

November 15, 1917.

Re: Permit 9001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Dear Sir:

Am herewith returning license issued under
the above permit, the date of priority having
been corrected. Thank you for calling my attention
to the matter.

Very truly yours,

J. H. SMITH,

State Engineer.

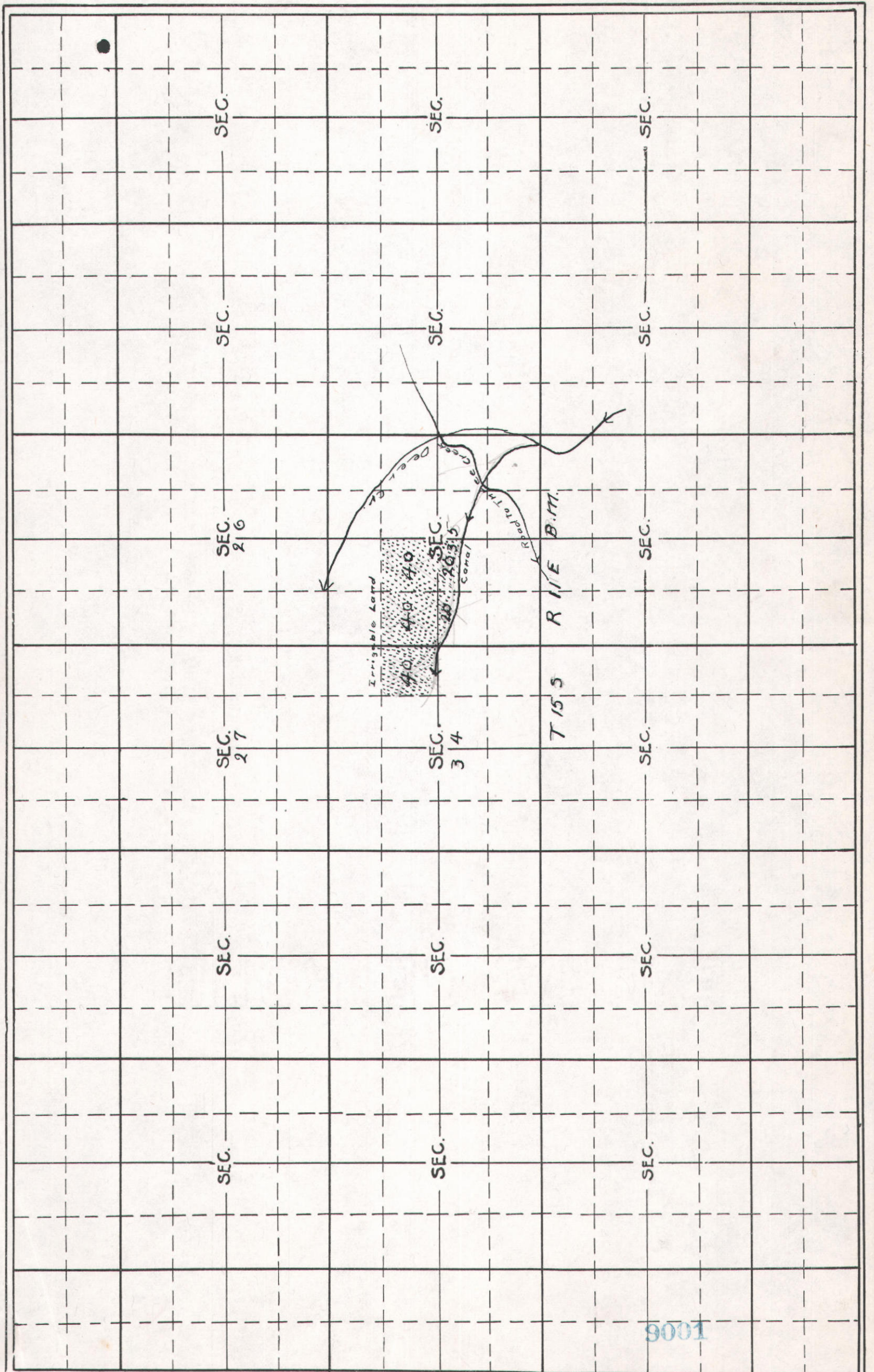
By

CB/MB

Enc:WL.

9001

Name of Applicant Geo. W. Clark -



RECEIVED

FEB 20 1917

OFFICE OF STATE ENGINEER

Notice for Publication

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 28th day of December, 1916, at Three Creek, County of Owyhee, State of Idaho, before J. A. McCoy, notary public, proof will be submitted of the application to beneficial use of 1.44 cubic feet per second of the waters of Deer Creek, in accordance with the terms and conditions of Permit No. 9001, 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 Geo. W. Clark, Three Creek, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is 1.44 cubic feet per second.
4. The place where said water is used is SE $\frac{1}{2}$ of NE $\frac{1}{4}$, Section 34, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 35, all in Township 15 South Range 11 East, B. M.
5. The right to take the water from such works is based upon Permit No. 9001.
6. The source of supply from which such water is diverted is Deer Creek.
7. The date of the priority which said user is prepared to establish is November 28th, 1915.

J. H. SMITH, State Engineer.

First publication November 30

Last publication December 21, 1916.

9001

Affidavit of Publication

STATE OF IDAHO }
County of Owyhee } ss

Charles Pascoe

being duly sworn, deposes and says that he is the
Publisher of OWYHEE NUGGET, a
weekly newspaper published at Bruneau, Idaho;
that the said newspaper is in general circulation in
Owyhee County; that a copy of the above notice, as
per clipping attached, was published in the regular
and entire issue of said newspaper for *4*

consecutive weeks, beginning with the issue of
Nov. 30, 19*16*, and ending
with the issue of *Dec. 21* 19*16*

Charles Pascoe

Subscribed and sworn to before me this *10*th
day of *February* 19*17*

M. C. Stearns
Notary Public

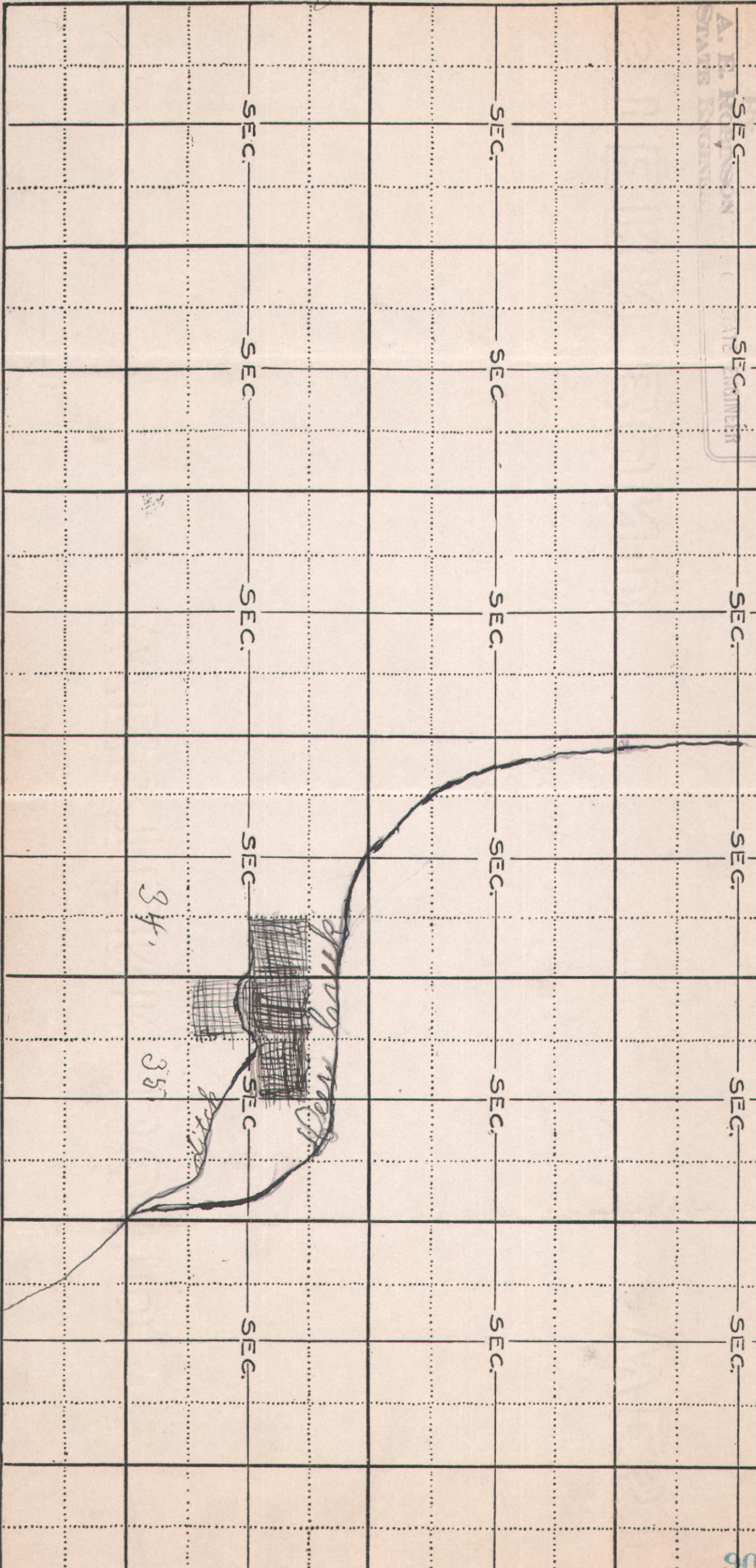
Name of Applicant

George W. Clark

9001

15513

AS APPROVED
JAN 28 1912
DEC 28 1912
A. E. ROSSON
STATE ENGINEER



9001

County: Owyhee.
 Stream: Deer Creek.
 Amount: 3.2 sec. ft.
 Use: Irrigation.
 Priority: 11-28-15.

STATE OF IDAHO

Water License No. 9001.
 Water District No. 57 D.

WHEREAS, On the 28th day of December, A. D. 1912, George Wm. Clark,

of Three Creek, County of Owyhee, State of Idaho, duly made application (No. 13572) to me for a permit to use 3.2 cubic feet per second of the waters of Deer Creek, in Water District No. 57 D,

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

WHEREAS, On the 28th day of January, A. D. 1913, Permit No. 9001 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 28th day of January, A. D. 1914, and for the application to beneficial use of said water on or before the 28th day of January, A. D. 1915, and,

WHEREAS, On the 11th day of December, A. D. 1913, George Wm. Clark,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 9001 dated December 17, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said waters, with date of priority of December 28, 1912, and

WHEREAS, On the 28th day of December, A. D. 1916, George Wm. Clark,

the holder of said permit, duly made proof of the application to beneficial use of 3.2 cubic feet 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 George Wm. Clark,

of Three Creek, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 9001, a perpetual right, dating from November 28, 1914, to the use of 3.2 cubic feet per second of the waters of Deer Creek,

in the County of Owyhee 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 SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 35, T. 15 S., R. 11 E., B. M.,

and conducted to and upon 160 acres of land, divided as follows: 40 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 34; 40 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 36; 40 acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 35; 20 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 35; and 20 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 35; all in T. 15 S., R. 11 E., B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source 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 1st day of November A. D., nineteen hundred and seventeen.

J. H. SMITH,

(Seal)

State Engineer.

No. 13572.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: **George Wm. Clark.**Postoffice address: **Three Creek**County, **Owyhee**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 **three and one fifth** cubic feet per second.3. Source of water supply: **Deer Creek.**4. Location of point of diversion: **SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 35, T. 15 S. R. 11 E. B. M.**County of **Owyhee**5. To be used for: **Irrigation**I. Irrigation and domestic use: (a) Amount of land to be irrigated: **one hundred sixty** acres.(b) In the following legal subdivisions: **S $\frac{1}{2}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 35, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 34, T. 15 S. R. 11 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: **\$400.00**

7. Description of works for diversion:

I. Kind of works: **Dam**

II. Dimensions of works:

[a] Height of dam **four** feet, length of dam at top **fifteen** feet,length of dam at bottom **twelve** feet. Material used in construction: **Rock and earth.**[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,Height feet. (d) Conduit **Ditch** width at bottom **two** feet,width at water line **2 $\frac{1}{2}$** feet, depth of water **3/4** feet; diameter of pipe inches; average grade per mile is **seven** feet. Length of conduit is **1-3/8** miles, and it crosses the following quarter sections: **E $\frac{1}{2}$ of SE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 35, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 34, T. 15 S. R. 11 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.

George Wm. Clark,
Applicant.

By

Agent.

Date of first receipt at office of State Engineer : 9.00 a.m. December 28, 1912.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 9001.

Recorded in Book 29 Page 9001 Approved January 28, 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 March 29, 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 July 28, 1913.,

The whole of said work to be completed on or before January 28, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 28, 1915.

Witness my hand this 28th day of January, 1913.

A. E. Robinson,
State Engineer.

Remarks:

Proof of Completion of Works made December 11, 1913.

Certificate of Completion of Works issued December 17, 1913.

PERMIT NO. 9001.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that George Wm. Clark of Three Creek, County of Owyhee, and State of Idaho, the holder of Permit No. 9001, issued upon Application No. 13572, bearing date of priority of December 28, 1912, authorizing the diversion of 3 1/5 second feet of the waters of Deer Creek, County of Owyhee, 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 3 1/5 second-feet of the waters of Deer Creek; that the point of diversion of said waters is at a point in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 25, Tp. 15 S. R. 11 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ of NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Tp. 15 S. R. 11 E. B. M., containing 160 acres.

Witness my hand this 17th day of December, A. D. 1913.

F. P. KING,

State Engineer of the State of Idaho.

License issued for 3.2 second

Page 2178

Recorded by
Checked by

EB
CB

November 15, 1917.

Re: Permit 9001.

Mr. Geo. A. Clark,
Three Creek, Idaho.

Dear Sir:

Along with returning license issued under
the above permit, the date of priority having
been corrected. Thank you for calling my attention
to the matter.

Very truly yours,

J. L. HILL,

State Engineer.

GB/MB

Enc: L.

9001

State Engineer Dear Sir -
I am returning notes I have
for correction of date of
Priority Notice. You will
note it was 25th of 1914 instead
of 1915. Which I am sure
this is an oversight. ~~in the~~

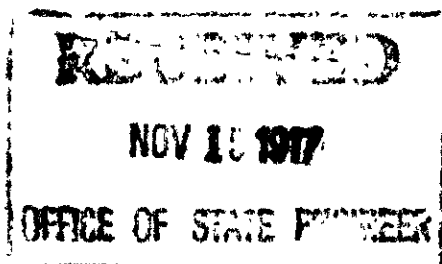
With regards

I am

Very Resp

Geo W Clark

Ames



2004

Nov 28-1916

J. H. SMITH
STATE ENGINEER
FRED A. WILKIE
DEPUTY STATE ENGINEER

State of Idaho
Engineering Department
Boise

December 15, 1916.

Re Permit 9001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Dear Sir:--

Replying to your letter of the 9th would say that your priority will be November 28, 1914, instead of 1915. This correction will be made when issuing the license and should be so given in your deposition when making proof.

Very truly yours,

J. H. Smith,

State Engineer.

By C. Brown

(Over)

237

November 6th, 1917.

Re Permit 9001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Dear Sir:—

Enclosing herewith water license issued under
above permit, with receipt for fees.

Very truly yours,

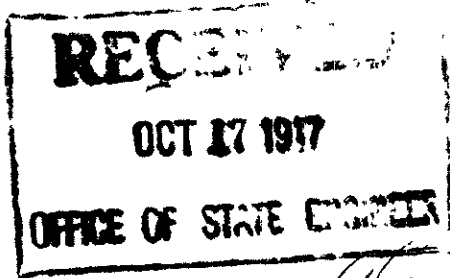
J. H. SMITH,

State Engineer.

WL-R;89

By_____

9001



(61) - 3419
9021

Green Creek La
Oct 14th 1917

State Engineer

Beattie

Gauges of the 8th of
band, and I am
inclosing 18th as
requested.

I am sorry I was
not here when your
deputy was here so
I could have explain
ed and helped him
look over land.

If you include the
fence parties there
would be actually
under cultivation 102
acres instead of 73

and if you can point
me water right for
pasture land which
I have irrigated
your letter you and
which is as valuable
to me as land that
has been plowed there
would be about 100
acres.

With best wishes
I am yours most
affly
Geo. W. Clark

October 8, 1917.

Re: Permit No. 9001.

Mr. Geo. W. Clark,
Threaser Creek, Idaho.

Dear Sir:

According to the report of our examining engineer for proof of beneficial use of water under above permit, you have parts of five 40 acre tracts under cultivation.

The fees due this office, will therefore amount to \$10.00 and upon receipt of same, license will issue.

Very truly yours,

J. H. SMITH,

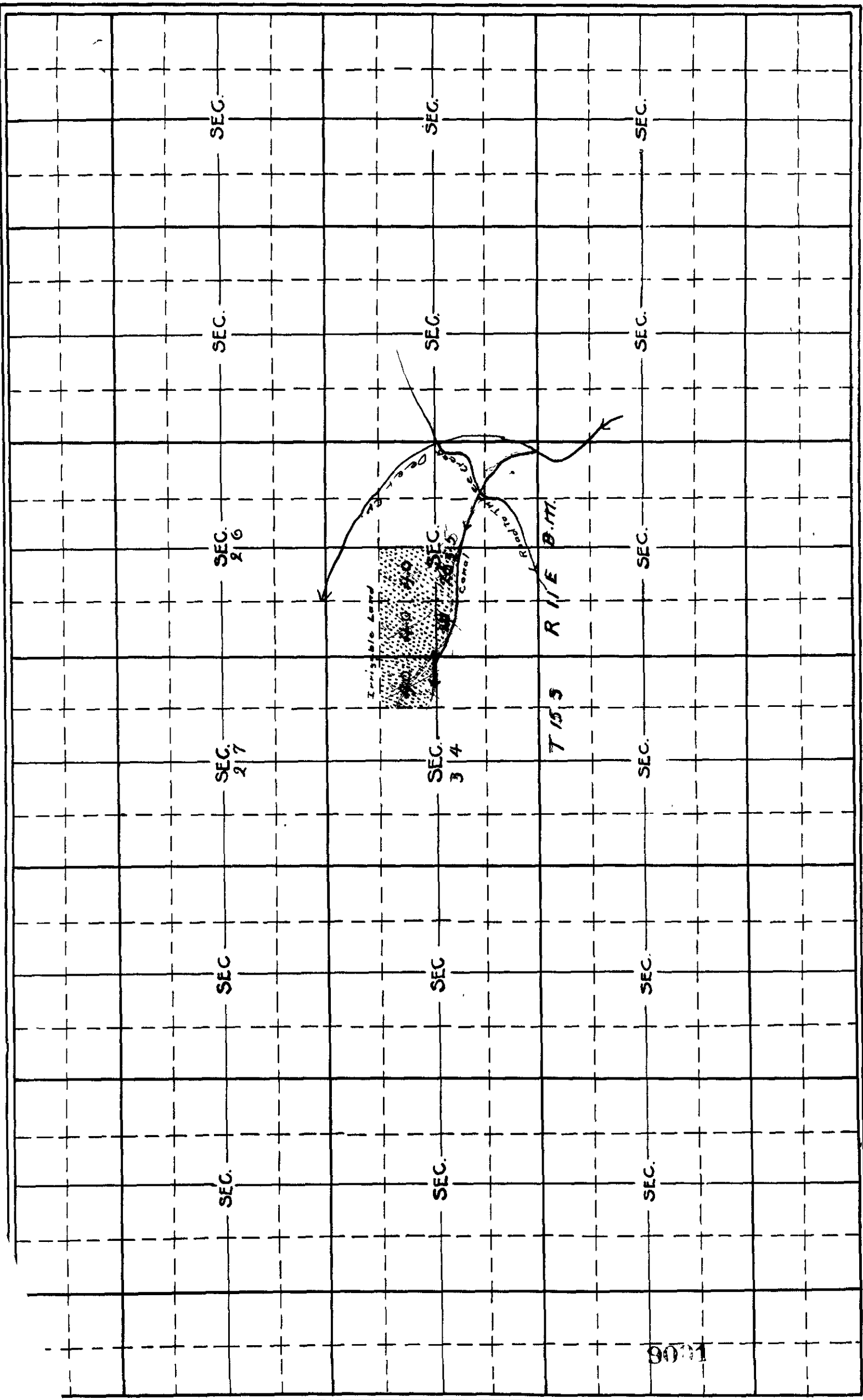
State Engineer.

Ly

CE/ME

9001

Name of Applicant Geo. W. Lock



8001

REPORT OF ENGINEER

1. State name of applicant and number of permit: Geo. W. Clark - Permit 0001
2. State source of water supply: Deer Creek
3. Location of point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 15 S., R. 11 E., B.M.

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

5. Describe works as they exist, giving dimensions and capacities of same: _____

1- Headgate 1' 9" X 2' 0"

1- Canal Top width 25' - Bottom width 2' - Depth 26' - 1 $\frac{3}{8}$ miles long

Capacity - 160 inches

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

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): _____

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34 T. 15 S. R. 11 E. B.M. 40 A

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 " " " 40 A

SE $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " 40 A

NW $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " 20 A

NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " 20 A

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: _____

This examination was made on the 6th day of September 1917.

(Signed) H. H. Palmer

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

STATE OF IDAHO

County of _____

} ss.

_____, 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 _____ day of _____ 191____

Notary Public.

My Commission Expires _____

Geo. W. Clark-
Three Creek

DIST. NO. 57-D

cells all at intervals ^{one}

There.
By working you in
advance I can

W. D. West (copy)

$\frac{1}{2}$ mile East of
Three Creek
West. C.

W. D. West (copy)
and letter telling
you how to find
this property.
I would not say much

Affidavit of Publication

STATE OF IDAHO,
County of Owyhee ss

Charles Pearson

being duly sworn, deposes and says that he is the
Publisher of OWYHEE NUGGET, a
weekly newspaper published at Bruneau, Idaho,
that the said newspaper is in general circulation in
Owyhee County; that a copy of the above notice, as
per clipping attached, was published in the regular
and entire issue of said newspaper for *4*
consecutive weeks, beginning with the issue of
Nov. 30, 19*16*, and ending
with the issue of *Dec. 31* 19*16*.

Charles Pearson

Subscribed and sworn to before me this *10th*
day of *February* 19*17*

M. E. Reynolds
Notary Public

9031

January
Twenty Six
1917.

Re: Permit 9001.

Mr. Chas. Pascoe;
Owyhee Nuggett,
Bruneau, Idaho.

Dear Sir:

Replying to your letter of the 19th, we have to advise that as you perhaps know, this of ice can not compel the payment of publication fees, in connection with final proof under permit, but the license will not be issued until proof of publication has been filed here and you could of course decline to deliver this proof of publication to the permit holder, until the publishing fees have been paid.

We are writing Mr. Clarke today however, informing him of the receipt of your letter and urging him to pay the fees and thus complete his proof.

Very truly yours,

J.H. Smith,
State Engineer,

By

H-bb.

9001

January
Twenty six,
1917

Re: Permit No. 9001.

Mr. Geo. W. Clarke,

Three Creek, Idaho.

Dear Sir:

The publisher of the Owyhee Nugget has written us that he has been unable to secure a reply from you to three letters, which he has sent you advising you of the completion of the publication of your notice of proof of beneficial use under the above permit and requesting a remittance for publication fees.

We presume that this may have been caused by an oversight or failure to receive the publisher's letters but we would urge that upon receipt of this letter, you make the payment to the publisher and secure the affidavit of publication which must be filed in this office before license can be issued. In order to protect your right the documents required by law to be filed by you, should be forwarded to this office without delay. If you supply all the documents, which you are required by law to file, there can be no question of the validity of your right.

Very truly yours,

J.H. Smith,
State Engineer.

By

H-bb.

9001

R. 112

OWYHEE NUGGET

CHARLES PASCOE, EDITOR
BRUNEAU, IDAHO

1--19--17

J. H. Smith, State Engineer
Boise, Idaho.

Dear Sir: In accordance with instructions from your office, dated Nov. 22, 1916, the Notice of Proof of Application of Beneficial Use of Water was published in the Nugget, notification of which fact and the bill of advertising charges forwarded to Mr. Geo. W. Clark of Three Creek, Idaho. I have been unable to get a reply from Mr. Clark, notwithstanding the fact that three several demands for settlement have been submitted. I am accordingly holding up the proof of publication until I can hear from you. Please advise me what in your opinion would be the proper steps to take to collect from Mr. Clark. 9001.

Trusting this will bring an early reply, and also thanking you in advance, I am, very truly yours,

Charles Pascoe

January 6th, 1917.

Re Permit 9001.

Mr. Geo. Clark,
Three Creek, Idaho.

Dear Sir:--

Your money order, sent for fees for proof of
use of water under above permit, is herewith returned
until such time as the report of our engineer is made,
at which time you will be further notified.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

MO#3419.C8

9001

January 3rd, 1917,

Re Permit 2001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Dear Sir:--

We are just in receipt of your depositions for proof of beneficial use of water under above permit, with money order for fees, in the sum of \$8.00.

In checking your deposition I note that you have given December 28, 1912, as date of priority. The priority could not be earlier than November 28, 1914, in view of the fact that proof was made one year and eleven months later than specified in the permit.

As soon as possible in the spring, our engineer will make the required examination and, upon receipt of his report, if affidavit of publication has been filed, the matter of issuing the license will be taken up.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9061

Permit No. 9001

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Alta Estes age 25 yrs
Farming & Stock RaisingQues. 2. Are you acquainted with George W. Clark, the holder of Permit No. 9001? How long have you known him and where does he reside?Ans. 10 years at Deer Creek
Owyhee County IdahoQues. 3. Have you read or heard read said Permit No. 9001, 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. Deer Creek S.E. 1/4 & S.E. 1/4 Sec 34-
T. 15 S. R. 11 E. B. 7n
Dam & Ditch

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. 3 1/2 Have seen 2 cubic feet conveyed

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

Ans. Irrigation & Domestic
S. 1/2 of N. 1/4 28. a. N. 1/4 S. 1/4 34. a. Sec 34-
S. E. 1/4 of N. E. 1/4 Sec 34- T. 15, S. R. 11 E. B. 7n. 28. a.

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. Sage Brush
about one inch or one tenth foot per a

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

no

Ans.

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. 1913 - 1914 - 1915 - 1916

By being near highway it is under way
diverted all the time

(Sign)

Alfred E. J. T.

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

Thurs. June 20th 1914 day of December County of Owyhee State of Idaho, on this

A. D. 1914

Notary Public.

James C. McEwen

My commission expires March 1920

Permit No. 9001

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Age 52
P.O. Rogerson Twin Falls County IdahoQues. 2 Are you acquainted with George H. Clarke, the holder of Permit No 9001? How long have you known him and where does he reside?Ans. 28 yearsQues. 3. Have you read or heard read said Permit No. 9001, 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. Dec. Creek S.E. 1/4 of S.E. 1/4 Sec. 35-T. 15-S. R. 11-E. B. 1m.By Dam & Ditch

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. 3 1/2- Have seen 2 cubic feet so conveyed

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

Ans. Pangolin & Domestic S. 1/2 of N. 1/4 10 a. 28 a. N. 1/4 S. 1/4 Sec.35-5 1/2 a. S.E. 1/4 of S.E. 1/4 Sec. 34. T. 15-S. R. 11-E. B. 1m. 28 a.

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. Sage Brush
About one inch or one tenth foot Per a.

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

no

Ans.

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.

from 1913-1914-1915-1916
and notice the improvement from 1916 to 1917

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

the County of *Franklin*, State of Idaho, on this *28th* day of *December* A. D. 1916

Notary Public.

James A. McElroy

My commission expires *March 20 1920*

PERMIT No. 9001

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. George W. ClarkAge 28Fanning & Stock Raising Trout Creek Idaho

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

Ans. By Residence & Location

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 9001. Date Dec 28-1912

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

Ans. Deer Creek. S.E. 1/4 of S.E. 1/4 of Sec35- T. 15- S. R. 11. E. B. M. Embury-Oriskany Ida

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. Dam & Ditch. to carry 3 1/2 cubic feetto irrigate the following legal subdivisions Cultivated LandS. 1/2 of N. W. 1/4. N. W. 1/4 of Sec 35. S.E. 1/4 of N.E. 1/4 Sec 34T. 15. S. R. 11. E. B. M.

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. And carries the following legal subdivisionsE. 1/2 of S.E. 1/4 N. W. 1/4 of S.E. 1/4 N.E. 1/4 of S. W. 1/4 S.E. 1/4 of N.W. 1/4 of N.W. 1/4 of S. W. 1/4Sec 35- S.E. 1/4 of N.E. 1/4 Sec 34- T. 15- S. R. 11. E. B. M. And irrigate the following28 a. 10 a. 5 1/2 a. 29 a. S. 1/2 of N. W. 1/4 N. W. 1/4 Sec 35 S.E. 1/4 of N.E. 1/4 Sec 34. T. 15- S. R. 11. E. B. M.Containing 160 acres

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

Ans. Irrigation & Domestic use

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

Ans. 3 1/2 feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. By Location

9001

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

Ans. 1913- 1914-1915-1916
21 ac 30^{ac} 72½ 72½

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)

Geo. W. Clark

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

Owyhee, State of Idaho, on this 28th day of December

A. D. 1916

Amos A. Mc Coy
Notary Public

December 15, 1916.

Re Permit 9001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Dear Sir:--

Replying to your letter of the 9th would say that your priority will be November 28, 1914, instead of 1915. This correction will be made when issuing the license and should be so given in your deposition when making proof.

Very truly yours,

J. H. Smith,

State Engineer.

BY _____

9001

Shaw Creek Lake
Dec 9th 1916

State Engineer
Dear Sir:

I am regards to Per. Right
con of water Permit
95010

I believe you are
in error of one year
concerning date of
Priority.

My official date of
priority in permit
was Feb 28, 1912
and I should have

9011

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Geo. W. Clark,
c/o J. A. McCoy,
Three Creek, Idaho.

BOISE, IDAHO, **December 2nd, 1916.**

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. **9001.**

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 28th**, 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 **Three Creek, before J. A. McCoy, notary public.**

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.

901

57-D

(P. O.) *Boise, Idaho*
(Date) *Nov. 25 - '16*

State Engineer, Boise.

Dear Sir:

I have your letter of *22nd inst* enclosing Notice of Proof of Beneficial Use of Water under Permit No. *9001* which will be published as you request, beginning with our issue of *Nov. 30 - '16*

Charles Vascoe

As requested

9001

November 22, 1916.

Re Permit 9001.

Geo. W. Clark,
Three Creek, Idaho.

Sir:--

Notice for publication for final proof under above permit has today been mailed to the Owyhee Nugget at Bruneau. Deposition blanks will be mailed to Mr. J.A. McCoy later.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9001

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 28 day of Dec, 1916,
 at Three Creek, County of Owyhee, State of Idaho,
 before J. A. McCoy (notary), proof will be submitted
 of the application to beneficial use of one $\frac{11}{15}$ cubic feet per second of the
 waters of Deer Creek, in accordance with the terms and conditions of
 Permit No. 9001 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

Geo W Clark Three Creek Idaho

2. The use to which said water has been applied is Irrigation

3. The amount applied to beneficial use is 72 Inches

4 The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 29 acres SW $\frac{1}{4}$ of NW $\frac{1}{4}$ 35

17 $\frac{1}{2}$ acres SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 11 acres NW $\frac{1}{4}$ of SW $\frac{1}{4}$ 5 acres
all in Township 15 S. R. 14 East 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

George Clark Ditch

6. The right to take the water from such works is based upon Permit No. 9001

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

8. The date of the priority which said user is prepared to establish is Jan 28 1914

Nov 28 - 1915
corrected

9001

State Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Nov 18 / 1916
(P. O.) Three Creek Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:

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

Geo W Clark

(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 com-
petent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

NOV 21 1916

9001

November 15, 1916.

Re Permit 9001.

Geo. W. Clark,
Three Creek, Idaho.

Sir --

Enclosing herewith blank notices for proof of
use of water under above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

2F10-F11

By _____

Three Creek

Nov 10/16

Ida.

State Engineer.

Boise, Ida

Dear Sir

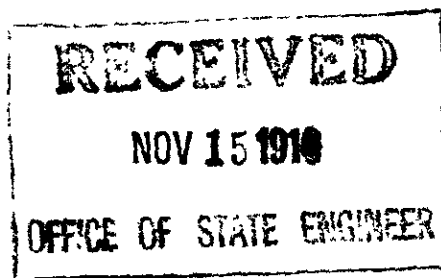
please send me notices
of publications, to make
final proof on water.

Yours respectfully

Geo. W. Blank.

Three Creek,

Idaho.



9001

August 17, 1916.

Re Permit 9001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Sir:--

Am herewith returning your notices for proof
under above permit, together with fresh notices to
be filled out for publication.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

3NU-2F10

9001

Three Creek.

Aug 14/16.

Idaho

AUG 16 1918

OFFICE OF STATE ENGINEER

Mr J H Smith

State Engineer, Boise

Dear Sir:

Concerning water permit 9001.
please send me other blanks
for publication, as I wish
to prove up on what land
I have in cultivation, as
I understand your letter, (which
I am enclosing). If I prove
up on water now, which is (8)
months after date I should
have proved up, my date of
priority will be (8) months
later than Dec 28, 1912.

which would make Aug 1915.

Respectfully Yours

9001

Geo. W. Clark.

Three Creek, Id.

August 4, 1916.

Re Permit 9001.

Geo. W. Clark,
Three Creek, Idaho.

Sir)--

Am just in receipt of your letter enclosing notices for final proof under above permit. In reply would say that the State Engineer has no authority for setting the date of priority under a permit earlier than the date established in the proof. That is, where the proof is made later than the date specified in the permit, and no extension has been granted, the date of priority must be brought down accordingly. I note that you have set May 15th, 1917, as the date for making proof. If you do not intend to make proof prior to said date, the notices should be held by you until sixty days prior to said date. If you have the land under cultivation and desire to make proof earlier, please advise us. If proof is made on September 28, 1916, your priority will be August 28, 1914. If you do not desire to make proof until May, 1917, the notices will be returned to you.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9001

a longer length of time, than you specified
if you should think it necessary. - would
you then grant me a deed bearing
that priority,? - Sincerely hoping you
may be able to grant me this favor, which I am
sure I am entitled to have -

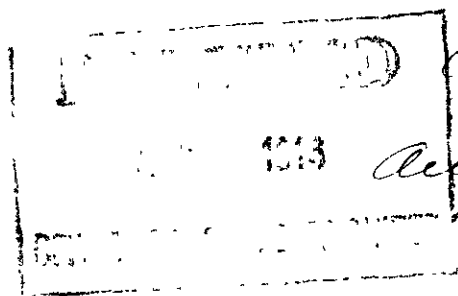
I am yours very respectfully.

Geo. W. Clank.

Thos Cook,
Jas.

9001

921



Deer Creek

Aug 2nd

1916

Ida.

Mr D. H. Smith,

State Engineer, Boise, Ida.

Dear Sir:-

rec'd your letter also notices, which
I am returning you filled out.

I am sorry to note what you tell me,

Concerning my date of priority, I mentioned
this to Mr King, when I wrote him,

And he gave me to understand, I could hold
my original date priority, provided I proved
up on my water within five (5) years from
date of filing, which he said was allowed
on water permits.

Could you grant me the date of Dec 28th / 91st,
which I feel I am justified in having, and
which I know will never be questioned by others
holding water permits, out of Deer Creek,
as this was the first ditch to be taken out
of Deer Creek Canyon. I raised a crop of 14 acres
of oats, and irrigated them through this ditch
before there was ever any other ditches
started. So if this will pass publication, and
proving up, with out contest, which I am
perfectly willing you should have published -

9001

J. H. SMITH
STATE ENGINEER
FRANK A. WILKIE
DEPUTY STATE ENGINEER

State of Idaho
Engineering Department
Boise

July 24, 1916.

Re Permit 9001-

Geo. W. Clark,
Three Crank, Idaho.

Sir:--

Replying to your letter of the 19th would say that proof of beneficial use of water may be made at a later date than specified in the permit but the date of priority will be brought down accordingly. That is, if you make proof of ~~beneficial~~ use two years later than January 28, 1915, the date specified in the permit, your date of priority will be December 28, 1914, instead of December 28, 1912, and so on. Am herewith enclosing blank notices for proof, to be filled out in duplicate, and returned to this office in time for four full weeks publication prior to the date upon which you desire to make proof.

Very truly yours,

J. H. SMITH,

State Engineer.

By C. Brown.

3NU-CCW

Return Frank Clark,

9001

July 24, 1916.

Re Permit 9001-

Geo. W. Clark,
Three Otisk, Idaho.

Sir:--

Replying to your letter of the 19th would say that proof of beneficial use of water may be made at a later date than specified in the permit but the date of priority will be brought down accordingly. That is, if you make proof of ~~beneficial~~ use two years later than January 28, 1915, the date specified in the permit, your date of priority will be December 28, 1914, instead of December 28, 1912, and so on. Am herewith enclosing blank notices for proof, to be filled out in duplicate, and returned to this office in time for four full weeks publication prior to the date upon which you desire to make proof.

Very truly yours,

J. H. SMITH,

State Engineer.

3NU-CCW

By _____

9001

9041

Tree Creek
July 19th 1910
Ida.

State Engineer, Boise, Ida.
Dear Sir,

I am writing you
concerning permit - 7001,
issued Jan, 24, 1913,
asking you to let me
know how under same.
I wrote to Mr. Justice
King, concerning this
permit some time about
Jan, 1914, telling him
it would be impossible
for me to put water
to beneficial use in the
time my permit required
me to do so. He said that
me my self time enough

90 11

on permit. and he wrote
 me that he would give
 me an extension of time
 & for me to write him
 when I wished to make
 the proof & have
 completed fully with Land
 in regard to ditch &
 works. so I had all
 works completed Jan - 24 '94.
 at a cost of about
 \$1,500⁰⁰ although I had
 estimated the cost only
 \$1,000⁰⁰ & have been
 running water through this
 ditch, & putting it to
 beneficial use, as fast

90: 1

as Financial Circumstances
 would permit. Which is
 the following: 4th 9.5. 20 acres,
 10, 60 acres, and will
 be able to put to beneficial
 use on fully 100 acres,
 next year. I can furnish
 you as many witnesses
 as you may wish - to
 corroborate my statements -
 hoping you may see
 fit to allow me to
 stand up on former
 account

I am yours respectfully.

Geo W. Clark.

Three Creek, Ida.

9011

I am enclosing certificate
of completion of work,
for your reference,
and would like to make
final proof on water
meter. 1917.

Hoping to hear from
you, advising me what
steps to take

I am yours respectfully
H.W.C.

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Geo. W. Clark,
Three Creek, Ida.

Oct. 1, 1914.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 2001..... 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,

F. P. KING,
State Engineer

9001

Boise, Idaho, March 7, 1914.

Permit 9001.

Mr. Geo. W. Clark,
Three Creek, Idaho.

Sir:--

Replying to your letter of the second inst., would say that you have, by the terms of your permit, until January 28, 1915 to put ~~your~~ water to beneficial use. If by the end of this year it is apparent that you cannot make proof of beneficial use, you can, on proper showing, obtain an extension of time.

Would say that you received as much time for proof of completion and proof of beneficial use as you asked for in your application.

Very truly yours,

State Engineer.

W/G.

9001

99-51

111

OFFICE OF STATE ENGINEER
SALT LAKE CITY, UTAH

9001

Thru Creek Ida
Mar 2nd 1914

Mr. P. King.

Dear Sir:

I am filing on water
your permit states
that you are required
in one year after
completing work to
put this water to a
beneficial use.

also the permit states
that you are to work
continuously on ditch
until completed at
the time specified
in your permit
which gives you no
time to add

improved your land
that is in the way
of plowing and digging
and putting your land
in shape to sow.

Now the man who is
financially fixed in a
way so he cannot
hire his land broke
and plowed and
produce a payable crop
on all land for which
water is to go with is
likely to lose his
water right. is he

I myself is in a
similar position, now
this carrying spring

I shall be able to
plow break and
sow about 60 acres
as we have about a
month that we can
plow, and sow so
as to make crop.
I have 160 inches of
water filed on and
that amount of land
which can be irrigated
this spring and can
make what I cannot
get to plow and
sow down, raise me
pasture enough to
benefit me considerable
Now would you call
it. Placing your

9001

9001

water to a beneficial
use.

And would I be
able to prove up on
my water under
Dutch terms

I am holder of Permit
9001

My land is a desert
land and I am required
to put in 20 acres of

one eighth in cultivation
also be able and have
ditches running on every
40 in a shape to
irrigate it.

Now you see the
desert land laws and
the water laws don't

5

9011

correspond with look
at them.

So please give me
information regarding
this

Yours Very Best

Geo W. Clark

Boise, Idaho, December 17, 1913.

Re Permit No. 9001.

Mr. George Wm. Clark,
Three Creek, Idaho.

Sir:--

Enclosed herein find Certificate
of Completion of Works issued under the
above numbered Permit.

Very truly yours,

F. F. KING,

State Engineer,

By _____

B/L.

9001

Permit

9004

9001

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of

Bingham

ss.

, 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. 14572 and that his postoffice address is Roseworth State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by Jan. 28th, 1914

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

Fourth: 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: One ditch one and three eighths miles
(Reservoir, dam, ditch, flume, pipe or otherwise.)

and one dam 14 ft length 15 ft

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 20 feet, length of dam at bottom 12 feet. Material used in construction Wood, earth and stone
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

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

(d) Conduit Ditch width at bottom 2 1/2 feet, width at water feet.
(State whether ditch, flume or pipe.)

Office of State Engineer. 3 feet, depth of water 3/4 feet; diameter of pipe inches;
average grade per mile is 7 feet Length of conduit is 1 3/8 miles.

Fifth. That said works are capable of conducting to the place of intended use Three and one fifth second feet of water

Sixth. That water appropriated under said permit is available for 160 acres of land described as follows: South 1/2 of NW 1/4, NW 1/4 of SW 1/4 of Section 33, SE 1/4 of NE 1/4 of Sec. 34, T 15 S, R 11 E B.M.

Seventh. Remarks: That This ditch and works have been completed since Aug 2nd 1913.

Sign here.

Subscribed and sworn to before me this 11 day of Sept, 1914

My Commission Expires
My commission expires Sept. 16, 1916.

Notary Public.

9001

Pleworth Ida
Jan 3rd 1913

Mr F. Perkins

Dear Sir:-

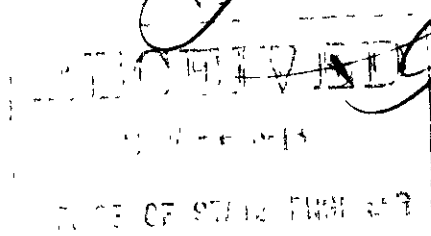
The affidavit for completion of work of Permit No 9001. which should have been sent in against Oct 1st just received to day as I have been away for some time.

But ~~sent~~ work has been completed since August 16th.

And affidavit will fall off this letter.

Hoping I am not too late
Yours

Yours Very Resp
Geo. W. Clark.



State of Idaho

ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Geo. W. Clark,
Threecreek, Idaho.

Boise, Idaho, Oct. 1, 1915.

Dear Sir:

Under the terms of your permit No. 9001, you are required to complete your diversion works on or before Jan. 28, 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

9001

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
STATE ENGINEER

Permit #9001

Boise, Idaho, Jan. 28, 1913.

Geo. Wm. Clark,

Three Creek, Idaho

Dear Sir:

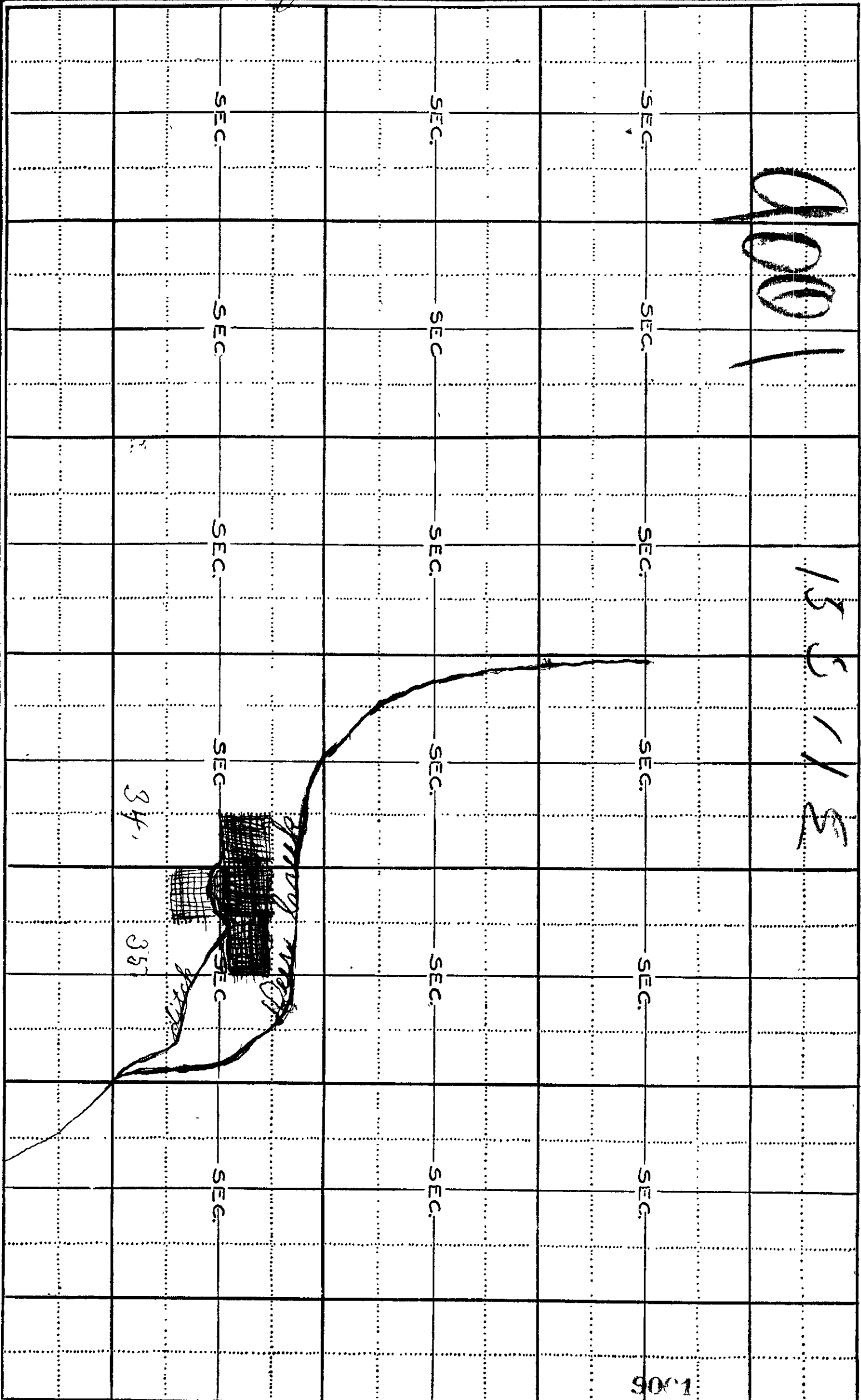
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

A. E. ROBINSON,
State Engineer.

Name of Applicant..... *George W. ...*

0001

135115



0001