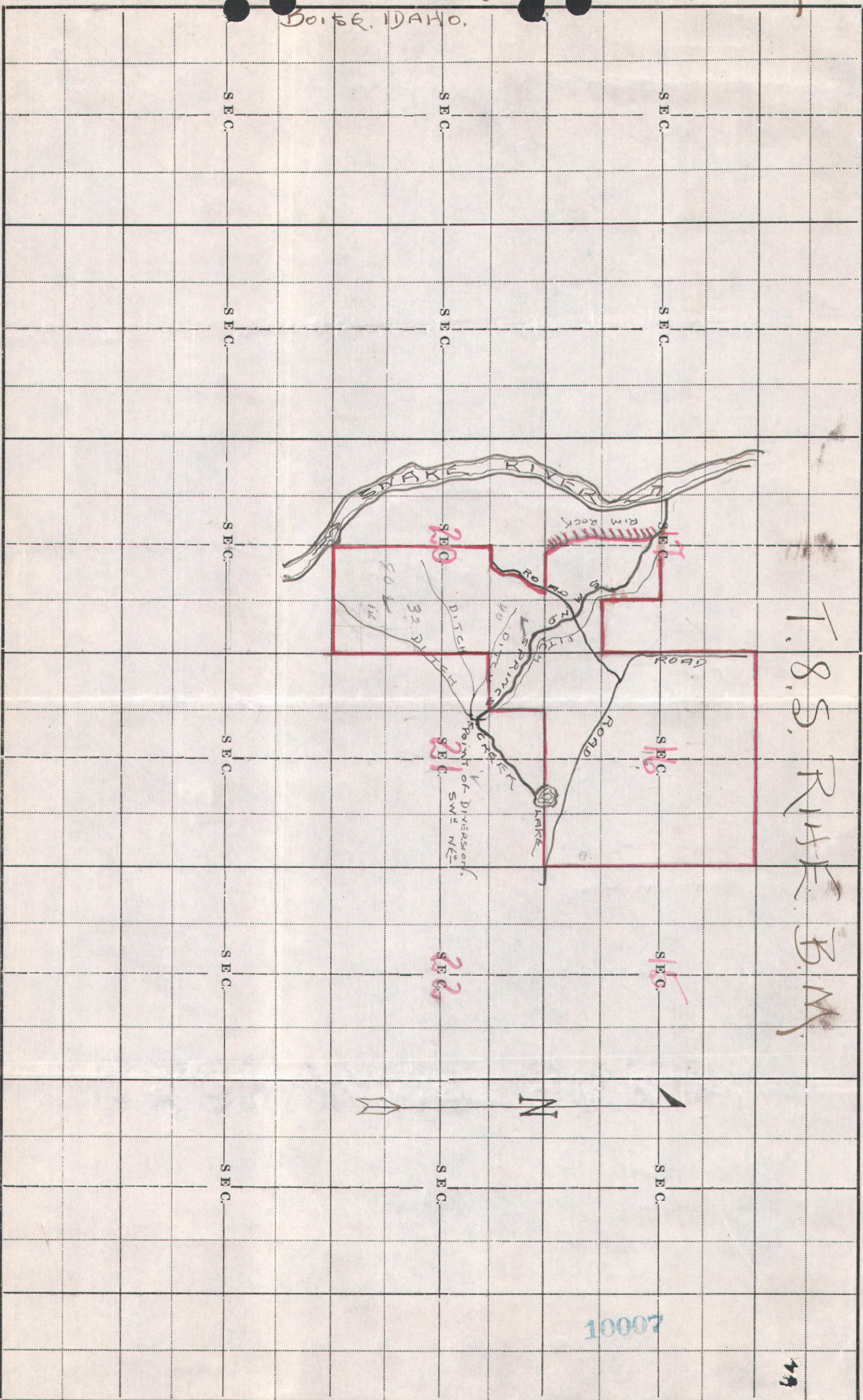


NAME OF APPLICANT

JAMES H. BLACK

PERMIT 10007

BOISE, IDAHO.



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Affidavit of Publication

RECEIVED

DEC 2 1918

OFFICE OF STATE ENGINEER

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 2 P. M. on the 23rd day of November, 1918, at Wendell, County of Gooding, State of Idaho, before Charles H. Andrews,

proof will be submitted of the application to beneficial use of 3.7 cubic feet per second of the waters of Sand Springs Creek in accordance with the terms and conditions of Permit No. 10.007 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 James H. Black.

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

3. The amount applied to beneficial use is 3.7 cu. ft. per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE ¼ Section 20, NE ¼ of NE ¼ Section 20 Tp. 8S 14E.

5. The right to take water from such works is based upon Permit No. 10.007.

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

7. The date of the priority which said user is prepared to establish is November 5, 1915.

FRED A. WILKIE,

State Engineer.

First pub. Oct. 31, last pub. Nov. 21.

State of Idaho, Gooding County, ss.

Wm. C. Pyne

being duly sworn, says that he

is of lawful age and is the Publisher of *The Wendell Irrigationist*, a

weekly newspaper published at Wendell, in said County and State; that

the printed copy of *Notice for Publication* hereto

annexed, was published in said newspaper once each week for *4*

weeks, commencing on the *31* day of *October* 191*8*,

and ending on the *21* day of *November* 191*8*; and that

no publication was made in a supplement.

Wm. C. Pyne

Subscribed and sworn to before me this *22* day of *November*

191*8*.

Charles H. Andrews

Notary Public in and for said County and State, residing at Wendell, Idaho.

10007

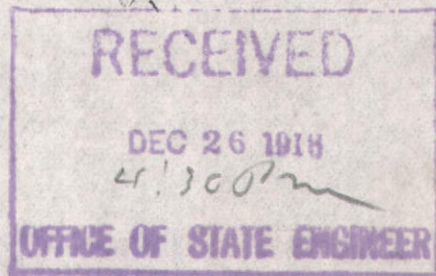
89.50

For value received, I hereby assign all my rights,
interest and title in permit No. 10007, filed in the
State Engineer's office, Boise, Idaho, to J. H. Black of
Boise, Idaho.

Dec 22 1918 H. Le Mayne

Harley Edwards

10007



PERMIT No. 10007**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. James H BlackBoise, Idaho

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

Ans. _____

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

Ans. Permit No. 10007 Priority November 5th, 1915

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

Ans. Sand Springs

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. Concrete dam and laterals

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

Ans. Irrigation, SE $\frac{1}{4}$ Section 20. and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 208 South 14 East B.M.All in cultivation and have produced crops for a number
of years.

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. Aporoximately 175 inches of water.

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. Permit originally issued to LeMoyné Brothers, my ownership
was acquired by purchase of land and appertanances thereto.

10007

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

Ans. For several seasons, by a system of laterals and ditches

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. Approximately 65 second feet of waterflow from Sand Springs
and account of physical conditions only a small portion of this
amount has been appropriated, 1.8/10 sec

(Sign)

James H. Black

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Wendell, County of Gooding State of Idaho, on this 23rd day of November A. D. 1918

Charles H. Andrews
N.P. Res. Wendell, Idaho

10007

RECEIVED

DEC 23 1918

OFFICE OF STATE ENGINEER

Name of Applicant

Le Roy Jones

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 5-1914

H. P. King
STATE ENGINEER

PERMIT MAP NO. 10007
AS APPROVED

Drop. 85 Rec'd 14-15

10007

Important Information About Your Water Right

August 27, 2001

A N AMBROSE
PO BOX 247
WENDELL, ID 83355

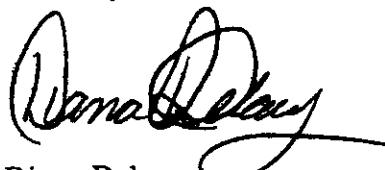
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-02016. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order*** in combination with the ***Partial Decree*** that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of the water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued the same date that the ***Partial Decree*** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED

JAN 12 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

Water Right 36-02016

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
JAN 12 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-02016

1997 DEC 29 PM 4:55

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: A N AMBROSE
PO BOX 247
WENDELL ID 83355

SOURCE: SAND SPRINGS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.84 CFS
536.0 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 11/05/1915

POINT OF DIVERSION: T08S R14E S21 SWNNW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.68 CFS
			536.0 AFY
	STOCKWATER	01-01 12-31	0.16 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County
	T08S R14E S17	NWSE 4 SESE 12
	S20	NENE 12 SWNE 4 Lot 3 (SWNW) 6
		SENW 21 NESW 11 Lot 4 (NWSW) 16
	134 ACRES TOTAL	

Place of use for STOCKWATER is same as IRRIGATION

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02016

JAN 12 2004

PAGE 1
DEC-16-1997

This
Right has been
Decreed in the
SRBA.

State of Idaho
License and Certificate of Water Right

Water License No. 10007
Water District No. 63

Amount 3.32 sec. ft.
Priority 11-5-1915.

THIS IS TO CERTIFY that **LeMoyne Bros. (Charles LeMoyne and Henry LeMoyne)** of **Wendell, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 19**, 19 **14**; that Permit No. **10007** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **3.7** second feet, was issued thereunder on **April 29**, 19 **15**, showing that said works were completed on the **11th** day of **February**, 19 **15**; and that on the **23rd** day of **November**, 19 **18**,

J. H. Black

of **Boise, State of Idaho**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of **Sand Springs Creek**, a tributary of **Snake River**, for the purpose of **irrigation and domestic use**, under Use Permit No. **10007** of the **State Engineer** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the **State Commissioner of Reclamation** of Idaho and entered of record in Volume **5** of Licenses, at page **2534**, on the **6th** day of **March**, 19 **20**;

The right hereby confirmed dates from **November 5**, 19 **15**;

The Point of Diversion is located in the **SW 1/4 NE 1/4, Sec. 20, Tp. 8 S., R. 14 E.**, B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **3.32** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	14 E.	20	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	32
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	14
			W $\frac{1}{2}$ SE $\frac{1}{4}$	80	<u>80</u>
			Total	166	

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

WITNESS the seal and signature of the **Commissioner of Reclamation**, affixed at Boise, Idaho, this **6th** day of **March**, 19 **20**.

W. G. Swendsen.

Commissioner of Reclamation

(SEAL)

36 2016

No. 14887

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Le Moyne Bros. Charles LeMoyne, Henry LeMoyne

Postoffice address: Wendell

County: Gooding

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 3.7 cubic feet per second.

3. Source of water supply: Spring to be developed by cut and tunnel on West side Sand Springs Creek.

4. Location of point of diversion: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, Tp. 8 S. R. 14 E.

County of Gooding

5. To be used for: Domestic and Irrigation.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 185 acres.

(b) In the following legal subdivisions: SE $\frac{1}{4}$ Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20, T. 8 S. R. 14 E.

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: \$250.00/100

7. Description of works for diversion:

I. Kind of works: Ditch and pipe.

II. Dimensions of works:

[a] Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction:

[b] Capacity of reservoir

acre feet.

(c) Size of headgate, width

feet,

Height

feet.

(d) Conduit

Ditch

width at bottom

3

feet,

width at water line

4

feet, depth of water

1

feet, diameter of pipe

10" inches, average grade per mile is 125 feet. Length of conduit is $\frac{1}{4}$ miles, and it crosses the following quarter sections: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 21 and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sect. 21 to NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of 20.

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 two 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.

Le Moyne Bros.

Applicant.

By Charles Le Moyne

Agent.

Date of first receipt at office of State Engineer 10.00 A.M. February 19, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10007

Recorded in Book 33 Page 10007 Approved March 5, 1914.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before May 4, 1914.

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 September 5, 1914.

The whole of said work to be completed on or before March 5, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before March 5, 1917.

Witness my hand this 5th day of March, 1914.

F. P. King, State Engineer.

Remarks. This Tunnel and cut are being driven to secure water in place of present ditch, which has become in bad condition owing to the seepage and spring breaking out above it. The springs are located on unentered Caryl Act Land.

Proof of completion of works made February 11, 1915.

Certificate of completion issued April 29, 1915.

Permit No. 10007

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that LeMoyné Bros. (Charles LeMoyné and Henry LeMoyné) of Wendell, County of Gooding and State of Idaho, the holder of Permit No. 10007, issued upon Application No. 14887, bearing date of priority of February 19, 1914, authorizing the diversion of 3.7 second feet of the waters of a spring on west side of Sand Springs Creek, County of Gooding, 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 3.7 second feet of the waters of a spring; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 21, T. 8 S., R. 14 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ of Sec. 20 and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 20, T. 8 S., R. 14 E.B.M., containing 185 acres.

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

J. H. Smith,

State Engineer of the State of Idaho

Recorded by
Checked by

Handwritten initials

For value received, I hereby assign all my rights, interest and title in permit No. 10007, filed in the State Engineer's Office, Boise, Idaho, to W. H. Black of Boise, Idaho.

H. LeMoyne.

December 2, 1918.
Hailey, Idaho.

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at
9:00 A. M. December 30, 1918.
Fred A. Wilkie,
State Engineer.

License issued for 3.32 second feet
Page 2534

This
Right has been
Decreed in the
SRBA.

MICROFILMED

JAN 12 2004

March 16, 1920.

Re Permit 10007.

Mr. J. H. Black,
Boise, Idaho.

Dear Sir:—

Am enclosing herewith license and certificate of
water right issued under the above permit, with receipt for
fees paid.

Am also returning you Assignments of Permits Nos. 12449-
12450, the same having been placed on record here. Please to
remit \$1.00 recording fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

L-R-2D

10007

NO. 10751

THE OVERLAND NATIONAL BANK

UNITED STATES DEPOSITARY



BOISE, IDAHO, March 1, 1920

Mr. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

In response to your letter of February 28th, I beg to enclose herewith check for \$10.00 covering filing fee for water permit #10007 and thank you very much for your courtesy in this matter.

Very truly yours,

A handwritten signature in dark ink, which appears to read "J. H. Black". The signature is written in a cursive style with a large, sweeping initial "J".

10007

February 28, 1920.

Re Permit 10007.

Mr. Jas. H. Black,
Boise, Idaho.

Dear Sir:--

According to the engineer's report on beneficial use of water under above permit, which has just been filed, you have parts of five forty acre tracts under cultivation and irrigation. The statutory fees will, therefore, amount to \$10.00 and, upon receipt of this amount, license will be issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

10007

REPORT OF ENGINEER

This proof is for Beneficial Use.In Water District No. 63

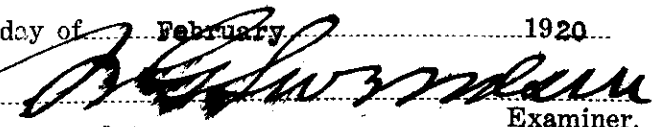
1. State name of applicant and number of permit: J. H. Black - Permit 10007
2. State source of water supply: Sand Springs Creek
3. Location of point of diversion: (Permit) SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T. 8 S., R. 14 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:

Concrete Dam 60 ft. Long, 3 ft. High, $1\frac{1}{2}$ ft. Wide, Spillway 12 ft. Wide;
Concrete Head gate 4 ft. Wide, 4 ft. Long, 2 ft. Deep; South Ditch;
South Side Ditch 4 ft. Wide, $2\frac{1}{2}$ ft. Deep, Capacity 6 Sec. ft.
North Ditch $2\frac{1}{2}$ ft. Bottom, $1\frac{1}{2}$ ft. Deep; No head gate; Capacity 2 Sec. ft.
5. State whether or not water has been turned into works of diversion: Yes
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE $\frac{1}{4}$ Sec. 20, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 20, T. 8 S., R. 14 E. B.M.
NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres, Irr. and Cultivated; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 32 A. Irr. and Cultivated;
SE $\frac{1}{4}$ SE $\frac{1}{4}$, 14 A. Irr. and Cultivated and W $\frac{1}{2}$ SE $\frac{1}{4}$, 80 acres, Irr. and cultivated,
All in Sec. 20, T. 8 S., R. 14 E. B. M. Total 166 acres.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? Two
9. Give names and amount of each right: Jim Black and Jim Rice;
Rice owns right for fifty acres in South Ditch, balance owned by Black, or
water for 166 acres.
10. What large stream would the water here appropriated finally reach? Snake River
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: None

Remarks:

This examination was made on the 25th day of February, 1920

(Signed)



Examiner.

10007

OVER

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

STATE OF IDAHO,

ss.

County of.....

....., 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.....19.....

My commission expires.....

Notary Public.

10007

Instructions to Examiners

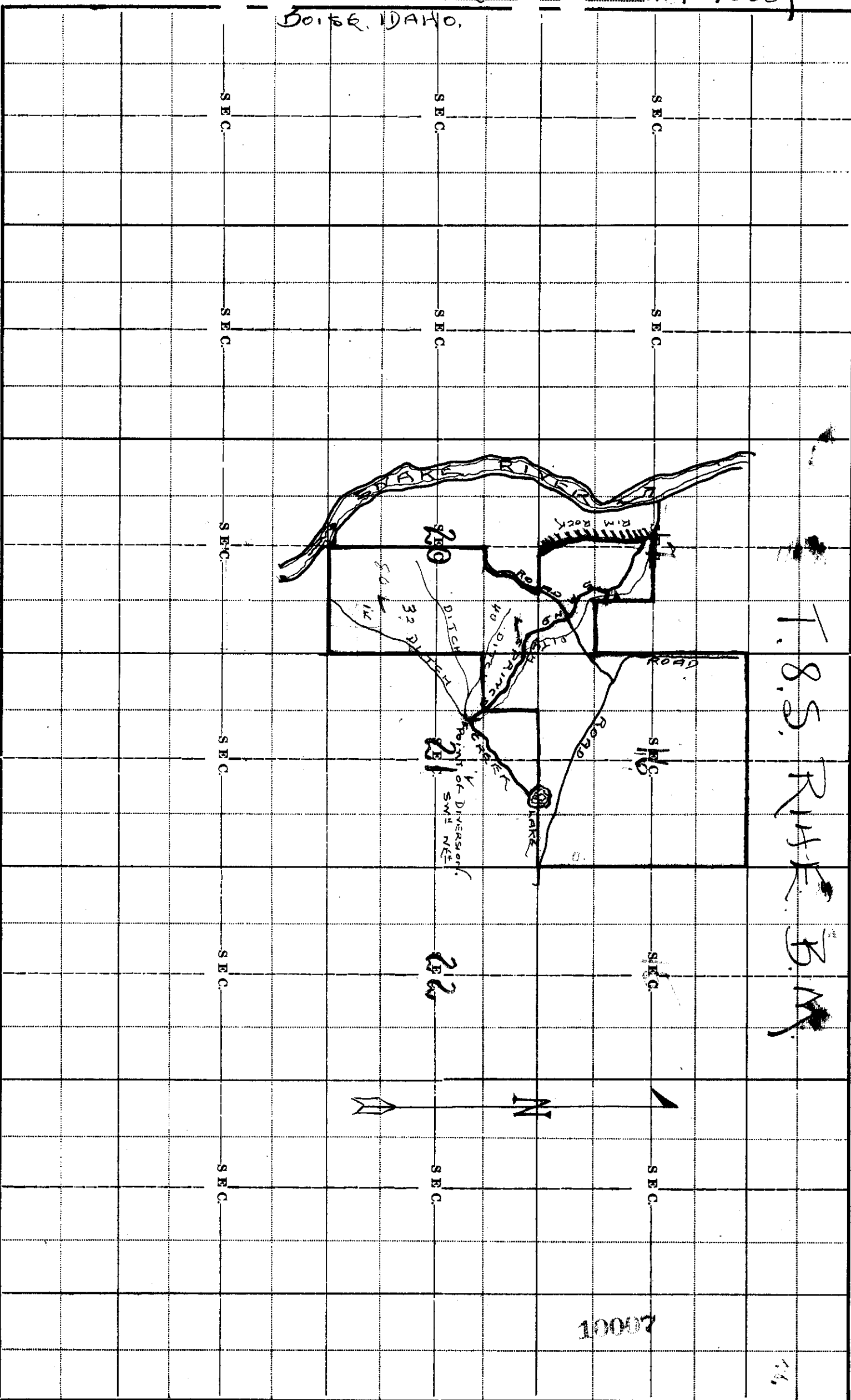
1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately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

NAME OF APPLICANT

JAMES H. BLACK

PERMIT 10007

BOISE, IDAHO.



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Affidavit of Publication

REC'D

1918

State of Idaho, Gooding County ss.

OFFICE OF STATE JUDGE

Wm A Pyne

.....being duly sworn, says that he is of lawful age and is the Publisher of *The Wendell Irrigationist*, a weekly newspaper published at Wendell, in said County and State; that the printed copy of *Notice for Publication* hereto annexed, was published in said newspaper once each week for *4* weeks, commencing on the *31* day of *October* 191*8*, and ending on the *24* day of *November* 191*8*; and that no publication was made in a supplement.

Wm A Pyne

Subscribed and sworn to before me this *22* day of *November*

191*8*....

Charles H. Andrews

Notary Public in and for said County and State, residing at Wendell, Idaho.

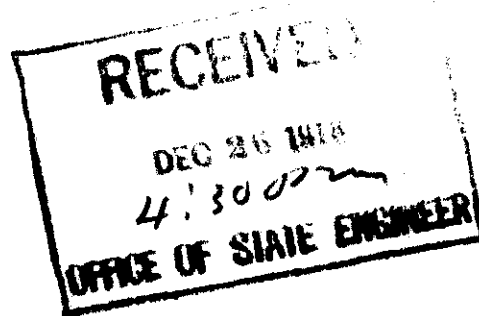
10007

\$9.50

For value received, I hereby assign all my rights,
interest and title in permit No. 10007, filed in the
State Engineer's office, Boise, Idaho, to J. H. Black of
Boise, Idaho.

Charles E. Mayne

1717 1918



10007

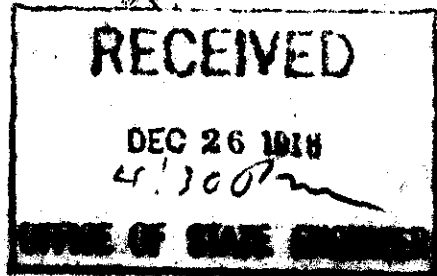
For value rendered, I hereby assign all my rights,
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State Engineer's office, Boise, Idaho, to J. H. Black of
Boise, Idaho.

H. LeMay

Dec 21 1918

Harley L. Latta

10007



FRA Dec 30 18
Fred R. Miller

Recorded in Book # 33

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RECEIVED
DEC 30 18
OFFICE OF STATE ENGINEER

Permit No.-----

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. *William Leonard* 33 years *Boise Idaho*
Mining Engineer *Boise Idaho P.M. 5*

Ques. 2. Are you acquainted with James H. Black, theholder of Permit No. 10007? How long have you known him and where does he reside?

Ans. Ten years. Boise Idaho,

Ques. 3. Have you read or heard read said Permit No. 10007, 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. Sand Springs, natural stream to point of diversion.
Concrete dam and system of laterals and ditches.

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. About five second feet, about four second feet.

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

Ans. Irrigation, SE¹ Section 20 and NE¹ of NE¹ Section 20, SS 142
All cultivated land with growing crops.

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. All raw land, mostly sage brush, about four second feet
would be ample.

10007

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. Number of times during the past season.

(Sign)

William T. Leonard

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 Wendell, County of Gooding, State of Idaho, on this 23rd day of November A. D. 1916

Charles N. Andrews

Notary Public.

My commission expires

Apr. 17, 1920

Geo. Wendell. Ida

10007

RECEIVED

DEC 1 1916

DEPT OF STATE ENGINEER

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. R.E.Coffey, Age 40, Boise Idaho. Accountant.

Ques. 2. Are you acquainted with James H. Black, the holder of Permit No. 10007? How long have you known him and where does he reside?

Ans. Ten years. Boise Idaho.

Ques. 3. Have you read or heard read said Permit No. 10007, 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. Sand Springs, natural stream to point of diversion.

Concrete dam and system of laterals and ditches.

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. About five second feet, about four second feet.

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

Ans. Irrigation. SE¹ Section 20 and NE¹ of NE¹ Section 20, 8th 14th
All cultivated land with growing crops.

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. All raw land, mostly sage brush, about four second feet
would be ample.

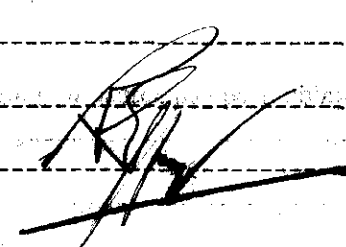
10007

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. Number of times during the past season.

(Sign) 

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Wendell, County of Gooding, State of Idaho, on this 23rd day of November A. D. 1918

Charles H. Andrews

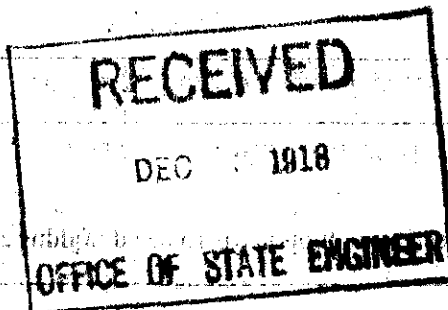
Notary Public.

My commission expires

Apr. 17, 1920

Res. Wendell, Ida

10007



Book of Application of Water to Beneficial Use

PERMIT No. 10007**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. James H BlackBoise, Idaho

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

Ans. _____

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

Ans. Permit No. 10007 Priority November 5th, 1915

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

Ans. Sand Springs

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. Concrete dam and laterals

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

Ans. Irrigation, SE¹ Section 20. and NE¹ of NE¹ Section 208 South 14 East B.M.all in cultivation and have produced crops for a number
of years.

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. Approximately 175 inches of water.

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. Permit originally issued to LeMoyné Brothers, my ownership
was acquired by purchase of land and appertanances thereto.

10007

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

Ans. ~~For several seasons by a system of laterals and ditches~~

~~SECTION 20 14.011219.10~~

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. ~~Approximately 65 second feet of water flow from Sand Springs~~
and account of physical conditions only a small portion of this
amount has been appropriated. 1.810 s.e

(Sign)

James H. Black

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

Gooding State of Idaho, on this 23rd day of November
A. D. 1918

Charles H. Andrews
N. P. Res. Wendell, Idaho

10007

RECEIVED

DEC 10 1918

OFFICE OF STATE ENGINEER

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,

NOV. 13, 1918.

James H. Black,
c/o Charles H. Andrews,
Wendell, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. ~~10007~~.

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 the permit holder's rights:

1. On ~~November 23, 1918~~, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at ~~Wendell, before Charles H. Andrews, N.P.~~

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

~~Fred A. Wilkie,~~
State Engineer.

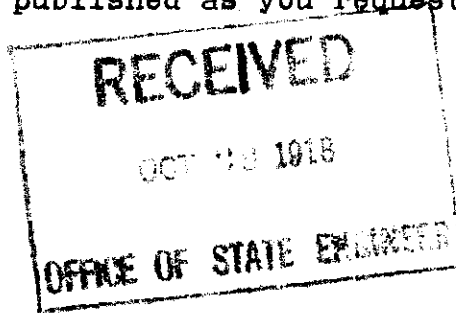
10007

(P. O.) *Wardell*
(Date) *Oct 25*, 18

State Engineer, Boise.

Dear Sir:

I have your letter of *Oct 22* enclosing Notice of Proof
of ~~Completion of Works and~~ Beneficial Use of Water under Permit No. *10007* which
will be published as you request, beginning with our issue of *Nov. 31*



[Signature]

10007

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 7 PM on the 23^d day of Nov., 1918,
 at Wendell, County of Gooding, State of Idaho,
 before Charles S. Dubrows, proof will be submitted
 of the application to beneficial use of -3.7- cubic feet per second of the
 waters of Sand Springs Creek in accordance with the terms and conditions of
 Permit No. 10.007 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-----

James H. Black

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

3. The amount applied to beneficial use is 3.7

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE 1/4 Section 20, NE 1/4 of NE 1/4 Section 20 Tp 8S 14E

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 water from such works is based upon Permit No. 10.007

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

8. The date of the priority which said user is prepared to establish is Nov 5-1915

November 5, 1915.

10007

Fred A. Wilkie,
State Engineer.

NP 63

WALL STREET JOURNAL

10

on this point of view is indicated in foot 10.

Since - 21-85-14E

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Oct 22, 1918
(P. O.) Boise Id

TO THE STATE ENGINEER,

Boise, Idaho.

DEAR SIR:

You are hereby authorized to have the attached notice published at my expense in the
Wendell Irrigation of Wendell Id, published in the
county in which the works are situated.

J. B. Black
Idaho

(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.

State of Idaho
ENGINEERING DEPARTMENT

BOISE

**Lemoyne Bros.,
Wendell, Idaho**

December 1, 1916.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **10007**-----, 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,

J.H. SMITH,

10007

State Engineer

May 14, 1915.

Permit 10007.

LeMoyné Brothers,
Wendell, Idaho.

Gentlemen:

Am enclosing herewith certificate of completion of works, with receipt for fee.

Very truly yours,

J. H. SMITH.

State Engineer.

CCW:R7238

By _____

10007

Permit No.

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of GOODING

} ss.

LeMoynes Brothers by Charles LeMoynes 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. 10007 and that his postoffice address is Wendell, State of Idaho.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 5th, 1915.

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 (or were not) fully completed and consisted of the following:

I. Kind of works: ditch and an open cut, also tunnel.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: ditch half mile long, tunnel in about forty feet.

(a) Height of dam No feet, length of dam at top No feet, length of dam at bottom No feet. Material used in construction No

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

(b) Capacity of reservoir acre feet.

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

(d) Conduit no width at bottom no feet, width at water (State whether ditch, flume or pipe)

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

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 about four second feet of water.

Sixth: That water appropriated under said permit is available for 178 acres of land described as follows: 18 acres of land in the Northeast quarter of the Northeast quarter, and 160 acres in the Southeast quarter of Section twenty (20), Township 8 south, Range 14 E. B. M.

RECEIVED
FEB 23 1915
OFFICE OF STATE ENGINEER

Seventh. Remarks: That That the diversion works are complete, and that the water is now running upon a part of this land.

Charles LeMoynes
(Sign here)

Subscribed and sworn to before me this 11th day of February 1915

My commission expires Commission Expires April 25, 1917,

10007

Notary Public.

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

F. P. KING
STATE ENGINEER

HERBERT WING
DEPUTY STATE ENGINEER
W. R. HEYDE
CHIEF CAREY ACT ENGINEER

February 13, 1915.

Permit 10007.

Charles LeMoynes,
Wendell, Idaho.

Sir:

In checking your affidavit for proof of completion of works under above permit I note that you have described the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 20 instead of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said section. This correction should be made and the affidavit returned to us. The receipt for fees is held pending receipt of corrected affidavit.

Very truly yours,

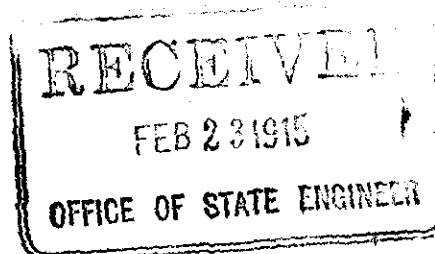
Herbert Wing,

Acting State Engineer.

AH

By *Edmund*

*Accepted
Herbert Wing*



10007

February 13, 1915.

Permit 10007.

Charles LaMoyne,
Wendell, Idaho.

Sir:

In checking your affidavit for proof of completion of works under above permit I note that you have described the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 20 instead of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said section. This correction should be made and the affidavit returned to us. The receipt for fees is held pending receipt of corrected affidavit.

Very truly yours,

Herbert Wing,

Acting State Engineer.

AH

By _____

10007

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

LeMoyne Bros.

Charles LeMoyne,
Wendell, Ida.

BOISE, IDAHO, Dec. 8, 1914.

DEAR SIR:

Under the terms of your permit No. 10007, you are required to complete your diversion works on or before March 5, 1915. 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~~
HERBERT WING,
Acting State Engineer.

10007

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Re Permit No. 10007

BOISE, IDAHO, March 8, 1914.

LeMoyne Bros.,
Wendell, 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.*

F. P. KING,
State Engineer.

10007

de In-que Jansin

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