not over one foot area in cross section, aggregating 2000 feet in length. Some small pipe is also used for conveying water to dwellings and barns. The ditches are in the soil without lining.

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?

the ditches will carry all the water available. Could carryAns. 3 or feet-- About one second feet or more

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic, on NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9 three acres.SW $\frac{1}{4}$ NW $\frac{1}{4}$ about 12 acres. Cultivated, as result of irrigation.

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

Ans. Not any

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land lies in a shallow valley. Can use all water that can get

10797

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. Have lived on place since last July, but have known of

the application for several years.

(Sign)

Ann L. Murray

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 Kellogg, County of Shoshone, State of Idaho,

on this 8th day of February A. D. 1918

Notary Public.

My commission expires

10797

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Fred W. Callaway, Age 38, Mining Engineer,
Address P.O. Box, 598, Kellogg, Idaho.

Ques. 2. Are you acquainted with Leroy Massey and C.E. Plumtree, the holder of Permit No. 10797? How long have you known him and where does he reside?

Ans. I have known Leroy Massey for at least five years. Resides
on S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 9-48N.-3E. Have Known Plumtree 3 years. Resides on NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 9, T. 48 N., R. 3 E.

Ques. 3. Have you read or heard read said Permit No. 10797, 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. Source is on East Fork Elk Creek. The water is diverted in five
places in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, in SE $\frac{1}{4}$ NW $\frac{1}{4}$, in NW $\frac{1}{4}$ SE $\frac{1}{4}$, into small ditches
not over one foot area in cross section, aggregating 2000 feet
in length. Some small pipe is also used for conveying water to
dwelling and barns. The ditches are in the soil without lining.

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. The ditches will carry all the water available and could safely
carry 3 or 4 second feet. (b) About one-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. Irrigation and domestic purposes. Is used on NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 9. over 3 acres. And on S $\frac{1}{2}$ NW $\frac{1}{4}$ over about 12 acres. The land
is cultivated raising garden truck and berries. Improvements
include dwelling, barn and orchard on Massey's and dwelling and
barn on Plumtree

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

Ans. 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.

Ans. The land is cleared land in a shallow valley sloping westerly
quite sharply. The soil is a loam with clay subsoil. During seasons
will utilize all the water available and clearing limited to the
amount of water available.

10797

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

to what extent?

Ans. Absolutely 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. I have been over the ground and have been familiar with the

progress on the farm for the past three years. I have not been

especially interested in the observance of the water and its

results but have known that the returns from the use of irrigation

there were very satisfactory. (Sign)

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 on this

County of Shoshone

State of Idaho,

day of August, A. D. 1918

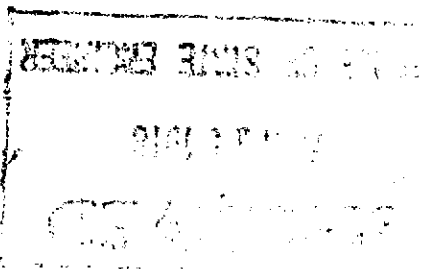
James A. B. 1918

Notary Public.

NOTARY PUBLIC for Idaho, My Commission

at Kellogg, Idaho, My Commission Expires Oct. 14th, 1920

My commission expires



10297

March 26, 1918.

Re Permit 10797. - Massey & Pluntree.

Mr. Leroy Massey,
Kellogg, Idaho.

Dear Sir:--

On March 19th, we received the affidavit of publication for proof under the above permit, with two checks, one in the sum of \$4.00 and the other for \$6.00, but with no letter of explanation as to why the check were sent at this time. They are, therefore, herewith returned to you.

The proof was advertised to be made on February 8th but as yet the ~~depositions have not been~~ received. Please advise us as to whether or not the proof was taken as advertised.

Very truly yours,

FRED A. WILKIE

State Engineer.

Ch\$4.00\$6

By _____

10797

Proof of Publication

STATE OF IDAHO,

County of Shoshone,

ss :

cts-58-6^{cu}
 4
 10^{cu}

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 8th day of February, 1918, at Kellogg, County of Shoshone, State of Idaho, before Gary C. Burke, Notary Public, proof will be submitted of the application to beneficial use of one and two-tenths cubic feet per second of the waters of Elk Creek in accordance with the terms and conditions of Permit No. 10797 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Leroy Massey and C. E. Plumtree, of Kellogg, Idaho.

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

3. The amount applied to beneficial use is one and two-tenths cubic feet.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) South $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$; and the NE $\frac{1}{4}$ of SW 1-4, Sec. 9, Twp. 48, Range 3, EBM.

5. The right to take water from such works is based upon Permit No. 10797.

6. The source of supply from which such water is diverted is Elk Creek.

7. The date of the priority which said user is prepared to establish is October 1, 1914.

J. H. SMITH, State Engineer.

First pub. Jan. 11.

Last pub. Feby. 1.

W. L. Penney, being first duly sworn, deposes and says that he is publisher of WARDNER—NEWS—KELLOGG, a weekly newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho; and which has been published continuously in said county for a period of 52 weeks immediately prior to the publication of the notice hereinafter described, and that the

Notice of proof of application
 of water to beneficial use

of which the annexed is a true copy, was published in each regular weekly issue of said newspaper, and not in a supplement thereto, for a total period of 4 consecutive weeks; the first publication thereof being in its issue dated Jan. 11, 1918 and the last publication thereof being in the issue dated

February 1, 1918

Subscribed and sworn to before me this 5th

day of February 1918

Chas. Berglund

Notary Public.

10797

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Messrs. Leroy Massey & C. E. Plumbtree,
c/o Cary C. Burke, Notary Public,
Kellogg, Idaho.

BOISE, IDAHO, January 29, 1918.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **10797.**

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On February 8, 1918, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Kellogg, before Cary C. Burke, N. P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J. H. SMITH,

State Engineer.

10797

January 26, 1918.

Re: Permit No. 10797.

Mr. Le Roy Massey,
Kellogg, Idaho.

Dear Sir:

Enclosing herewith Certificate of Completion
of Works, issued under above permit; also application
for change of point of diversion, with one copy of
map, the same having been recorded under above
permit.

Very truly yours,

J. R. SMITH,

State Engineer.

By

Enc: CCM
APD-MF

MB

10797

RECEIVED

JAN 7 1918

OFFICE OF STATE ENGINEER

Kellogg Idaho Jan 1st 1918
Mr. J. H. Smith State Engineer
Boise Idaho.

Dear Sir:

Find enclosed corrected papers.

I find I had made a mistake in drawing the map
so am sending you two new ones.

I hope these will be correct

LeRoy Massey

You may have Mr. Max Dunn of Kellogg
Idaho report the work. he is a civil Engineer.
L. M.

10797

Name of Applicant

LeRoy Mosey & C. E. Plummer

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

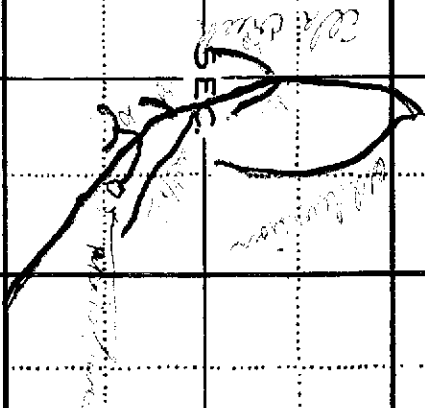
SEC.

SEC.

SEC.

SEC.

9



16

10797

Permit No. 10797

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Shoshone } SS.

Leroy Massey and C E Plumtree, 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. 10797 and that his postoffice address is Kellogg, State of Idaho.

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

Third: That the point of diversion of said water is NE 1/4 of SW 1/4, SE 1/4 of NW 1/4, NW 1/4 of SE 1/4 Sec. 9, Twp 48 N, Range 3 E B M

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Dec 4th 1917.

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

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

I. Kind of works: ditch and pipe

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

II. Dimensions of work: 12" bottom 1 in pipe

(a) Height of dam 0 feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 0 acre feet.

(c) Size of headgate: Width 0 feet, height 0 feet.

(d) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe inches;

(State whether ditch, flume or pipe)

average grade per mile is 100 feet. Length of conduit is 3/8 miles.

Seventh: That said works are capable of conducting to the place of intended use 1 and 2 tenths second feet of water.

Eighth: That water appropriated under said permit is available for 60 acres of land described as follows: NE 1/4 of NW 1/4, SE 1/4 of NW 1/4, NW 1/4 of SE 1/4 and NE 1/4 of SW 1/4 Sec 9, Twp 48 Rge 3 EBM

Ninth: Remarks: That

Leroy Massey C E Plumtree
(Sign here)

Subscribed and sworn to before me this 5th day of December, 1917

My commission expires

NOTARY PUBLIC for Idaho residing
at Kellogg, Idaho. My Commission
Expires Oct. 14th, 1920

Notary Public.

December 26, 1917.

Re Permit 10797.

Mr. LeRoy Massey,
Kellogg, Idaho.

Dear Sir:--

An in receipt of notice of proof of beneficial use of water under above permit. One copy will be mailed to the Kellogg News in time for notice to be advertised four full weeks prior to the date of making proof, February 8th, and deposition blanks will be mailed to Mr. G. G. Burke, notary public at Kellogg.

If you will send the name of some one near you who is competent to make the examination and report required, blanks will be furnished him from this office. Where the expense of the examination is paid by the holder of the permit, no additional fees are charged at this office.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

10797

December 26, 1917.

Re Permit 10797.

Mr. Leroy Massey,
Kellogg, Idaho.

Dear Sir:--

Am herewith returning your affidavit for completion of works, with receipt for fee, for correction as to the points of diversion. This should agree with the affidavit for change of point of diversion filed. The affidavit has been placed on record under the permit here and same is herewith returned with one copy of the map.

The corrected affidavit for proof should be returned to us as soon as possible.

Very truly yours,

J. H. SMITH,

State Engineer.

AH-R1502-APD-M

By _____

10797

December 8, 1917.

Re: Permit 10797.

Mr. Le Roy Massey,
Kellogg, Idaho.

Dear Sir:

Am in receipt of your affidavit with check for fees for proof of completion of works under above permit, together with maps showing change of point of diversion. In reply, would state that you should file an affidavit for such change upon the enclosed form. As soon as this is received, the matter of issuing your certificate will be taken up.

Very truly yours,

J. H. SMITH.

State Engineer.

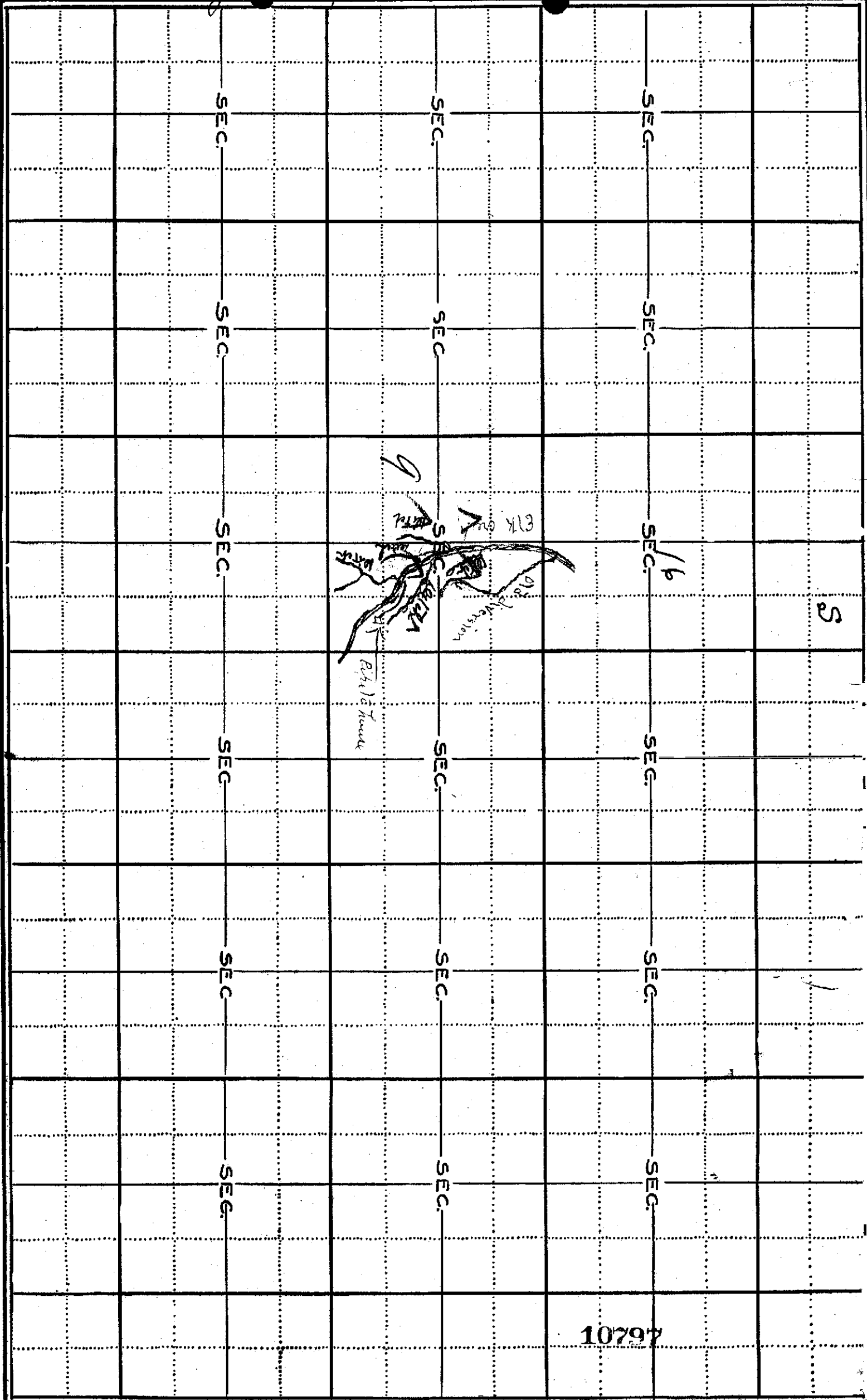
By

CB/MB

Enc: F-13.

10797

Name of Applicant Leroy Massey & C.E. Plummer



10797

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 5th., 1917

(P. O.) Kellogg, Idaho.

To the State Engineer,
Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Kellogg News, of Kellogg, Shoshone Co., Idaho., published in the
county in which the works are situated.

L. Ray Massey
E. Drumtree

(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.

10797

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 5th day of February, 1918,
 at Kellogg, County of Shoshone, State of Idaho,
 before Gary C Burke, Notary Public, proof will be submitted
 of the application to beneficial use of 1 and 2 tenths cubic feet per second of the
 waters of Elk Creek in accordance with the terms and conditions of
 Permit No. 10797 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Leroy Massey and C E Pluntree, of Kellogg, Ida.
2. The use to which said water has been applied is irrigation and domestic purposes
3. The amount applied to beneficial use is 1 and 2 tenths cubic feet
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) South 1/2 of NW 1/4 - SW 1/4 of NE 1/4 - and the NW 1/4 of SE 1/4 and the NE 1/4 of SW 1/4, Sec 9 Twp 48 Rge 3 EBM

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is no name

6. The right to take water from such works is based upon Permit No. 10797

7. The source of supply from which such water is diverted is Elk Creek

8. The date of the priority which said user is prepared to establish is June 1 - 1914
June 1906

10797

J.H. Smith,

State Engineer.

10797

RECEIVED

DEC 1 1917

OFFICE OF STATE ENGINEER

Kellogg Idaho Dec. 15, 1917

Mr. J. H. Smith

Boise Idaho

Dear Sir: I herewith enclose papers in regard to permit No 10 797. We abandoned the old point of diversion on account of condition of the ground.

You can see by the maps I am sending you, we used the stream for the main ditch, we could take the water out at several different points and carry it to the land for irrigation. In all, we have over 2000 feet of ditch & pipe. The pipe line is 1" pipe over 600 feet long, this carries the water to the house.

This was the driest season we have ever had. Only had enough water to irrigate 10 A.

We have been using this water since 1906.

Other parties living on the place have been using it for 15 yrs previous to this date.

Hoping that this explains every thing satisfactory.

If this is not satisfactory please give me the necessary instructions.

Yours res. L. Ray Massey

November 22, 1917.

Re: Permit No. 10797.

Mr. Le Roy Massey,
Kellogg, Idaho.

Dear Sir:

Replying to yours of the 19th inst. would say that inasmuch as the works are already completed under the above permit, you should proceed with the proof of completion of works, affidavit form for which is herewith enclosed with instructions.

You should also file an affidavit for change of point of diversion, accompanied by maps in duplicate, showing the old and the new points.

If you have all the lands under cultivation upon which you intend to use this water, you can proceed with final proof in the usual manner by filling out the blank notices herewith enclosed and returning same to this office in time for the required four weeks publication prior to the date set by you for said proof.

Your check for fees is herewith returned to be sent in with the affidavit for proof of completion of works. The proof should be made by yourself and Mr. Plantree jointly.

Very truly yours,

J. H. SMITH,

State Engineer.

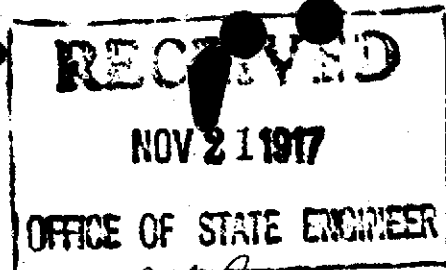
By

CS/MB

Enc: F5 & 6: 2F10

F11: Ch 35.

10797



Ch
#5⁰²

Kellogg Idaho Nov. 19. 1917.
State Engineer
Boise Idaho.

10797

Dear Sir: - In doing the work under Permit No. 10797 I found it was not practicable as the condition of the ground necessitated plumbing nearly all the way. I found out by going down the stream I could take the water out with much less labor and could save more of the water. I also found out to-day when I went to my surveyor Mr. Dunn of Kellogg that I had filed an error water than was in the stream. He advised me to write you telling you the condition, I have been using all the water in this stream for irrigation & domestic purposes for 11 yrs. The party I bought it had been using it for 20 yrs. Will it be necessary for me to make an amended filing? I have all work done that is needed on an amended filing, have used the water in the new laterals the past season. Mr. Dunn says I have done the work O.K. but thinks I will have to make an amended filing as my intake is not where I made filing.

10797

I am sending you check for \$50^{xx} and can send
you proof of work and use of water anytime you
say.

I want to get this matter fixed up in case someone
goes above me and tries to take the water for irrigation.
Yours resp.
LeRoy Mussey

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Massey & Blunttree,
Le Roy Massey,
Kellog, Idaho.

Boise, Idaho, **Oct. 5, 1917.**

Dear Sir:—

Under the terms of your Permit No. 10797, you are required to complete your diversion works on or before ~~Dec. 4, 1917~~. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

J. H. SMITH,

State Engineer.

10797

State of Idaho

ENGINEERING DEPARTMENT BOISE

STATE ENGINEER

Permit No. 10797

Boise, Idaho, Dec. 5, 1914.

Mr. LeRoy Massey,
Kellogg, Ida.

I enclose herewith above numbered permit. BE SURE TO NOTE
LIMITATIONS AND CONDITIONS OF SAME as given under approval of
State Engineer on the third page.

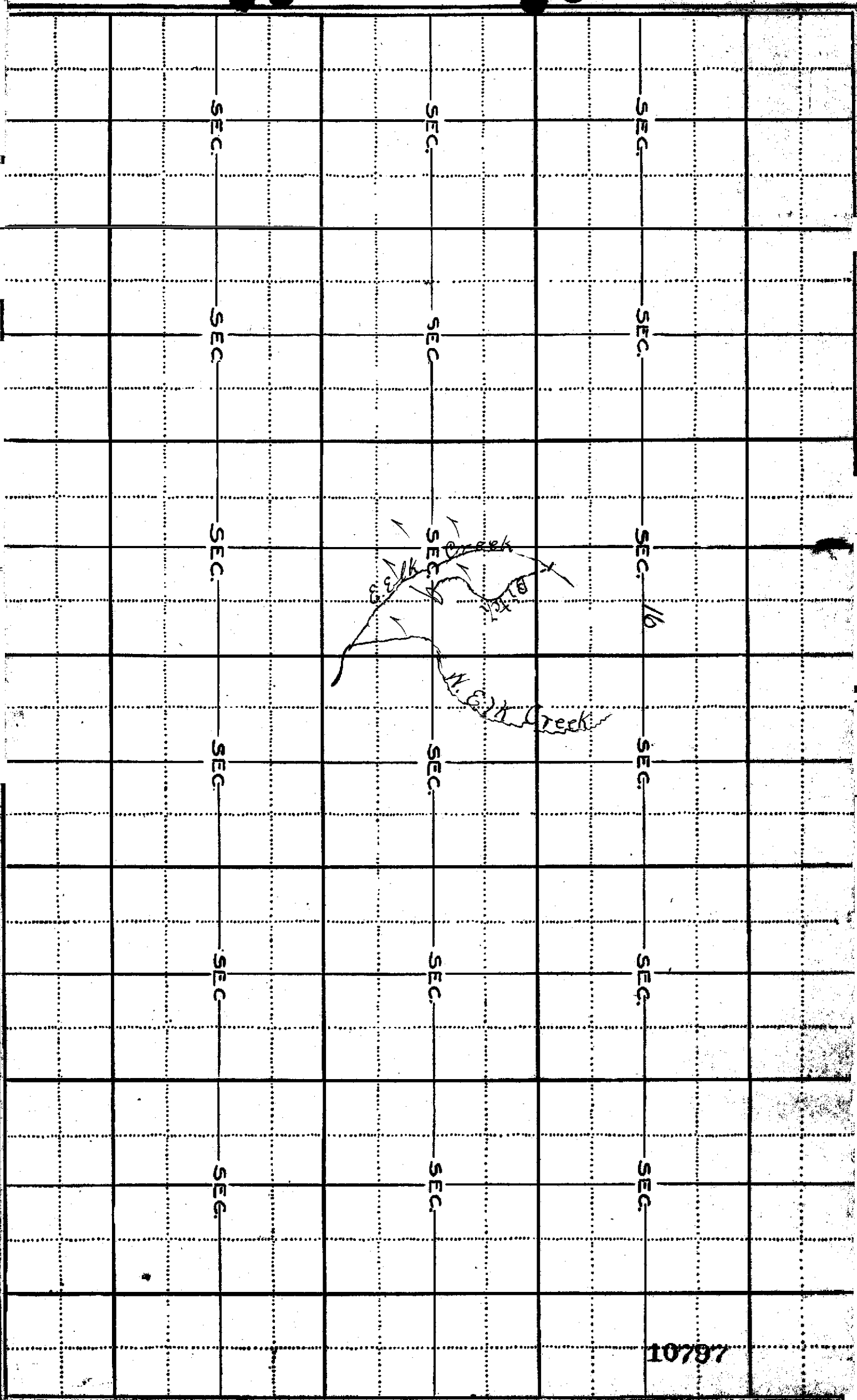
Very truly yours

Herbert Wing.

Acting State Engineer.

10797

Name of Applicant..... Leroy M. May and C.E. Plumtree Township 3 North Range 3 East B.M.



10797

Boise, Idaho, November 5, 1914.

Application 15726.

Mr. LeRoy Massey,
Kellogg, Idaho.

Sir:--

The above application again received.
Same is again returned for completion in the
following particulars:

The maps should be redrawn as they are
all wrong. Section 9 and section 12, do not
touch. Section 16 is immediately south of section
9.

Replying to your letter would say that
the fact that some one has filed on the land through
which your ditch runs, will not effect your right.
You should come to an agreement with him, or failing
in that you can condemn a right of way.

If your filing is prior to the one you
speak of your right would have to be satisfied before
the other party could claim any right to the water.

Very truly yours,

HERBERT WING,

Acting State Engineer.

By _____

10797

Enc. A. 15726-2 MF-

GB.

Kellogg Idaho. Oct. 22-1914
State Engineer
Boise Idaho.

Dear Sir:-

Since I sent you the application,
there has been a party filed on the vacant
land that the ditch crosses
1st. Will that prevent me from going on
with the work?

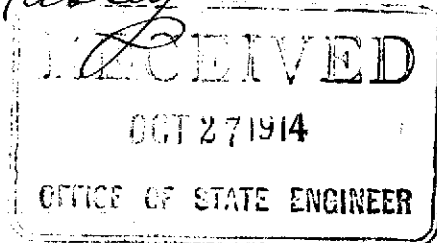
2d Can I take the water out below
his claim and prevent him from using
for irrigation purposes?

There is only enough water in the stream
to fill a 6" main at the lowest stage in Aug.

Thanking you in advance for the
desired information.

I remain resp.

LeRoy Massey



15726

10797

Boise, Idaho, October 5, 1914.

Application 15726.

Mr. LeRoy Massey,
Kellogg, Idaho.

Sir:--

The above application received and
filed. Same is herewith returned for completion
in the following particulars:

Give information called for in para-
graph 7 II (d) of the blank.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. A. 15726-Rebate 15 cts. PFR9726.

CB.

10797

(Office Form No. 1)

Address All Communications to

See Rules and Regulations
enclosed herewith.

LeRoy Massey

P. O. Kellogg, Idaho.

No. 15726

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho.

1. Name of Applicant: LeRoy Massey and C.E. Plumtree

Postoffice address: Kellogg, Idaho.

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)~~ $1\frac{2}{10}$ cubic feet per second.

3. Source of water supply: Elk Creek

4. Location of point of diversion: North east 1/4 of N.W. 1/4 sec 16 Twp 48 R 3E BM

County of Shoshone

5. To be used for: Irrigation and domestic use

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: about sixty acres acres.

(b) In the following legal subdivisions: S. 1/2 of N.W. 1/4 and S.W. 1/4 of the N.E. 1/4 and S.W. 1/4 of S.E. 1/4 & NE 1/4 of S.W. 1/4 sec 9, Twp 48 R 3E BM

(A list of the lands to be irrigated may be appended as a part of this application)

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:

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

10797

6. Estimated cost of work: \$1000.00

7. Description of works for diversion:

I. Kind of works: Ditch and Flume

(Reservoir, dam, ditch, flume, pipes or otherwise)

II. Dimensions of work:

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

(If height of dam will exceed 10 feet, send to State Engineer's office for Regulations)

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

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

one feet, depth of water feet; diameter of pipe inches; average grade per mile is feet. Length of conduit is 3/8 miles, and it crosses the following quarter sections: N.E. 1/4 of the N.W. 1/4 sec 16 East 1/2 of S.W. 1/4 Sec 9, twp 48 R 3 East B.M.

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

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

By Lee Massey Applicant.
G. E. Plummer Agent.

Remarks:

APPROVAL OF STATE ENGINEER.

The number of this permit is.....

Recorded in Book..... Page..... Approved.....

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....., and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before

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

Witness my hand this.....day of.....

State Engineer.

No.

PERMIT

Date of first receipt at office of State Engineer

92M OCT -- 1 1914

Returned to applicant for correction

OCT -- 5 1914

Corrected application received

Fees, \$

1.00

15726