

Date of first receipt at office of State Engineer : 9.00 a.m. January 30, 1913.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 9062.

Recorded in Book 29 Page 9062 Approved February 11, 1913.

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 April 12, 1913 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 August 11, 1913.

The whole of said work to be completed on or before February 11, 1914.

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

Witness my hand this 11th day of February, 1913.

A. E. Robinson,
State Engineer.

Remarks:

The water supply asked for by this permit is entirely dependent upon drainage from mountains entirely within the forest reserve.

Proof of completion of works made February 10, 1914.

Certificate of completion issued February 14, 1914.

PERMIT NO. 9062

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Mrs. C. E. French, for and on behalf of the heirs of C. E. French, deceased, of Osburn, County of Shoshone, and State of Idaho, the holder of Permit No. 9062, issued upon Application No. 13691, bearing date of priority of January 30, 1913, authorizing the diversion of one (1) second foot of the waters of Nuckols Creek, a tributary of South Fork of Coeur d'Alene River, 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 $2/5$ of 1 second foot of the waters of Nuckols Creek; that the point of diversion of said waters is at a point in the SW $\frac{1}{4}$ of Sec. 17, T. 48 N., R. 4 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 20 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 17, T. 48 N., R. 4 E.B.M.

Witness my hand this 14th day of February, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

License issued for $2/5$ second feet

Page 1773

Recorded by
Checked by

Name of Applicant

Mrs. C. E. French,

2906

SEC.
1/8

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

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SEC.

RECEIVED
DEC 8 1914
OFFICE OF STATE ENGINEER

Not to be signed.

Name of Applicant

C. E. French. Osburn Idaho

N



Township 48 N R 14 E A 1 m
17

9062

PERMIT MAP NO.

AS APPROVED

FEB 11 1913

A. E. ROBINSON
STATE ENGINEER

9062

County: Shoshone
Stream: Nuckols creek.
Amount: 2/5 sec.ft.
Use: Irrigation
Priority: 1-30-13

STATE OF IDAHO

Water License No. 9062

WHEREAS, On the 30th day of January, A. D. 1913, C. E. French,

of Osburn, County of Shoshone, State of Idaho, duly made application (No. 13691) to me for a permit to use one (1) cubic foot per second of the waters of Nuckols Creek, a tributary of Coeur d'Alene River, County of Shoshone, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 11th day of February, A. D. 1913, Permit No. 9062 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 February, A. D. 1914, and for the application to beneficial use of said water on or before the 11th day of February, A. D. 1915, and,

WHEREAS, On the 10th day of February, A. D. 1914, Mrs. Emma French, for and on behalf of the heirs of C. E. French, deceased,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9062, dated February 14, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2/5 of 1 cubic foot per second of said water, with date of priority of January 30, 1913, and

WHEREAS, On the 30th day of January, A. D. 1915, Mrs. Emma French, for and on behalf of the heirs of C. E. French, deceased,

the holder of said permit, duly made proof of the application to beneficial use of 2/5 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

Mrs. Emma French, for and on behalf of the heirs of C. E. French, deceased, of Wallace, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 9062, a perpetual right, dating from January 30, 1913, to the use of 2/5 of 1 cubic foot per second of the waters of Nuckols creek,

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 in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 17, Township 48 North, Range 4 East of Boise Meridian,

and conducted to and upon 20 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 17, Township 48 North, Range 4 East of Boise Meridian,

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 of 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 3rd day of March, A. D. nineteen hundred and fifteen.

Herbert Wing,

(Seal)

Acting State Engineer:

No. 13691.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: **C. E. French.**Postoffice address: **Osburn**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 **One (1)** cubic feet per second.3. Source of water supply: **Nuckols Creek, a tributary of south fork of the Coeur d'Alene River.**4. Location of point of diversion: **In Sec. 17, (SW $\frac{1}{4}$) Twp. 48 N. R. 4 E. B. M.**County of **Shoshone**5. To be used for: **Irrigation and domestic uses.**I. Irrigation and domestic use: (a) Amount of land to be irrigated: **50** acres.(b) In the following legal subdivisions: **In S $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec. 17 Tp. 48 N. R. 4 E. B. M.**

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: **\$800.00**

7. Description of works for diversion:

I. Kind of works: **Flume and reservoir**

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: **Wood**[b] Capacity of reservoir **8000 gallons** ~~xxxxx~~. [c] Size of headgate, width **6 X 7 inches** feet,Height feet. (d) Conduit **box-flume** ~~xxxxx~~ feet,width at water line feet, depth of water feet, diameter of pipe inches; average grade per mile is feet. Length of conduit is **560 feet** ~~xxxxx~~
and it crosses the following quarter sections: **SW $\frac{1}{4}$ Sec. 17, Twp. 48 N. R. 4 E. B. M.**8. The time required for the completion of the construction of such work is **one** years.9. Time required for the complete application of the water to the proposed use is **one**
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.**C. E. French,**

Applicant.

By

Agent.

Date of first receipt at office of State Engineer : 9.00 a.m. January 30, 1913.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 9062.

Recorded in Book 29 Page 9062 Approved February 11, 1913.

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 April 12, 1913 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 August 11, 1913.

The whole of said work to be completed on or before February 11, 1914.

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

Witness my hand this 11th day of February, 1913.

A. E. Robinson,
State Engineer.

Remarks:

The water supply asked for by this permit is entirely dependent upon drainage from mountains entirely within the forest reserve.

Proof of completion of works made February 10, 1914.

Certificate of completion issued February 14, 1914.

PERMIT NO. 9062

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Mrs. C. E. French, for and on behalf of the heirs of C. E. French, deceased, of Osburn, County of Shoshone, and State of Idaho, the holder of Permit No. 9062, issued upon Application No. 13691, bearing date of priority of January 30, 1913, authorizing the diversion of one (1) second foot of the waters of Nuckols Creek, a tributary of South Fork of Coeur d'Alene River, 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 $\frac{2}{5}$ of 1 second foot of the waters of Nuckols Creek; that the point of diversion of said waters is at a point in the SW $\frac{1}{4}$ of Sec. 17, T. 48 N., R. 4 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 20 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 17, T. 48 N., R. 4 E.B.M.

Witness my hand this 14th day of February, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

License issued for $\frac{2}{5}$ second feet

Recorded by
Checked by

Beut

file 94-2072

H. J. HULL (1888-1975)
PIATT HULL
ALDEN HULL
MICHAEL K. BRANSTETTER

HULL AND HULL
CHARTERED
ATTORNEYS AT LAW
WALLACE, IDAHO 83873

RECEIVED

MAY 16 1983

P. O. BOX 709
TELEPHONE 752-1154
AREA CODE 208

May 9, 1983

RECEIVED
MAY 10 1983

Department of Water Resources
Northern District Office

Idaho Department of Water Resources
4055 Government Way
Route 5, Box 203, Suite 1
Couer d'Alene, Idaho 83814

Re: Water License No. 9062

Gentlemen:

This will confirm my telephone call with Larry of Friday, May 6th 1983.

Water License No. 9062 (now 94-2072) was issued March 3rd 1915.

Earlier a Certificate of Completion of Works had been issued on February 14th 1914.

Since the issuance of those documents the water provided for therein has been continuously used for irrigation and domestic purposes. The present owners are:

Hubert J. Stein and Becky Jean Stein, husband and wife.
J. June Stein, a single woman
Charles A. Stein, a single man.

All of Box V, Osburn, Idaho 83849. Phone (208) 752-4145.

It is my understanding based on my discussion with Larry that this license is still in force and effect and that the present property owners named above, being successors in interest to the original licensee have the same right, title and interest as provided for in said license 9062.

If my assumptions are incorrect please advise.

Sincerely,

Alden Hull
Alden Hull

AH:mhds
cc: Hubert Stein

September 18, 1970

Re: Water License No. 9062/94-2072 - C. E. French

Mr. Charles A. Stein
Post Office Box V
Osburn, Idaho 83849

Dear Mr. Stein:

In reference to your inquiry of September 18, 1970, in connection with the above referenced water license, please be advised that our records show that the license is in good standing, as long as the water right referenced in the license has not been abandoned, or forfeited through five years of non-use. Then it would probably be safe to assume that the license is still in tact. Inasmuch as the original permit and subsequent license were in the name of C. E. French, the right will continue to reference this name, regardless of present ownership. Inasmuch as the department does not have a procedure to change the name of water licenses, the change from "French," to "LePage," was never recorded. There was correspondence in connection with a proposed change of ownership, however, the name on the license was never officially changed.

Please contact us if we may be of any further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

9062
94-2072

Box V
Osburn, Idaho 83849

SEP 23 1970

Permit to Drill for Water

Department of Reclamation
State of Idaho
State House
Boise, Idaho

RE: Water license #9062

Dear Sirs:

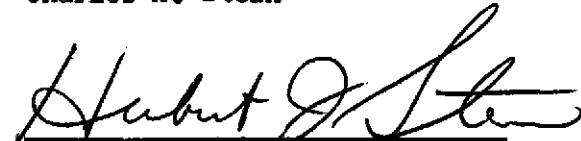
We recently acquired an old homestead located near Osburn, Idaho, in the county of Shoshone, on the LePage Estate. At the time we purchased said property, we were told that the water rights went with the homestead.

We are sending a photostat of water license #9062 which is made out to C. E. French and Heirs. We were told that this license was transferred to the LePages. Our question now is to find out if this is true and if so, to get this license transferred or assigned to us.

We would appreciate your informing us on the legal status of this matter so that we can take necessary action to bring things up to date.

Respectfully yours,


Charles A. Stein


Hubert J. Stein


J. June Stein

94-2075
9062

STATE OF IDAHO

Water License No. 9062

WHEREAS, On the 30th day of January A. D. 1913,

C. E. French

of Osburn, County of Shoshone, State of Idaho, duly made application (No. 13691) to me for a permit to use one (1) cubic foot per second of the waters of Nuckols Creek, a tributary of Coeur d'Alene River,

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

WHEREAS, On the 11th day of February A. D. 1913, Permit No. 9062 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 February A. D. 1914 and for the application to beneficial use of said water on or before the 11th day of February A. D. 1915, and,

WHEREAS, On the 10th day of February A. D. 1914, Mrs. Emma French, for and on behalf of the heirs of C. E. French, deceased, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9062 dated February 14, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2/5 of 1 cubic foot per second of said water,

with date of priority of January 30, 1913, and,

WHEREAS, On the 30th day of January A. D. 1915, Mrs. Emma French, for and on behalf of the heirs of C. E. French, deceased, the holder of said permit duly made proof of the application to beneficial use of 2/5 of 1 cubic foot per second of said water:

9062
94-2072

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm ~~Mrs. Emma French~~ ^{deceased,} for and on behalf of the heirs of C.E. French, of Wallace, County of Shoshone State of Idaho the holder and owner of said Permit No. 9062 a perpetual right, dating from January 30, 1913, to the use of 2/5 of 1 cubic foot per second of the waters of Nuckols Creek,

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 in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 17, Township 48 North, Range 4 East of Boise Meridian,

and conducted to and upon 20 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 17, Township 48 North, Range 4 East of Boise Meridian,

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 of 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
3rd day of March A. D. Nineteen
hundred and fifteen.

Herbert J. Oving
Acting State Engineer

94-2072
9062

STATE OF IDAHO

Water License No. 9062

To Mrs. Emma French

Wallace

Idaho

Source of Supply

Nuckols creek

County Shoshone

Am't 2/5 Sec. Feet

Point of Diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$ -17

T. 48 N. R. 4 E.

Place of Use SE $\frac{1}{4}$ SW $\frac{1}{4}$ -17

T. 48 N. R. 4 E.

Purpose Irrigation

Date of Priority Jan. 30, 1913

Recorded March 3, 1915

Licenses

in Book 4 of Page 1773

ARCH CUNNINGHAM & CO., PLS. & BDRS., BOISE, 18848

August 24, 1931.

Re: Permit No. 9062.

Mr. L. J. LePage
Osburn, Idaho

9062

Dear Sir:-

Referring to your letter of the 16th inst. would say that moving the point of diversion the distance of 300 feet will not adversely affect your right.

Very truly yours,
R. W. FARRIS
Commissioner of Reclamation.
By
Chief Clerk.

9062

Osburn Idaho

8/16/31

State Engineer.

Boise Ida

Dear Sir: About the year
1920. I purchased Mrs E. E.
Kreuch's homestead together
with Water Permit # 9062

Have used this water ever since
but lately have been compelled
to drop down stream about
300 ft, in order to keep away
from road, which parallels
the pipe line, and was
interfering with the grading.

Does this in any way effect
the permit?

Yours truly
L. J. LePage

no

9062

March 8, 1915.

Permit 9062.

Mrs. Emma French,
Wallace, Idaho.

Madam:

Am enclosing herewith water license issued under
the above numbered permit, with receipt for fees.

Very truly yours,

Herbert King,

Acting State Engineer.

L-R7221

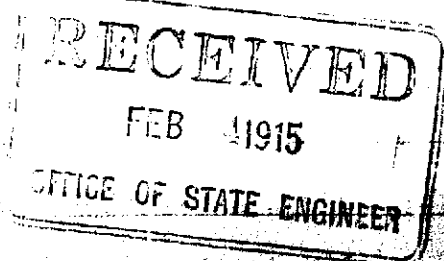
By _____

9062 .

This is to certify that I the undersigned was unable to go to Wallace Id., and attend to water right permit No 9062 Owing to the extreme cold weather which caused the South Fork of the Clear d'Alene river to freeze and overflow its banks thereby blocking the road.

Further will say no protest has been entered relative to Permit No 9062, since that time

Mrs. Emma French
Subscribed and sworn to Before me
this 30th Day of January 1915
L. L. Lighty
Notary Public



PERMIT No. 9062

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Mrs. Emma French Rancher
Wasson Ida 53 years of age

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 9062 Jan 30th 1913

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

Ans. Truckee Creek NW 1/4 of the S.E. 1/4
Sec 17 T 48 N R 4 E 13 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. 400 ft 8" Pipe, 500 ft 6" Pipe galvanized
about 1 second foot) and 300 ft and flume

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. 10 acres in the S.E. 40 and 10
acres in the S.W. 40, approximately
all cultivated, also there is about
1000 ft of ditch and flume for conveying
water from 1 place to another

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. 1 second foot

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. *for irrigating from May 15 to Oct 15 - if*
the full amount has been used at other
times for domestic Purpose

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) *Mrs Emma Yeack*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe ^{for} ~~him~~ to be the person ^{by} ~~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 *30th* day of *January*

A. D. 19*15*

L. Laight
Notary Public

9062

Permit No. 9062

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans.

Fred E Davis, Rancher
Wallace, Idaho, age 35 years

Ques. 2. Are you acquainted with Mrs Emma French, the holder of Permit No. 9062? How long have you known him and where does he reside?

Ans.

for the Past 20 years
Osburn Idaho

Ques. 3. Have you read or heard read said Permit No. 9062, 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.

Truckee Creek in the N.W. 1/4
of the S.E. 1/4 of sec 17 T48 NR 4 E B.M.
400 ft 8" and 500 ft 6" galvanized iron pipe
and 300 ft of 4"x6" wood flume

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.

1 second foot, about 1 second foot

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.

for irrigation and Domestic
in the S.E. 40 then are 10 acres under Cultivation
and in the S.W. 40 5 acres
it is all cultivated

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

Ans.

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

Ans.

A Sandy loam and Judge
the free amount of water will be needed

9062

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. during June July August Sept and October of

1917, over the whole amount of water being

used

(Sign)

David E. Davis

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

Waller

Thurston

County of

Idaho

State of Idaho, on this

January 6th 1917

Notary Public.

J. F. Hughes

My Commission Expires

January 6th 1919

9062

Permit No. 9062**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. Frank A. Reis Rancher
Wallace, Ida 29 years of ageQues. 2. Are you acquainted with Mrs Emma French the holder of Permit No. 9062? How long have you known ^{her} him and where does he reside?Ans. for the past 3 years,
at Osburn IdahoQues. 3. Have you read or heard read said Permit No. 9062, 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. Krummels Creek, in N.W. 1/4
of the S.E. 1/4 sec 17 T 48, N R 4 E 13 M.
900 ft of 6 and 8" pipe line and 300
feet flume, at tank 6'x8'x16'

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. 1 second ft., the whole amount

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. for irrigation and domestic
in the S.E. 1/4 there are 10 acres under cultivation
and in the S.W. 1/4 about 10 acres all
cultivated as a truck garden.

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. a black and sandy loam
and judge the whole amount necessary.

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 interest

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. During summer and fall months

I found that the water was used for irrigation

known lands for irrigation

(Sign)

Frank A. Davis

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

Malheur

County of

Shoshone

State of Idaho, on this

Twelfth

day of

January

A. D. 1915

Notary Public.

My Commission Expires

January 6th 1919

9062

January 25, 1915.

Permit 9062. - Mrs. C. E. French.

Mr. L. J. Lepage,
Wallace, Idaho.

Sir:

In reply to your letter of the 23rd, relative to proof under above permit, would say that the holder, with her two witnesses, should appear before L. Leighty, at Osburn, as advertised, on the earliest date possible, and fill out the deposition blanks which were sent to him. When the depositions are sent to this office they should be accompanied by an affidavit showing why the proof was not made on the date advertised and that no protests were filed against same by reason of proof not being made on that date.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By _____

9062

Proof of Publication

State of Idaho

County of Shoshone

55.

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

Notice is hereby given that at a. m. on the 26th day of December, 1914, at Osburn, county of Shoshone, state of Idaho, before L. Leighty, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of Knuckols creek, in accordance with the terms and conditions of permit No. 9062 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 Mrs. Emma French, Wallace, 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 (1) second foot.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) approximately 20 acres lying in SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, T. 48 N., R. 4 E., B. M.

5. The right to take the water from such works is based upon permit No. 9062.

6. The source of supply from which said water is diverted is Knuckols creek, a tributary of the South Fork Coeur d'Alene river.

7. The date of the priority which said user is prepared to establish is January 30, 1913.

HERBERT WING,
Acting State Engineer.

D3-24-4t

E. B. Butzel

being first duly sworn, on

his oath deposes and says that he is the manager of THE WALLACE MINER, a weekly

newspaper published at Wallace, Shoshone County, State of Idaho, that said newspaper

has a general circulation in said County, that the *Notice for publication*
Notice of proof of application of water to Beneficial use

of which a copy is hereto attached, was first published in said newspaper in its issue,

dated *3rd* day of *December* A. D. 191*4*.

and was published in each successive issue of said newspaper for the full period of

four weeks, the last publication thereof being in the issue

dated the *24th* day of *December* A. D. 191*4*.

E. L. Leighty
Subscribed and sworn to before me this *19* day of *January*

A. D. 191*5*.

Thomas McCabe
Notary Public.

9062

Wallace Idaho
Jan 23. 15

State Engineer.

Boise Ida.

Dear Sir: Mrs Emma French
of this place Holder of permit
9062 for water right.

wishes to say, that she was
unable to be in Wallace
on or about Dec 26 - owing
to The River freezing and backing
up. and for two weeks was
unable to get off The place.
enclosed find proof of publication
Please advise me as to what
else should be done.

Yours truly

9062

L. J. Lepage

Name of Applicant

Mrs. C. E. French,

2906

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STATE OF IDAHO
Sole Engineer.

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OFFICE OF STATE ENGINEER

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REPORT OF ENGINEER

DEC 31 1914

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: *Mrs. C. E. French, # 9062*
2. State source of water supply: *Nuckols Creek.*
3. Location of point of diversion: *In the NW 1/4 of the SE 1/4 Sec 17, T 48 N. R. 4 E B. M.*

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

They are fully completed.

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of ~~conduit~~ at bottom: *The works are as follows: (900) feet of*
- (b) Width at water line: *6" and 8" galvanized iron pipe. and*
- (c) ~~Depth of water~~: *300 feet of wood flumes 4"x6". 1 Wood tank*
- (d) ~~Grade per mile~~: *6'x8'x16". Also 600ft 3/4" and 1" pipe line.*
- (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: *It has.*

All of it has been turned in.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

The land lays in the south half of SW 1/4 Sec 17. In the SE 40 there are 10a under cultivation. And in the SW 40 there are 5a under cultivation.

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: *Preparations have been made to irrigate approximately 15 a more ground this coming spring.*

C. J. Lepage

STATE OF IDAHO,

County of *Shoshone* } ss.

C. J. Lepage

, 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 *28th* day of *December* 191*4*

My Commission Expires *July 5th 1917*

J. H. Wilson
Notary Public.

9062

Idaho, Ida.

Dec. 15 - 14

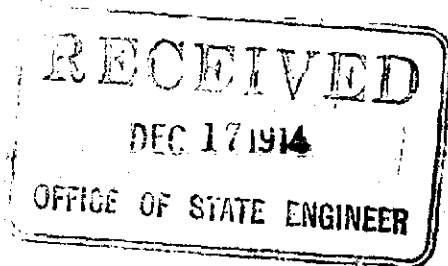
State Engineer
Boise, Ida.

Dear Sir. Have made
arrangements with Mr. E. Ford
Holder of Permit # 9062. To
examine same, and fill out
blank also make sketch
this attend to this matter at
once and forward same to you

Yours truly

L. J. Lepage

9062



State Engineer

Boise Idaho

I will ~~trust~~ Mr. J. G. Gage as
a reliable person to send the
necessary blanks to ~~for~~ ^{for} ~~proof~~ ^{proof} of
water right

Mrs E. E. French

Wallace Idaho

RECEIVED
JUL 14 1906
STATE ENGINEER
BOISE IDAHO

Office of the State Engineer

Boise, Idaho, Dec. 5, 1914

L. J. Lapage
c/o Mrs. C.E. French,
Wallace, Idaho.

DEAR SIR:

Mrs. C. W. French, residing at Wallace
County of _____, State of Idaho, has requested that
you make examination required under Permit No. 9062. 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,

Herbert "ing, x x x ~~A. E. ROBINSON~~,
Acting State Engineer.

9062

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Mrs. Emma French,
c/o L. Leighty,
Osburn, Idaho

BOISE, IDAHO,

Dec. 3, 1914.

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.

9062.

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 ~~December 26th~~, 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

Osburn, before L. Leighty, M.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,

F. P. KING,
Herbert Wing, ~~xxxxxx~~
Acting State Engineer.

9062

(P. O.)

(Date)

William Jacobs

11/26/14

State Engineer, Boise.

Dear Sir:

I have your letter of *Nov 23d* enclosing Notice of Proof of Beneficial Use of Water under Permit No. *9062* which will be published as you request, beginning with our issue of *Dec 3-1914*

Walla Walla Miner

E. B. Reitzel Mgr

9062

Dec 26

November 17, 1914.

Permit 9062.

Mrs. Emma French,
Wallace, Idaho.

Madame

We are just in receipt of your notices for final proof under above permit. I note that you have set November 15th as date for proof but, as the notice is required to be advertised four weeks prior to the date of making proof, I have changed the date for making proof to December 26th and, unless otherwise advised by you, the notice will be sent to the Wallace Miner accordingly.

If you will send us the name of some competent party to make the examination and report required for this proof, the necessary blanks will be furnished him from this office.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By _____

9062

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 11:26 AM a. m. on the 10th day of December, 1913,
 at Osburg, County of Shoshone, State of Idaho,
 before L. Frigley, proof will be submitted
 of the application to beneficial use of 1 second foot cubic feet per second of the waters of
Thurston Creek, in accordance with the terms and conditions of Permit No. 9062
 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.....

Mrs Emma French, Hansen, 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 (1), second foot

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

approximately 20 rods in S E 1/4 of SW 1/4
of Section 17 T 48 N R 4 E B M

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

6. The right to take the water from such works is based upon Permit No. 9062

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

a tributary of the South fork of Coulbalt Creek

8. The date of the priority which said user is prepared to establish is Jan 30th 1913

Herbert Wing,
 EXPIRING
 Acting State Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) Wallace Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Wallace Miner, of Wallace Ida, published in the
county in which the works are situated.

Mrs. C. E. French

(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.

9062

February 21, 1914.

Permit 9062

Mrs. C. E. French,
Osburn, Idaho.

Madam:

Am enclosing herewith certificate of completion
of works and receipt for fee under above permit.

Very truly yours,

F. P. KING,

State Engineer.

CCW-R6238

By _____

9062

Permit No. 9062

OFFICE OF STATE ENGINEER

Proof of Completion of Works

Affidavit of Holder

STATE OF IDAHO,

County of Shoshone

ss.

Mr. C. E. French

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. 9062 and that his postoffice address is Osburn
State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 11, 1914

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

Fourth: That on the date above mentioned, the works constructed under said permit were ~~()~~ fully completed and consisted of the following:

I. Kind of works: 800 ft of flumes 4x6" and Tank Wooden 6x8x6
(Reservoir, dam, ditch, flume, pipe or otherwise.)

and 600 ft of pipe line 3/4" and 1"

II. Dimensions of work: no dam

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

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

(b) Capacity of reservoir — acre feet.

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

(d) Conduit — 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 — feet. Length of conduit is — miles.

Fifth. That said works are capable of conducting to the place of intended use — second feet of water.

Sixth. That water appropriated under said permit is available for 20 ^{approximately} acres of land described as follows: Spring in SE 1/4 of the SW 1/4 of

Section 17 T48 N R 4 E B. M.

Seventh. Remarks: That Mr. C. E. French died on the 10th

Nov. 1913 and I am not certain whether I have got this exactly right. However if I have not you can send me the first papers on same.

But as far as this work the above specifications are correct.

Mr. C. E. French
Sign here.

Subscribed and sworn to before me this 10th day of February, 1914

My commission expires January 16th 1915

L. Lighty
Notary Public.

A. E. ROBINSON
STATE ENGINEER

State of Idaho

ENGINEERING DEPARTMENT

BOISE

Mrs. C. E. French,
Osburn, Ida.

Boise, Idaho, Nov. 14, 1914.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 9062. which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,
A. E. ROBINSON,
State Engineer.

9062

ROBERT WING
ASSISTING STATE ENGINEER

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

C. E. French,
Osburn, Ida.

Boise, Idaho, Nov. 11, 1913.

Dear Sir:

Under the terms of your permit No. 9062, you are required to complete your diversion works on or before Feb. 11, 1914. 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,

F. P. KING,

State Engineer

9062

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit 9062.
C. E. French,
Osburn, Idaho.

BOISE, IDAHO. February 15, 1913.

Dear Sir:

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.

A. E. ROBINSON,
State Engineer.

9062

C. E. Trench. Osborn Idaho

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19 January 48 M.D. E.A.M.

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PERMIT NO.

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PLAN IN LINK