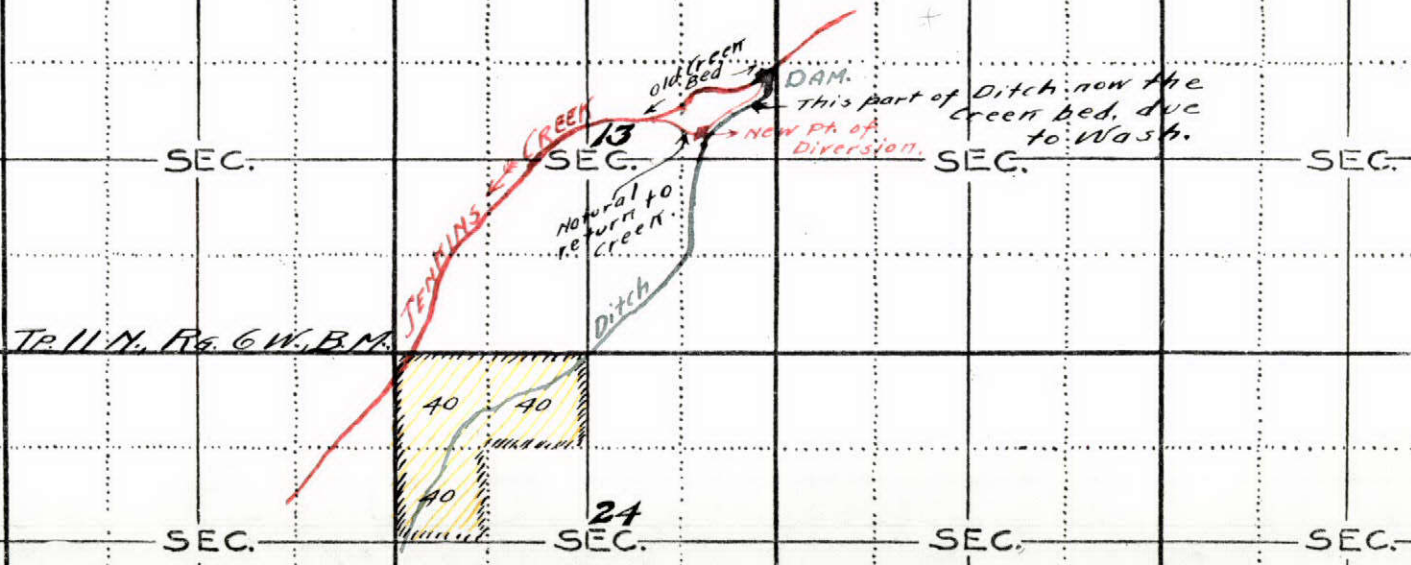




Affidavit of Publication.

STATE OF IDAHO,
County of Washington } ss.

L B Jensen, being duly sworn,
deposes and says:

That he is the *Business Manager* of
THE WEISER AMERICAN, a weekly newspaper published at Weiser, in the County of Washington and State of Idaho; that said paper and its predecessor has been and is in general circulation in the county aforesaid, and in the vicinity of Weiser; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *four* consecutive weeks in the regular and entire issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly published for more than fifty-two weeks last past. Such notice was published in the issue beginning with *June 10* 1915, and ending with the issue of *July 1* 1915.
Fees, \$10⁰⁰ paid

L B Jensen

Subscribed and sworn to before me this *8th* day
of *July* 1915.

J W Galloway

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 11:55 a. m. on the 8th day of July, 1915, at Weiser, county of Washington, state of Idaho, before J. W. Galloway, Haas Bldg. Bldg., proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of Jenkins Creek, in accordance with the terms and conditions of Permit No. 10337 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 M. E. McCormick, Weiser, Idaho.

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

3. The amount applied to beneficial use is 3 cubic feet.

4. The place where said water is used is SW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 24, Tp. 11 N. R. 6 W. 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 McCormick Ditch.

6. The right to take the water from such works is based upon permit No. 10337.

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

8. The date of priority which said user is prepared to establish is May 1, 1915.

J. H. SMITH,
State Engineer.

j1014

RECEIVED

JUL 10 1915

OFFICE OF STATE ENGINEER

10337

Name of Applicant *M. F. McGarick*

*Township 11. North
Range 6. West B.M.*

SEC.

SEC.
13

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.
24

SEC.

SEC.

SEC.

SEC.

SEC.

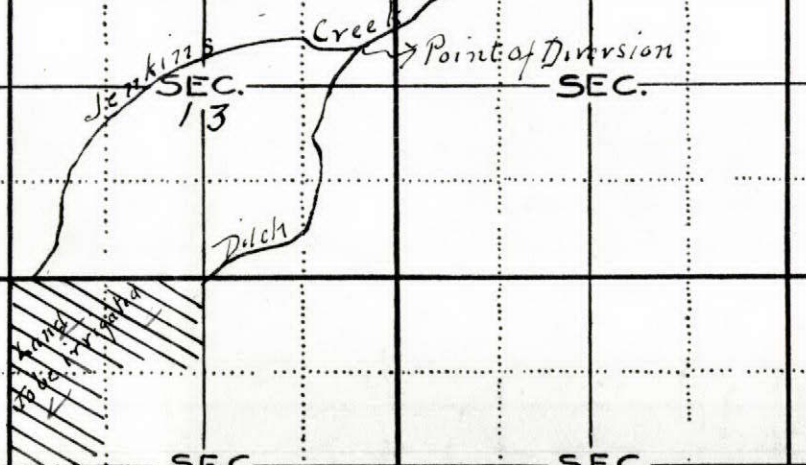
SEC.

SEC.

SEC.

SEC.

SEC.



10337

County: Washington
 Stream: Jenkins Creek *See below*
 Amount: Three (3) sec. ft. 2.4 cfs.
 Use: Irrigation & Domestic
 Priority: June 10, 1914.

STATE OF IDAHO

Water License No. 10337

WHEREAS, On the 10th day of June, A. D. 1914,
 M.E. McCormick

of Weiser, County of Washington, State of Idaho, duly made application (No. 15290) to me for a permit to use three (3) cubic feet per second of the waters of Jenkins Creek,

County of Washington, State of Idaho, for Irrigation & Domestic purposes, and,

WHEREAS, On the 27th day of June, A. D. 1914, Permit No. 10337 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 27th day of June, A. D. 1915, and for the application to beneficial use of said water on or before the 27th day of June, A. D. 1917, and,

WHEREAS, On the 4th day of May, A. D. 1915,
 M.E. McCormick

the holder of said permit, duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 10337 dated May 21, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of said water, with date of priority of June 10, 1914, and

WHEREAS, On the 8th day of July, A. D. 1915,
 M.E. McCormick

the holder of said permit, duly made proof of the application to beneficial use of 2.4 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 M.E. McCormick

of Weiser, County of Washington, State of Idaho, the holder and owner of said Permit No. 10337, a perpetual right, dating from June 10, 1914, to the use of 2.4 cubic feet per second of the waters of Jenkins Creek

in the County of Washington 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 NE $\frac{1}{4}$ Sec. 13, T. 11 N., R. 6 W.B.M.

and conducted to and upon 120 acres as follows: 40 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$; 40 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and 40 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, all in Sec. 24, T. 11 N., R. 6 W.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 25th day of September, A. D. nineteen hundred and Fifteen.

J.H. SMITH.

(Seal)

State Engineer:

67 2095

No. 15290

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: M. E. McCormick

Postoffice address: Weiser

County: Washington

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 cubic feet per second.

3. Source of water supply: Jenkins Creek

4. Location of point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13 Tp. 11 North R. 6 West B. M.

County of Washington

5. To be used for: irrigation and domestic use.

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

(b) In the following legal subdivisions: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 24, Tp. 11 N.R. 6 W.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: Twenty-five Dollars.

7. Description of works for diversion:

I. Kind of works: ditch with small dam.

II. Dimensions of works:

[a] Height of dam five feet, length of dam at top eight feet,

length of dam at bottom four feet. Material used in construction: earth

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

Height four feet. (d) Conduit ditch width at bottom three feet,

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

inches; average grade per mile is feet. Length of conduit is miles,
and it crosses the following quarter sections: SE of NE, NE of SE, SE of SE, SW of SE.
Sec. 13, Tp. 11 N. R. 6 W.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 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.

M. E. McCormick

Applicant.

By

J. W. Galloway

Agent.

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

Returned to applicant for correction June 10, 1914.

Corrected application received June 16, 1914.

APPROVAL OF STATE ENGINEER

The number of this permit is 10337

Recorded in Book 34 Page 10337 Approved June 27, 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 August 26, 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 December 27, 1914.

The whole of said work to be completed on or before June 27, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 27, 1917.

Witness my hand this 27th day of June, 1914.

F. P. KING,

State Engineer.

Remarks:

It is the intention of the applicant to obtain the right to use the flowing water of Jenkins Creek in Washington County, Idaho, for the purpose of irrigating the above described lands during the irrigation season. Applicant has prior to this year filed an application for the underground water, if any there are, in the vicinity of Jenkins Creek where he proposes to take out the water filed on in this application, and has also made an application for the flood water of Jenkins Creek at the same place. The same ditch will be used to convey the waters obtained under these different applications to the above described lands.

Proof of completion of works made May 4th, 1915.

Certificate issued May 21, 1915.

Permit No. 10337

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that M. E. McCormick, of Weiser, County of Washington, and State of Idaho, the holder of Permit No. 10337, issued upon Application No. 15290, bearing date of priority of June 10, 1914, authorizing the diversion of three (3) second feet of the waters of Jenkins creek, County of Washington, 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 three (3) second feet of the waters of Jenkins Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 13, T. 11 N., R. 6 W.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 24, T. 11 N., R. 6 W.B.M., containing 160 acres.

Witness my hand this 21st day of May, A. D. 1915.

J. H. Smith,

State Engineer of the State of I

License issued for 2.4 second feet

Page 1892

Recorded by
Checked by

WATER RIGHT NUMBER 67-2095

OWNER LAST NAME - MC CORMICK

FIRST NAME - M. E.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WEISER

STATE - ID ZIP CODE -

SOURCE - JENKINS CREEK

TRIBUTARY OF - SNAKE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 06-10-1914

COUNTY - WASHINGTON

TOTAL DIV. RATE -

2.4000 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SE 1/4 13 11N 06W LOT

REDIV -

272.0 298.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 4.2

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

2.4000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 11N/RNG 06W SEC 24

TRACT NWNW/LOT

AC 40

TRACT NENW/LOT

AC 40

TRACT SWNW/LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES

120

REMARKS - TRIBUTARY DETERMINED BY REVIEW OF U.S.G.S. MAP.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 10337

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

67-2095

ID AHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

Permit No. 10337

November 21, 1957

TO WHOM IT MAY CONCERN:

This is to certify that the records in the State of Idaho Department of Reclamation at Boise, Idaho disclose the following: Licenses and priorities issued by the State of Idaho on the waters of Jenkins Creek, tributary of the Snake River, as follows:

License No. 10337 - Issued to M. E. McCormick

Amount of License - 3.0 cubic feet per second.

Priority date - June 10, 1914

Purposes - Irrigation and domestic

Place of Use - NW $\frac{1}{4}$ NW $\frac{1}{4}$, N E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Township 11 North, Range 6 West.

License No. 10558 - Issued to Idaho Industrial Institute

Amount of License - 6.54 cubic feet per second

Priority date - June 29, 1914

Purpose - Irrigation of lands as follows: - SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, 30 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 Acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 Acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres; Lot 4, 12 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres, Section 7; Lot 1, 20 Acres, Lot 2 30 Acres, Lot 3, 30 acres, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 Acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 Acres Section 18, all in Township 11 North, Range 5 West.

License No. 12509 - Issued to M. E. McCormick

Amount of License - 1.5 cubic feet per second

Priority date - August 10, 1916

Place of Use - NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 37 Acres, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ 13 acres, all in Section 24, Township 11 North, Range 6 West.

License No. 10558 - Issued to Idaho Industrial Institute

Amount of License - 16.66 cubic feet per second

Priority date - May 11, 1918 -

For irrigation of practically the same lands as irrigated above under License No. 10558, Idaho Industrial Institute.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

Roy W. Thompson
Office Manager

C O P Y

10337

September 28, 1915.

Re Permit 10337.

Mr. M. E. McCormick,
Weiser, Idaho.

Sir:--

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

Very truly yours,

J. E. SMITH,

State Engineer.

By _____

WLR7589

10337

REPORT OF ENGINEER

1. State name of applicant and number of permit: M.E. McCormick — #10337
2. State source of water supply: 3 ft. from Jennings Creek.
3. Location of point of diversion: S.E.⁴NE⁴, Sec. 13, Tp. 11N, Rq. 6W, B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: No, but water is diverted and used.
5. Describe works as they exist, giving dimensions and capacities of same: Dam formerly used has now changed Channel — Ditch is now 10' below old creek bed, & takes normal flow of Creek. No headgate in, but ordered one to be placed in same legal subdivision — 3' wide, 4' deep. Ditch above land is 3 ft. on bottom, 4 ft. at water line, water depth, 1 ft. Grade, 4 ft. to mi. — Capacity, 3 sec. ft. Ditch for 1000 ft. below diversion pt. is 10 ft. wide on bottom, 12 ft. at water line — Ditch is now 8 ft. deep, caused by washing, and heavy grade.
6. State whether or not water has been turned into works of diversion: Yes, 35 inches in ditch at time of inspection.
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): N.W.⁴N.W.⁴, 40 acres; NE⁴NN⁴, 40 acres; S.W.⁴NN⁴, 40 acres, all in Sec. 24, Tp. 11N, Rq. 6W, B.M.
8. Submit map on enclosed plat, showing location and details of above description.
- Remarks: Ordered in head gate and dam, 1000 ft. below above described diversion pt., where flow of creek naturally seeks old creek bed. No filings on Creek below this point, so that no one is injured in anyway. Only about 35 inches in Creek at present — all used.

This examination was made on the 23rd day of August, 1915.

(Signed) _____

S. J. [Signature]
10337

Examiner.

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

STATE OF IDAHO

County of _____

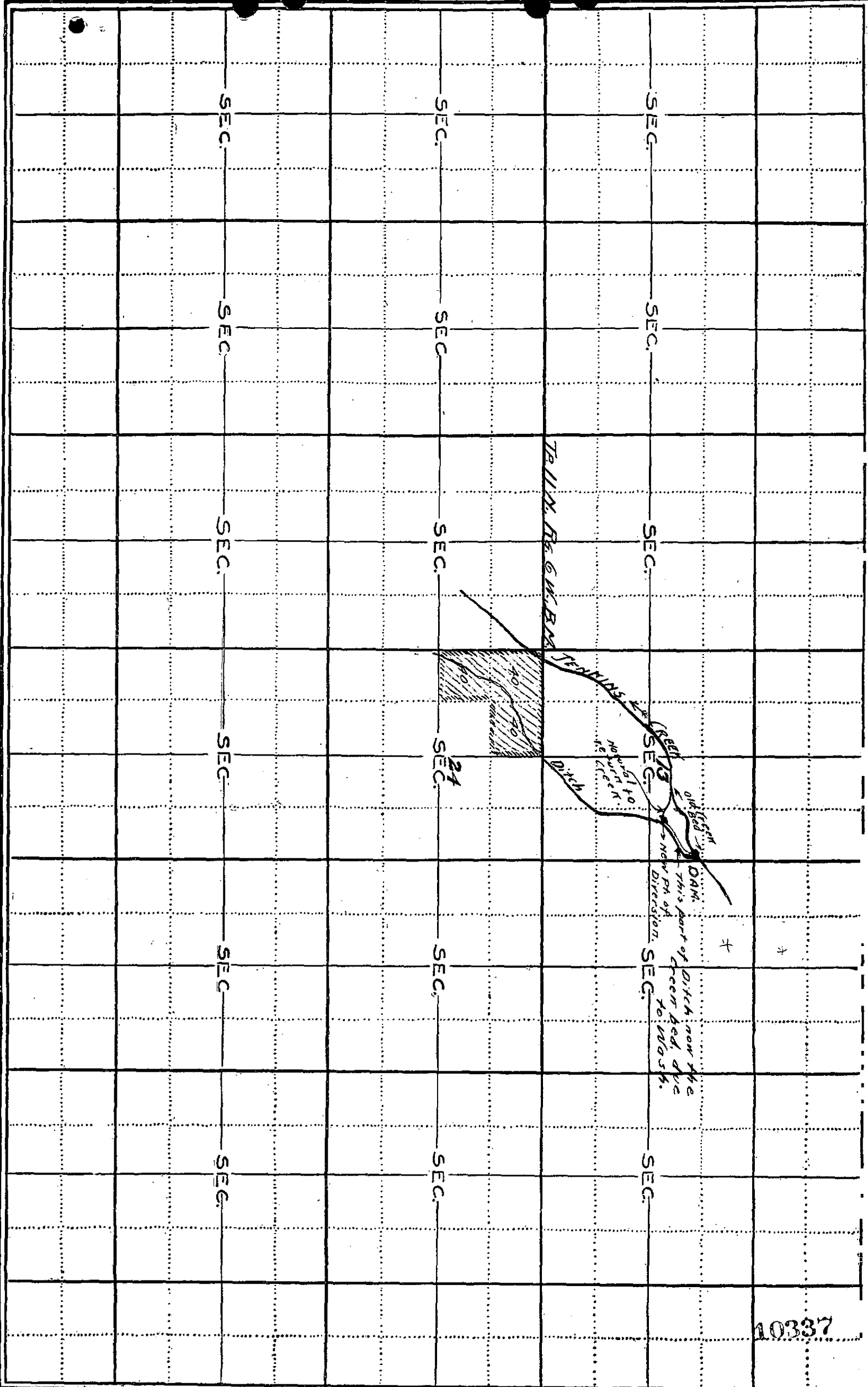
} ss.

_____, 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 _____



July 10, 1915.

Permit 10337. M. E. McCormisk.

J. W. Galloway, Attorney,
Weiser, Idaho.

Sir:--

We are in receipt of your letter enclosing depositions, affidavit of publication and check for fees in the sum of \$6.00, for proof of use of water under above permit. As soon as the examination can be made from this office, the matter of issuing the license will be taken up. The check will be held pending receipt of the report.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

10337

J. W. GALLOWAY
ATTORNEY AT LAW
WEISER, IDAHO

July 9, 1915.

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

Dear Sir:

Herewith find affidavits of beneficial use of waters in re permit no. 10337 to M. E. McCormick. The same were made and sworn to before on July 8th, 1915, at the hour named in the notice of the hearing. Also enclosing proof of publication of the notice of the hearing and my ✓ check for \$6.00 to cover fees due your office, there being 120 acres of land covered by the water applied for.

Enc.

Yours truly,

J. W. Galloway

RECEIVED
JUL 10 1915
OFFICE OF CLERK

10337

Affidavit of Publication.

STATE OF IDAHO,
County of Washington } ss.

L. B. Jensen, being duly sworn,
deposes and says:

That he is the *Business* ~~Manager~~ *Manager* of
THE WEISER AMERICAN, a weekly newspaper published at Weiser, in the County of Washington and State of Idaho; that said paper and its predecessor has been and is in general circulation in the county aforesaid, and in the vicinity of Weiser; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *four* consecutive weeks in the regular and entire issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly published for more than fifty-two weeks last past. Such notice was published in the issue beginning with *June 10* 191*5*, and ending with the issue of *July 1* 191*5*. Fees, \$10⁰⁰ paid.

L. B. Jensen

Subscribed and sworn to before me this *8th* day

of *July* 191*5*.

J. W. Galloway

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 11:55 a. m. on the 8th day of July, 1915, at Weiser, county of Washington, state of Idaho, before J. W. Galloway, Haas Hdw. Bldg., proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of Jenkins Creek, in accordance with the terms and conditions of Permit No. 10337 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 M. E. McCormick, Weiser, Idaho.

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

3. The amount applied to beneficial use is 3 cubic feet.

4. The place where said water is use is SW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 24, Tp. 11 N. R. 6 W. 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 McCormick Ditch.

6. The right to take the water from such works is based upon permit No. 10337.

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

8. The date of priority which said user is prepared to establish is May 1, 1915.

J. H. SMITH,
State Engineer.

j1014

RECEIVED

JUL 10 1915

OFFICE OF STATE ENGINEER

10337

PERMIT No. I0337.

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. M. E. McCormick, 56, Washington County, Idaho, farmer,
Weiser, 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. I0337, June 27th, 1914, May 1st, 1915, date of priority.

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

Ans. Jenkins Creek, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13 Twp II North Range 6
WWest B. M.

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

Ans. Low dirt dam and ditch about 3/4 of a mile long known as
McCormick Ditch and capable of carrying 300 inches of water.

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 and domestic use on the N $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$
Sec. 24, Twp II N. R. 6 W. B. M.

Cultivated land, 35 acres alfalfa, 1 acre orchard, 75 acres
grain land.

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. One Hundred Twenty inches.

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. _____

10337

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

Ans. Two Hundred inches of water used on said lands during the spring of 1915 in the irrigation of the same.

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. Waters from this same source to the amount of 75 inches were used on these same lands prior to 1905.

(Sign) M. E. McConick

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 Weiser, Idaho, County of Washington, State of Idaho, on this 8th day of July

A. D. 1915.

Notary Public.

10337

Permit No. I0337.....

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

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

Ans. Carl McCormick, 22 years, farmer, Weiser, Idaho.

Ques. 2. Are you acquainted with M. E. McCormick, the holder of Permit No. I0337? How long have you known him and where does he reside?

Ans. Yes. His son and 22 years old.

Washington County, Idaho.

Ques. 3. Have you read or heard read said Permit No. I0337, 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. Jenkins Creek. Water is taken out of creek with low

dam and conveyed to place of use by a large ditch. Point of

diversion is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 13, Twp II N. R. 6 W. B. M.

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. Six Second feet

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

Ans. Irrigation and domestic use on the N $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ ofNW $\frac{1}{4}$ Sec. 24, Twp II N. R. 6 W. B. M. Water used on each

Quarter. All is cultivated land and 75 acres is in grain land

25 acres in alfalfa and 1 acre in orchard.

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. Sandy soil and requires at least one inch to the acre.

10337

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

Ans. Yes. Purchased $W\frac{1}{2}$ of $SW\frac{1}{4}$ of $NW\frac{1}{4}$ Sec. 24, Twp II N. R. 6
W. B. M. since the application was filed.

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. Several times during the Spring of 1915 have seen water on
each quarter and on practically the entire place. Have
irrigated these lands during this year.

(Sign) *Carl McCormick*

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 Weiser, Idaho, County of Washington,
State of Idaho, on this 8th day of July A. D. 19 15.

J. W. Galloway
Notary Public.

My Commission Expires April 23, 1918.

10337

Permit No. 10337.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

JUL 10 1913

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

Ans. Harry Townley, 40, Washington County, Idaho, Weiser, Idaho.
Farmer.

Ques. 2. Are you acquainted with M. E. McCormick, the holder of Permit No. 10337? How long have you known him and where does he reside?

Ans. Yes. 12 years.

Washington County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 10337, 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. Jenkins Creek. Water is taken out of creek with low dam and conveyed to place of use by a large ditch. Point of diversion is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 13, Twp II N. R. 6 W. B. M.

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. Six Second feet

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

Ans. Irrigation and domestic use on the N $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 24, Twp II N. R. 6 W. B. M. Water used on each Quarter. All is cultivated land and 75 acres is in grain land 25 acres in alfalfa and 1 acre in orchard.

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. Sandy soil and requires at least one inch to the acre.

10337

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

Ans. No.

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

Ans. Several times during the Spring of 1915 have seen water on each quarter and on practically the entire place.

(Sign) Harry Towuley

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 _____, County of _____,

State of Idaho, on this Weiser, Idaho, day of Washington A. D. 1915
8th July

Notary Public.

My Commission Expires April 23, 1918.

10337

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

M. E. McCormick,
c/o J. W. Galloway,
Weiser, Idaho.

BOISE, IDAHO, June 23, 1915.

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. **10337**.

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 July 8th, 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 **Weiser, before J. W. Galloway, 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, ~~F. P. KING~~

State Engineer.

10337

(P. O.) Weiser, Idaho

(Date) June 7, 1915

State Engineer, Boise.

Dear Sir:

I have your letter of June 5, 1915 enclosing Notice of Proof of Beneficial Use of Water under Permit No. 10337 which will be published as you request, beginning with our issue of June 10, '15

THE WEISER AMERICAN

L. B. J. J. J.

10337

June 5, 1914.

Permit 10337-McCormick.

Mr. M. E. McCormick,
Weiser, Idaho.

Sir:

July 8th has been set as date for proof under the above permit and the notice has today been mailed to the Weiser American. If this is not satisfactory, please advise us at once.

Very truly yours,

S. H. SMITH,

State Engineer.

By _____

10337

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 25, 1915.

(P. O.) Weiser, Idaho.

To the State Engineer,
Boise, Idaho.

Dear Sir:

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

M. E. McBurnick

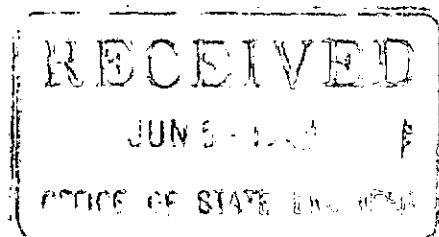
(In case of canals or other works designed to divert and carry more than 50 cubic feet of
water per second, the following certificate must be signed by a well known and com-
petent engineer.)

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

Engineer.

The date upon which proof may be submitted has been left blank
so that you may fill in a date which is satisfactory to you.

M. E. M.



10337

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 15 8th day of July, 1915,
 at Weiser, County of Washington, State of Idaho,
 before J. W. Galloway, Haas Hdwe Bldg., proof will be submitted
 of the application to beneficial use of 3 cubic feet per second of the waters of
Jenkins Creek, in accordance with the terms and conditions of Permit No. I0337
 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.....
M. E. McCormick, Weiser, Idaho.

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

3. The amount applied to beneficial use is..... 3 cubic feet

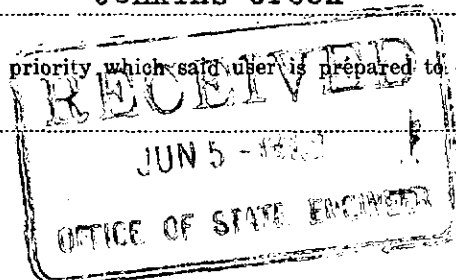
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
SW $\frac{1}{4}$ NW $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{2}$ Sec. 24, Tp. IIN. R. 6 W. B. M.

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

6. The right to take the water from such works is based upon Permit No. I0337

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

8. The date of the priority which said user is prepared to establish is May 1, 1915.



J. H. Smith,
~~F. P. KING,~~
 State Engineer.

May 29, 1915.

Permits 10109-10337.
M.E. McCormick.

J. W. Galloway, Attorney,
Weiser, Idaho.

Sir:

Am enclosing herewith certificates of completion
of works issued under above permits.

Very truly yours,

J. H. SMITH,

State Engineer.

2CCW

By _____

10337

Permit No. _____

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Washington } ss.M. E. McCormick

, 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. 10337 and that his postoffice address is Weiser
State of Idaho.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 27, 1915.

Third: That the use for which said water is intended is irrigation and domestic use.

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

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

II. Dimensions of work:

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

(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 2ft feet, width at water line 3ft feet, depth of water 1ft feet; diameter of pipe _____ inches; average grade per mile is 7 feet. Length of conduit is One miles.

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

Sixth. That water appropriated under said permit is available for 120 acres of land described as follows: SW $\frac{1}{4}$ and N $\frac{1}{2}$ of NW $\frac{1}{4}$ Sec. 24, Twp II. N. R. 6 W. B. M.

Seventh. Remarks: That applicant desires in this application to have the use of the creek waters of Jenkins Creek in Washington County, Idaho and the water is taken out of the Creek at the point of diversion by an earthen dam.

M. E. McCormick
Sign here.

Subscribed and sworn to before me this 4th day of May, 1915.

My commission expires April 23, 1918.

W. B. Galloway
Notary Public.

10337

State of Idaho
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

M. E. McCormick,
DEAR SIR, Idaho.

BOISE, IDAHO, April 6, 1915.

Under the terms of your permit No. 10337, you are required to complete your diversion works on or before June 27, 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.

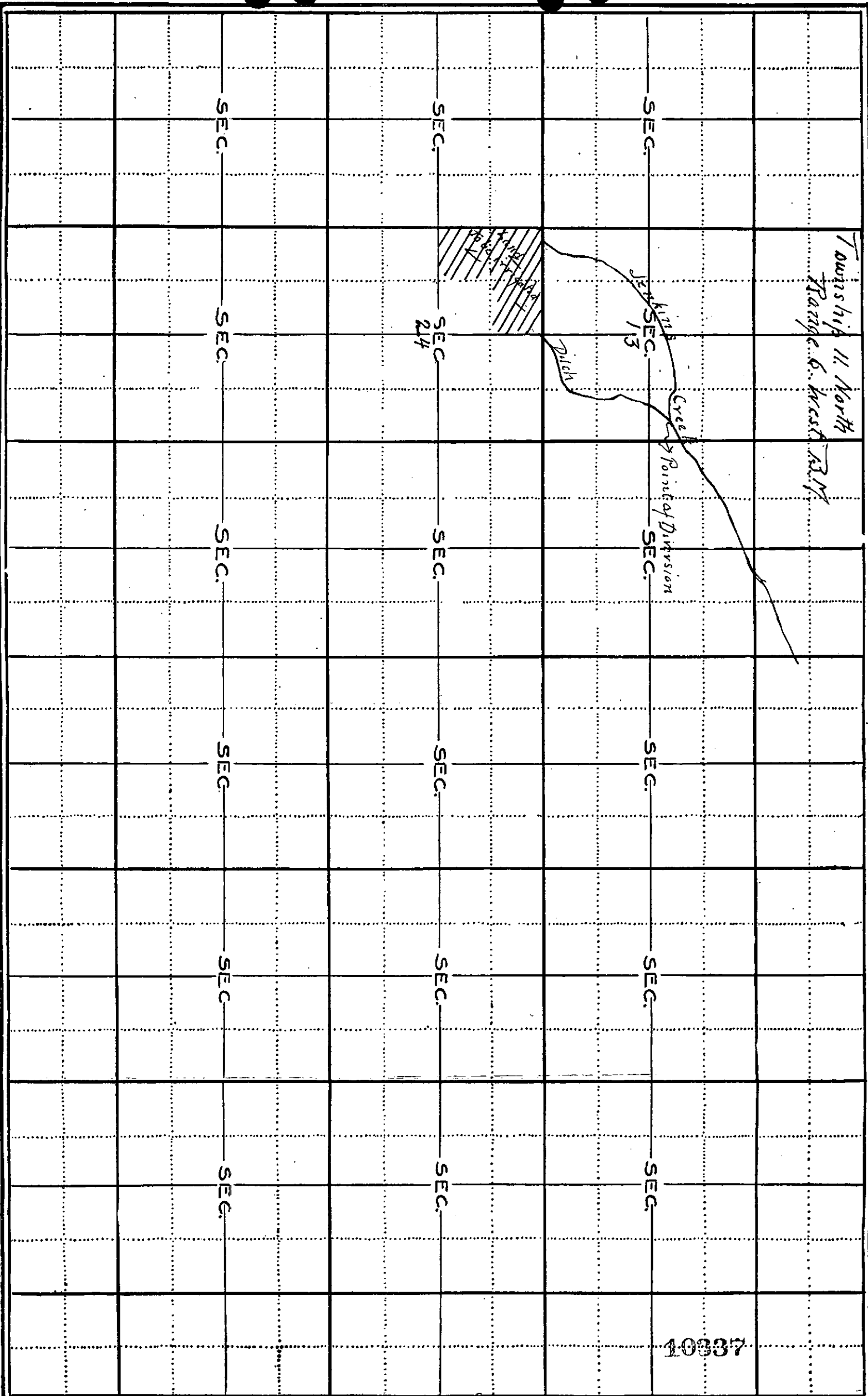
The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof 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,

J. H. Smith ~~F. P. KING~~
State Engineer.

10337

Name of Applicant M. F. McGarick



10337

J. W. GALLOWAY
ATTORNEY AT LAW
WEISER, IDAHO

June 15, 1914.

Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir:

Replying to yours of the 13th
inst. beg to advise that I am returning the ap-
plication for water and maps of M. E. McCormick
having made the changes you suggest.

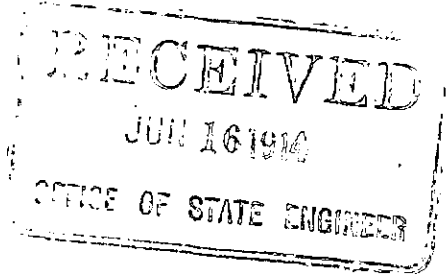
I trust that the maps and the applica-
tion will be found satisfactory.

Very truly yours.

JWG/BS.

Enc.

J. W. Galloway
15790



Boise, Idaho, June 13, 1914.

App. 15290-McCormick.

Mr. J. W. Galloway.
Weiser, Idaho.

Sir:--

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

Paragraph four of the blank does not agree
with the maps.

Very truly yours,

F.P.KING,

State Engineer,

By _____

Enc. A.15290
W/L

10337

J. W. GALLOWAY
ATTORNEY AT LAW
WEISER, IDAHO

June 11, 1914.

Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir:

Replying to yours of the 10th
inst. enclosing map and application of M. E. Mc-
Cormick for water beg to advise that I am chang-
ing the application to satisfy your objections and
I am returning the same to you in this enclosure.

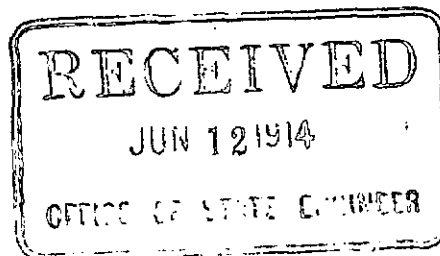
Very truly yours,

JWG/BS.

Enc.

J. W. Galloway

15290



10337