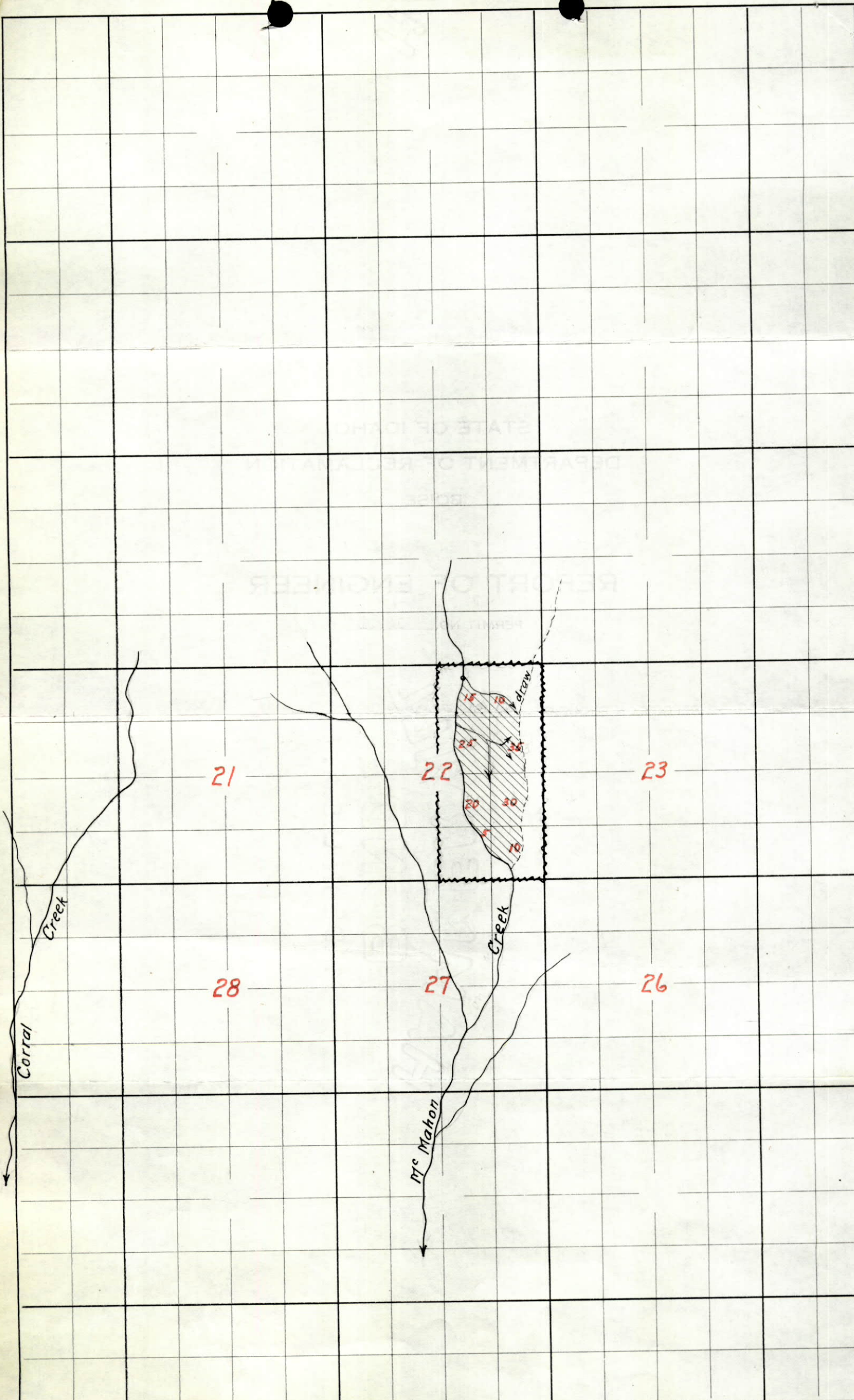




NOTICE OF PROOF APPLICATION OF WATER

To Beneficial Use

Notice is hereby given that at 10:00 A.M. on the 4th day of October, 1940, at Fairfield, County of Camas, State of Idaho, before Tom Wokersien, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of McMahon Creek in accordance with the terms and conditions of Permit No. 18951 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W. W. Leek, Fairfield, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) East half Sec. 22, Twp. 1 N., Range 13 E., B.M.

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

The right to take water from such works is based upon Permit No. 18951.

The source of supply from which such water is diverted is McMahon Creek, a tributary of Three Mile Creek.

The date of priority which said user is prepared to establish is March 12, 1940.

49-4 James Spofford.
Commissioner of Reclamation.

Affidavit of Publication

STATE OF IDAHO, }
County of Camas } ss.

I, Beatrice C. Dural,

do solemnly swear that I am one of the publishers of the Camas County Courier, a weekly newspaper of general circulation, published once each week at Fairfield, Camas County, Idaho, for more than seventy-eight consecutive weeks last past; that the notice attached hereto, and which is a part of the proof of publication thereof, was published in said newspaper for four consecutive weeks, the first publication having been made on the Fifth day of September, 1940, and the last publication having been made on the 26th day of September, 1940; that the said notice was published in the regular and entire issue of said paper during the period and time of publication, and that the notice was published in the newspaper proper, and not in any supplement thereof.

Beatrice C. Dural

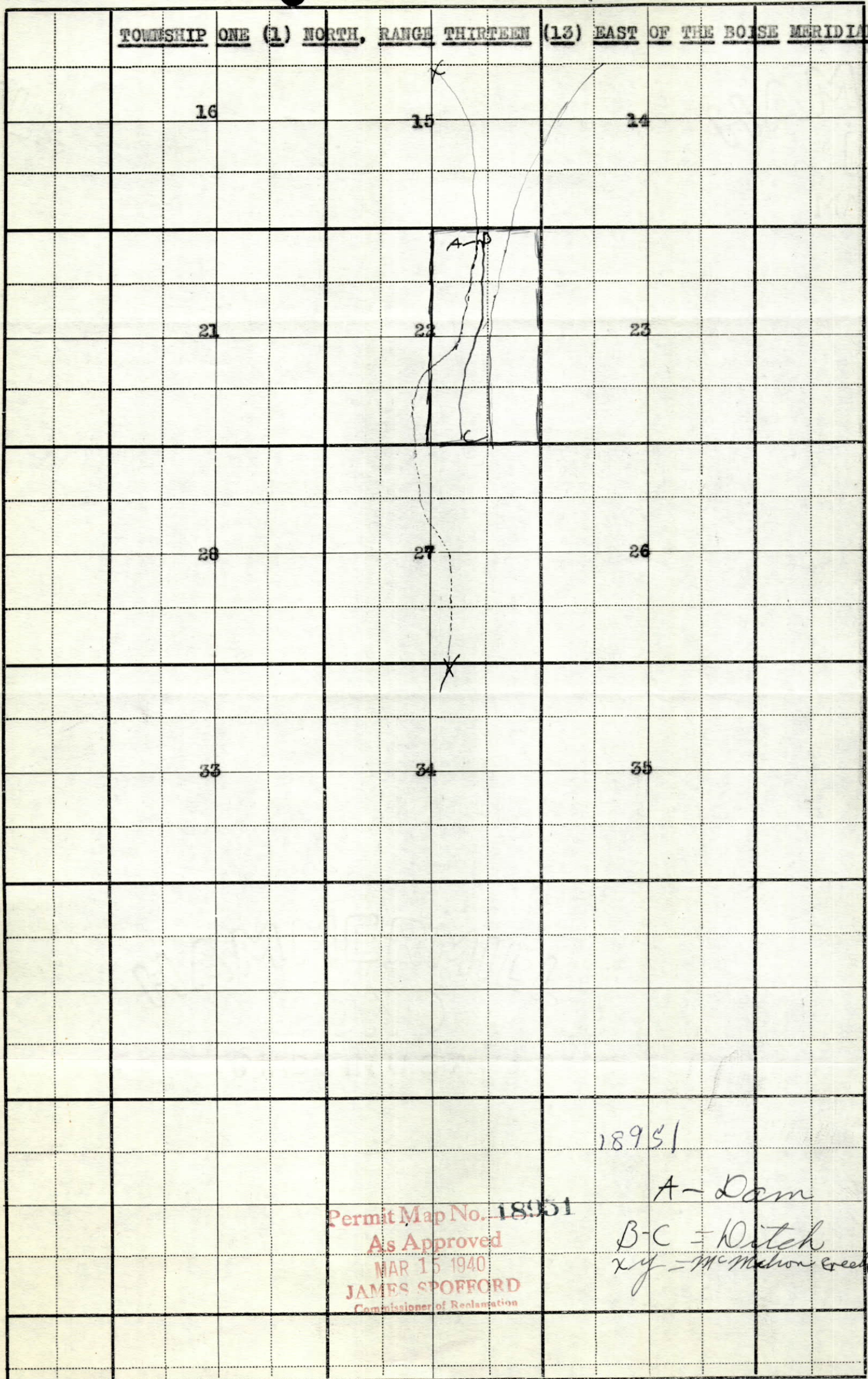
Subscribed and sworn to before me this 7th

day of October, 1940.

18951

S. W. STRUBLE
NOTARY PUBLIC FOR IDAHO
FAIRFIELD, IDAHO

My commission expires April 6, 1942

TOWNSHIP ONE (1) NORTH, RANGE THIRTEEN (13) EAST OF THE BOISE MERIDIAN.

NOTICE OF PROOF APPLICATION OF WATER

To Beneficial Use

Notice is hereby given that at 10:00 A.M. on the 4th day of October, 1940, at Fairfield, County of Camas, State of Idaho, before Tom Wokersien, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of McMahon Creek in accordance with the terms and conditions of Permit No. 18951 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W. W. Leek, Fairfield, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) East half Sec. 22, Twp. 1 N., Range 13 E., B.M.

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

The right to take water from such works is based upon Permit No. 18951.

The source of supply from which such water is diverted is McMahon Creek, a tributary of Three Mile Creek.

The date of priority which said user is prepared to establish is March 12, 1940.

49-4 James Spofford.

Commissioner of Reclamation.

State of Idaho

License and Certificate of Water Right

Water License No. 18951Amount 3.0 Sec. Ft.

Water District No. _____

Priority March 12, 1940

THIS IS TO CERTIFY that W. W. LEEK
of FAIRFIELD, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 12, 1940, 19 ; that Permit No. 18951
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on Sept. 5, 19 40, showing that said works
were completed on the 1st day of Sept. 19 40; and that on the 4th
day of October 19 40,

W. W. LEEK

of Fairfield, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of McMahon Creek
, a tributary of Three Mile Creek, for the purpose of irrigation and stock
(sometimes called Four Mile Creek)
, under Use Permit No. 18951 of the Commissioner of Reclamation
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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4044, on the 28th day of January 19 41;

The right hereby confirmed dates from March 12, 19 40;

The Point of Diversion is located about 200 feet distant from the Northeast corner of the Northwest quarter of
Section 22, Twp. 1 N., Rge. 13 E., B. M. and is the
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, Tp. 1 N, R. 13 E, B. M. Camas County.

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 3.0
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N	13 E	22	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	10.00
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	15.00
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	25.00
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	35.00
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00	30.00
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00	20.00
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00	5.00
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00	10.00
			Total acres irrigated		150.00

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 28th day of January 19 41

E. V. BERG.

Commissioner of Reclamation

(SEAL)

57 2455

State of Idaho
License and Certificate of Water Right

Water License No. 18832
Water District No.

Amount 0.22 Sec. Ft.
Priority July 21, 1939

THIS IS TO CERTIFY that CHARLES J. STRITE
of Kooskia, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 21, 1939; that Permit No. 18832
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second feet, was issued thereunder on Dec. 13, 1939, showing that said works
were completed on the 3rd day of December, 1939; and that on the 13th
day of January, 1940,

CHARLES J. STRITE

of Kooskia, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Syringa Creek which runs
into the Middle, a tributary of Fork of the Clearwater for the purpose of irrigation & domestic purposes
fire protection, under Use Permit No. 18832 of the Commissioner of Reclamation
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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4043, on the 27th day of January, 1941;

The right hereby confirmed dates from July 21, 1939;

The Point of Diversion is located 1320 feet distant from the N 1/4 corner of Sec. 4, 32 N, 6 E
in the SE 1/4 SW 1/4, Sec. 33, Tp. 33 N, R. 6 E, B. M. Idaho County.

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
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
32 N	6 E	4	NW 1/4 NW 1/4	1	1
33 N	6 E	33	SW 1/4 SW 1/4	10	10
				Total acres irrigated	11

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 27th day of January, 1941

(SEAL)

E. V. BERG.

Commissioner of Reclamation

(SEAL)

Nº 18951

37-2455

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26357
Permit No. 18951
District No.

Charles Scoggin
Attorney at Law
Box No. 45-Fairfield, Idaho

1. Name of Applicant: W. W. LEEK
Postoffice address: Fairfield (Box 110) County: Camas State: Idaho
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) 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. Quantity of water claimed: 3.2 cubic feet per second.
3. Source of water supply: McMahon Creek which is a tributary of Three Mile Creek (sometimes called Four Mile Creek)
4. Location of point of diversion: About 200 feet distant from the Northeast the Northwest Quarter corner of Section 22, T. 1 N., R. 13 E., B. M., and is the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22, T. 1 N., R. 13 E., B. M., County of Camas
5. Water is to be used for: Irrigation and stock
6. If for mining, milling, power or manufacturing purposes, give:
 - (a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.
 - (b) Amount of power generated: H. P., under feet head.
 - (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 250.00
8. Kind of works: Dam at diversion and ditch to convey the water to its use
9. Height of dam 5 feet; length of dam at top 25 feet; length of dam at bottom 20 feet; material used in dam: Rock and dirt (may be necessary to use concrete)
10. Size of headgate: Width 3 feet; height 2 feet.
11. Ditch: Width at bottom 1 feet; width at water line 3 feet; depth of water 1 $\frac{1}{2}$ feet; dimensions of flume:
 Diameter of pipe inches; length of conduit Approximately One (1) miles.
 Average grade per mile Approximately 15 feet.
12. The time required for the completion of such work is One and one-half years.
13. The time required for the complete application of the water to the proposed use is One additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

W. W. LEEK

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:30 P. M. March 12, 1940

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18951

Recorded in Book 69 Page 18951 Approved March 15, 1940

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 14, 1940

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 15, 1940

The whole of said work to be completed on or before September 15, 1941

Beneficial use of water appropriated in accordance herewith, to be made on or before September 15, 1942

Witness my hand this 15th day of March, 1940

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. BOTTOLFSEN Governor of the State of Idaho, and GEO. H. CURTIS
Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have
caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th day of March 19 40

Countersigned:

STATE OF IDAHO

(SEAL

By

GEO. H. CURTIS

Secretary of State.

Bv

C. A. BOTTOLFSSEN.

Governor.

Remarks:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
1 N.	13 E.	22	40	40	40	40										40	40	40	40	320
			Total Number of Acres to be irrigated - - - - - 320																	
PERMIT NO. 18951 Certificate of Completion of Works																				
TO ALL WHOM IT MAY CONCERN:																				
This is to certify that W. W. LEEK, of Fairfield, County of Camas, and State of Idaho, the holder of Permit issued upon Application No. 26357, bearing date of priority of March 12, 1940, authorizing the diversion of 3.2 s the waters of McMahon Creek, a tributary of Three Mile Creek, County of Camas, State of Idaho, for irrigation and poses, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completi works of diversion set out and described in said Permit; that said works are adequate for diverting and conveyin of intended use 3.2 second feet of the waters of McMahon Creek; that the point of diversion of said waters is in of Section 22, Township 1 North, Range 13 East, B. M.; and that the lands proposed to be irrigated by the use of are described as follows, to-wit: East Half of Section 22, Township 1 North, Range 13 East, B. M.																				
Witness my hand this 5th day of September, A. D. 1940.																				
JAMES SPOFFORD Commissioner of Reclamation																				
Proof of completion of works made September 1st, 1940 Certificate of Completion of Works issued September 5, 1940.																				
LICENSE ISSUED FOR 3.0 SEC. FT. 4044 - Page																				

WATER RIGHT NUMBER 37-2455

OWNER LAST NAME - LEEK
ADDRESS LINE 1 -
ADDRESS LINE 2 -
ADDRESS LINE 3 -
SOURCE - MC MAHON CREEK

FIRST NAME - W. W.

ORIG OWNER -

ADDRESS LINE 2 -

CITY - FAIRFIELD

STATE - ID ZIP CODE - 83327

TRIBUTARY OF - THREE MILE CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 09-12-1940

COUNTY - CAMAS

TOTAL DIV. RATE -

3.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 22 01N 13E LUT REBIV -

272.0 886.0

7.0 13.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

9.6

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

3.0000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - STOCKWATER

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - T2N 01N R2G 13E SEC 22

TRACT NENE LCT

AC 10 TRACT

NWNE LCT

AC 15

TRACT SWNE LCT

AC 25 TRACT

SENE LCT

AC 25

TRACT NESE LCT

AC 30 TRACT

NWSE LCT

AC 20

TRACT SWSE LCT

AC 05 TRACT

SESE LCT

AC 10

DECREE NAME -

DATE -

TOTAL ACRES

150 ✓

REMARKS - LIC. INCORRECTLY SHOWS 10 AC. + 15 AC. IN NWNE - SHOULD BE 10 AC.

IN NENE & 15 AC. IN NUNE.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 18951

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

3/79

IDENT. NO. 37-2455

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 18951 137-2455
 Old No. New No.

Record

1. Original Owner: W. W. Leek

Present Owner: _____

2. Address:

3. City: Fairfield State: Id Zip: _____

4. A. Source of Water: The Mahon Creek

B. Tributary of: Three Mile Creek

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 3-12-1940

D. County: 25

E. Total Diversion Rate: 3,

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWNE</u>	<u>22</u>	<u>1N</u>	<u>13E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 3.
 (cfs or AG-Ft/yr)

from _____ to _____ for S purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 1895/

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

License lists 2 NWNE 1st
10 ac. & 1st 15 ac. I have
made the 10 ac. NENE.

dc

January 28, 1941.

Re: 18951.

Mr. W. W. Leek
Fairfield, Idaho

Dear Mr. Leek:

We are herewith enclosing License and Certificate of Water Right issued under the above numbered permit, confirming the right of W. W. Leek, to use 3.0 second feet of the waters of McLaughlin Creek, a tributary of Three Mile Creek, with a date of priority of March 12, 1940, for irrigation and stock watering upon the E $\frac{1}{2}$ of Section 22, 1 North, 13 East, B. M.

The Department's Receipt No. 17608 for \$16.00 fee paid in connection with final proof is also enclosed.

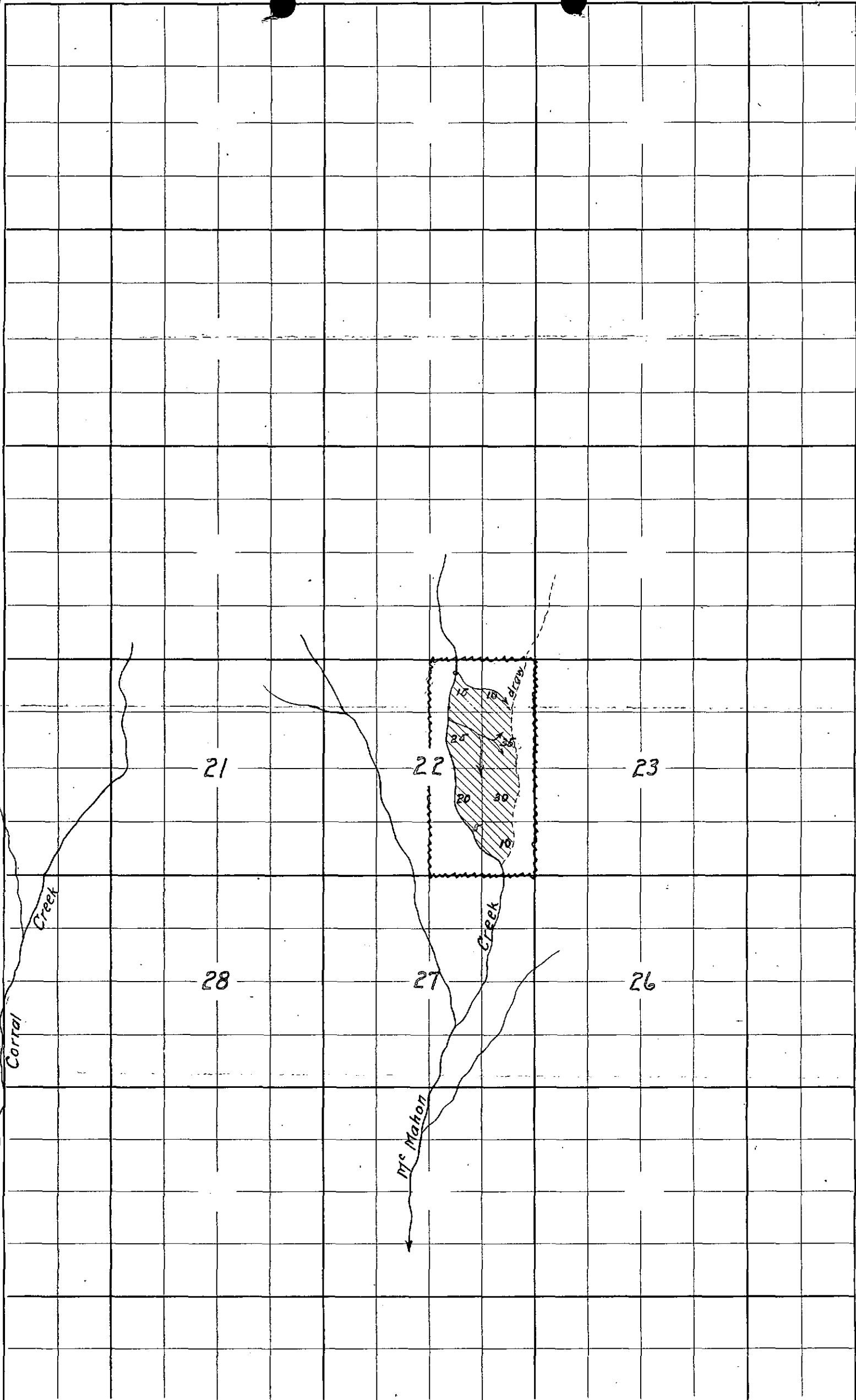
Very truly yours,

E. V. BERG.
Reclamation Commissioner.

By
Chief Clerk.

ml.
encl.

18951



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18951

REPORT ON PROOF OF Beneficial Use

Approved for 150 Ac.
3.0 - 8.47.
[Signature]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18951

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

1. Name of applicant W. W. Leek, Fairfield, Idaho

2. Source of water supply: McMahon Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22

T. 1 N. R. 13 E. County of Camas

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is made by
by more or less temporary check dams of brush and earth, and small
ditches; more permanent structures being unnecessary.

5. Water is used for: Irrigation and stock watering

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

7. List legal subdivisions 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): East Half Section 22, Twp. 1 N., Range 13 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Malad and Snake Rivers.

Remarks: Water diverted to small ditches serves to sub-irrigate adjacent
ground; Stream flow at time of examination was nil

This examination was made on the 14th day of October, 1940

(Signed)

Fred A. Johnson
Examiner.

18951

W. W. Leek

Fairfield, Idaho
Permit No. 18951

44

Examination for Beneficial Use

County Camas

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. 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.
4. If any unusual conditions are discovered, make a plain statement of them under remarks.
5. 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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Charles Scoggin, 31, Fairfield, Idaho, Attorney, Fairfield, Idaho.

Ques. 2. Are you acquainted with W. W. Leek, the holder of Permit No. 18951? How long have you known him and where does he reside?

Ans. Yes. Five Years. Fairfield, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18951, 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. McMahon Creek, About 200 ft so. of the north line of the NE¹ Sec. 22 and another about 200 ft So. of the north line of the SW¹NE¹ Sec. 22 both in Township 1N. Range 13E. B.M. both having ditches running south onto that part of the land laying east of the creek.

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. 3.2 C. Ft. Per Sec. about 60 inches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Cultivated land (wheat) E¹/₄W¹/₂ & E¹/₂ of the NW¹/₄ and the E¹/₂W¹/₂ & E¹/₂ of the SW¹/₄ all of Section 22, Twmp. 1N, Rge. 13E. B.M. Irrigation of wheat.

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. Dry wheat land. 320 inches.

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. June, 1940, Walked around over land during irrigating season inspecting works and application. Noted lands watered as above stated. At that time the creek was only carrying about 60 inches of water and it was all being diverted and used.

(Signed) Charles Scoggin

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 Fairfield, County of Camas, State of Idaho, on this day of 11th. of October, A. D. 1940.

My commission expires Oct 11, 1940.

Tom W. Hession
Notary Public, Idaho

Residing at Fairfield Idaho

October 8, 1940

Re: Permit No. 18951

Mr. Charles Scoggin,
Attorney at Law,
Fairfield, Idaho.

Dear Mr. Scoggin:

We acknowledge receipt of your letter of October 7th, enclosing the deposition of the holder, W. W. Leek, the deposition of one witness, W. D. Collins, and the affidavit of publication from the Camas County Courier, all in connection with beneficial use proof under the above numbered permit.

However, it is necessary to submit depositions of two witnesses, as per our letter to the Notary Public, Mr. Wickersham. Now we are enclosing another form upon which this additional deposition may be made.

Official receipt for the \$15.00 enclosed in your letter in payment of the statutory fee in connection with this proof, will be sent you later.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encl.

18951

Charles Scoggin

ATTORNEY AT LAW
FAIRFIELD, IDAHO

Oct. 7, 1940.

State of Idaho,
Dept. of Reclamation,
Boise, Idaho.

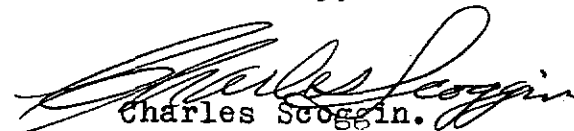
Dear Sirs:

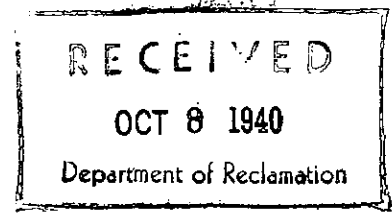
Re: W. W. Leek Appl. No. 26357.
Permit No. 18951.

Enclosed find check for the sum of \$16.00 to cover filing fees. Enclosed also find proof of publication, deposition of witness and deposition of holder.

Please have the engineer make his examination this fall in this matter and let me know ahead as soon as possible the date that he is to be here so that the holder may be present and point out the work to him.

Yours truly,


Charles Scoggin.



18951

NOTICE OF PROOF APPLICATION OF WATER

To Beneficial Use

Notice is hereby given that at 10:00 A.M. on the 4th day of October, 1940, at Fairfield, County of Camas, State of Idaho, before Tom Wokersien, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of McMahon Creek in accordance with the terms and conditions of Permit No. 18951 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W. W. Leek, Fairfield, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) East half Sec. 22, Twp. 1 N., Range 13 E., B.M.

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

The right to take water from such works is based upon Permit No. 18951.

The source of supply from which such water is diverted is McMahon Creek, a tributary of Three Mile Creek.

The date of priority which said user is prepared to establish is March 12, 1940.

49-4 James Spofford,
Commissioner of Reclamation.

Affidavit of Publication

STATE OF IDAHO,
County of Camas } ss.

I, Beatrice C. Dural

do solemnly swear that I am one of the publishers of the Camas County Courier, a weekly newspaper of general circulation, published once each week at Fairfield, Camas County, Idaho, for more than seventy-eight consecutive weeks last past; that the notice attached hereto, and which is a part of the proof of publication thereof, was published in said newspaper for four consecutive weeks, the first publication having been made on the Fifth day of September, 1940, and the last publication having been made on the 26th day of September, 1940; that the said notice was published in the regular and entire issue of said paper during the period and time of publication, and that the notice was published in the newspaper proper, and not in any supplement thereof.

Subscribed and sworn to before me this 7th

day of October, 1940.

18951

Beatrice C. Dural
7th
S. W. STRUBLE
NOTARY PUBLIC FOR IDAHO
Fairfield, Idaho

My commission expires April 6, 1942

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18951

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. W. W. Leek, of Fairfield, Idaho, a farmer.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of 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. 18951 dated Mar. 15, 1940, Priority date May 18, 1940.

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

Ans. Mc Mahon Creek, 200 ft. S. of the NE corner of the NW $\frac{1}{4}$ of Sec. 22, Twp. 1N., Rge. 13 E.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. Earthen and brush dam diversion dam capable of conveying 160 inches of water to place of use. No name for ditch.

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. For irrigation on the SW corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ (approx. 10 acres), all of SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$ SE $\frac{1}{4}$, all of NE $\frac{1}{4}$ SE $\frac{1}{4}$, all of SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ of of the W $\frac{1}{2}$ NE $\frac{1}{4}$ all in Section 22, Twp. 1 N., Rge. 13 E.B.M. All cultivated land and used for irrigating wheat growing thereon.

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

Ans. this is also used for stock watering purposes.

18951

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

Ans. about five miners inches at most for stock purposes.

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

Ans. _____

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

Ans. this water is to be used for stock purposes only when crop is off and stock are pasturing on stubble or other crops thereon harvested.

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. Permit holder has used water for stock since 1935 and that is all that any water has been used out of this creek to the knowledge of this permit holder, W. W. Leek.

(Sign) _____

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 Fairfield, County of Camas, State of Idaho, on this 4th day of October, A. D. 19 40.

Notary Public

My commission expires Oct 11, 1940

18951

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

Ans. none but to be used for watering stock.

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. It was cultivated land before this application but dry land.
160 inches.

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. This was put in by me and I done the irrigating of this land
as farm hand for the permit holder completely as is set out herein.

(Signed)

H. D. Collins.

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Fairfield County of Lamas,
State of Idaho, on this day of 4th day of October, A. D. 1940.

Tom H. Hunsicker

Notary Public.

My commission expires Oct 11, 1940.

18951

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18951

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. H. D. Collins, 30, Fairfield, Idaho, Farm Hand, Fairfield, Idaho.

Ques. 2. Are you acquainted with H. H. Leek, the holder of Permit No. 18951? How long have you known him and where does he reside?

Ans. Yes. Eight years. Corral Preadnet, Fairfield, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18951, and are you familiar with its provisions and conditions?

Ans. yes yes I am familiar with its provisions and conditions.

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. No Mahon Creek, tributary of Three or Four Mile Creek, About 200 feet from the NE corner of the NW Quarter of Sec. 22, Township 1 N., Rge. 13 E. B. M. and is in the NW 1/4 of Section 22, Township 1 North, Range 13 E. B. M. County of Camas.

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. 160 inches. about 80 inches (all the water then in the creek).

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

The southwest corner of NE 1/4 (10 acres) and all SE 1/4
Ans. For Irrigation on the East half of NW 1/4, East half of the SW 1/4, all of the NE 1/4 and all of the SE 1/4 of Section 22, Township 1 N., Range 13 E. B. M. Also the east quarter of the NW 1/4 of Sec. 22, Township 1 N., Range 13 E. B. M. Cultivated. The watering of wheat then growing on the above said land.

18951

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. 18951
W. W. Leek

Boise, Idaho, September 24, 1940

Mr. Tom Wokersien,
Notary Public,
Fairfield, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18951

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 rights:

1. On October 4, 1940, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Fairfield, Idaho before Tom Wokersien, Notary Public

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 the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation.

We believe that Mr. Scoggin has these forms, but are sending others to you, so you will be sure to have them in time for the proof.

18951

18951

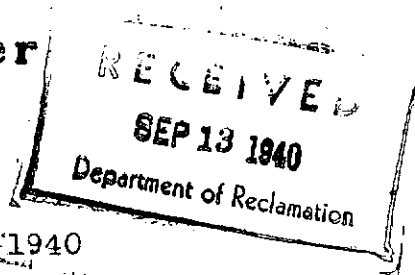
The Camas County Courier

Exponent of High Grade Job Printing---Advertising That Gets Results

BEATRICE C. DURALL, Publisher

FAIRFIELD, IDAHO

Sept. 12, 1940



Dept. of Reclamation
Boise, Ida.

Gentlemen:

copy

Enclosed is ~~xxxxx~~ of first publication on Notice of Proof
Application Of Water by W. W. Leek, Fairfield which we neglected to
send last week.

Very truly yours,

18951

September 6, 1940

Re: Permit No. 18951

Mr. Chas. O. S. Scoggin,
Fairfield, Idaho.

Dear Sir:-

We are enclosing herewith Certificate of Completion of Works, issued under the above numbered permit, in the name of W. W. Leek, to appropriate 3.2 second feet of the waters of McMahon Creek, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 1 North, Range 13 East, B.M., for irrigation and stock purposes.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encl.

18951

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date September 3, 1940

Re: Permit No. 18951

CAMAS COUNTY COURIER
Fairfield, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 4, 1940, the date set for proof, the expense of the publication to be paid by the applicant,

W. W. Leek, Fairfield, Idaho
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

18951

Permit No. **18951**STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of **Camas**,

ss.

I, **W. W. Leek**, 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. **18951**, and that his postoffice address is **Fairfield, Idaho**, State of **Idaho**.Second: That the name of the stream from which said water is to be directed is **Mc Mahon Creek**.Third: That the point of diversion of said water is **200 feet South from the NE corner of the NW 1/4 of Sec. 22, Twp. 1N. Range 13 E.B.M. in NW 1/4 NE 1/4 Sec 22**.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by **September 15**, 19**41**.Fifth: That the use for which said water is intended is **Irrigation and Stock**.Sixth: That on the **June 1, 1940**, the works constructed under said permit were (~~complete~~) fully completed and consisted of the following:1. Kind of works: **Two dams and two ditches.**

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

II. Dimensions of work:

(a) Height of dam **one** feet, length of dam at top **15** feet, length of dam at bottom **13** feet. Material used in construction **dirt and brush**.
other dam: 3 1/2 ft. high, 6 1/2 ft. long on top, 3 1/2 ft. on bottom made of earth and brush.
(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 **5/6** feet, width at water line **1 1/2** feet, depth of water **1 1/2** feet; diameter of pipe _____ inches, average grade per mile is **15 aprx.** feet. Length of conduit is **one** miles.
(State whether ditch, flume or pipe.)Seventh: That said works are capable of conducting to the place of intended use **3.2 cu. ft.** second feet of water.Eighth: That water appropriated under said permit is available for **320** acres of land described as follows: **East Half of Section 22, Twp. 1N., Rge. 13 E.B.M.**

Ninth: Remarks: That _____

(Sign here)

Subscribed and sworn to before me this **1st** day of **September**, 19**40**.My commission expires **Oct 11, 1940**

Notary Public.

C of W 3.2 c.f.s.
fee paid
H.D.

18951

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 3, 1940.

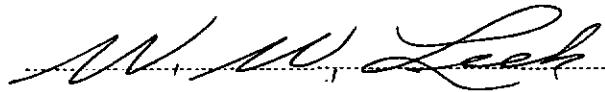
(P. O.) Fairfield, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Camas County Courier of Fairfield, Idaho, published in
the county in which the works are situated.



(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.

1895-1

NOTICE FOR PUBLICATION
**NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M. on the 4th day of October, 1940,
at Fairfield, County of Carson, State of Idaho, before
Tom Wokersien, Notary Public, proof will be submitted of the
application to beneficial use of 3.2 cubic feet per second of the waters of Mc Mahon
Creek in accordance with the terms and conditions of Permit No. 18951
heretofore issued by the Commissioners of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

W. W. Leek, Fairfield, Idaho

The use to which said water has been applied is irrigation + stock

The amount applied to beneficial use is 3.2 cubic feet per second

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

East half Section 22, Twp. 1 N. Range
13 E., B. M.

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

The right to take water from such works is based upon Permit No. 18951

The source of supply from which such water is diverted is Mc Mahon Creek -
a tributary of Three Mile Creek -

The date of priority which said user is prepared to establish is March 12, 1940

James Spafford
Commissioner of Reclamation.

18951

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18951

Boise, Idaho, ~~Mar~~ ch 18, 1940

Dear Sir:

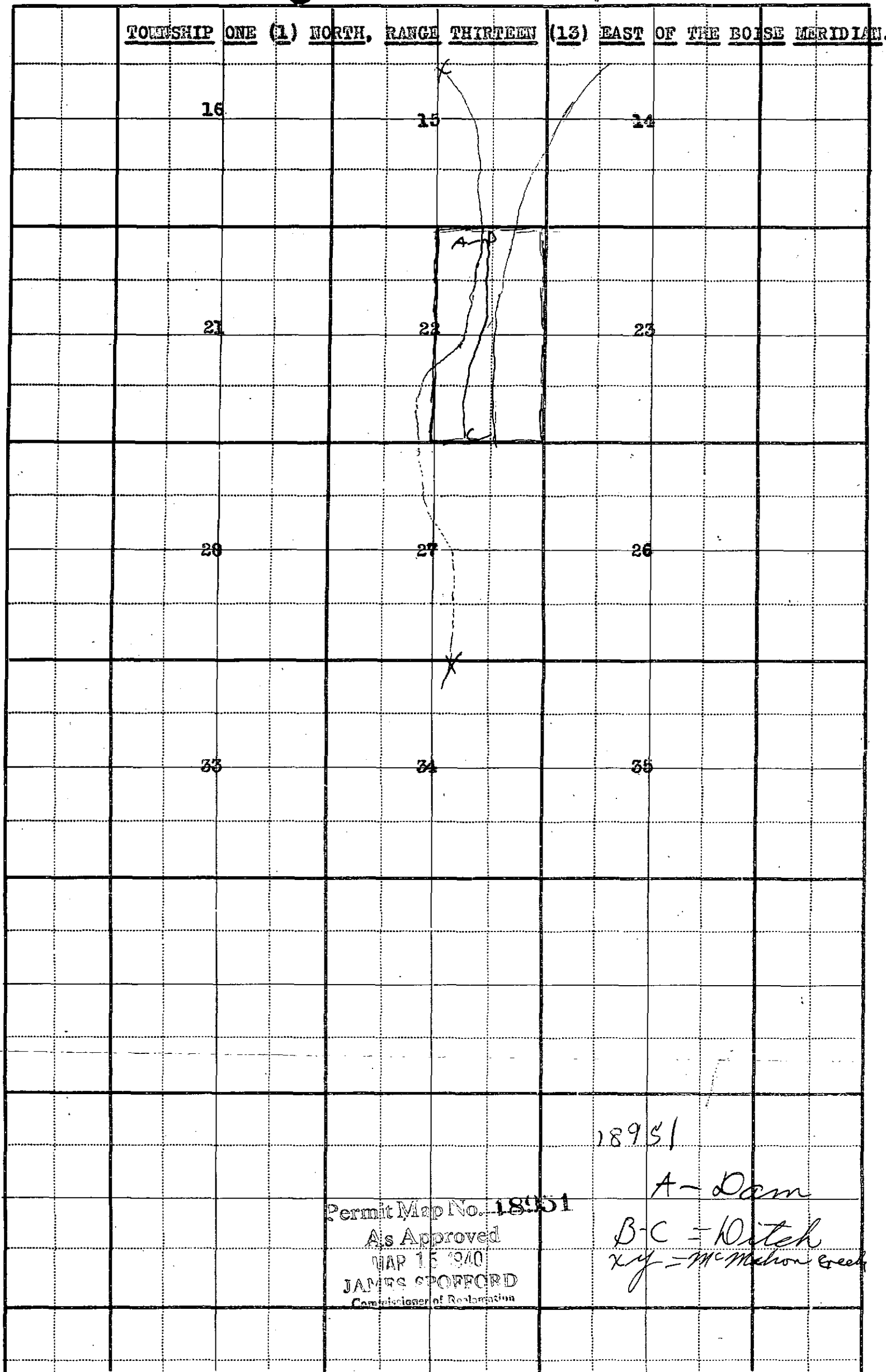
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the ^{fourth} ~~third~~ page.

Charles Scoggin, Atty. for
W. W. Leek
Box No. 45
Fairfield, Idaho

JAMES SPONTORD

Commissioner of Reclamation.

18951

TOWNSHIP ONE (1) NORTH, RANGE THIRTEEN (13) EAST OF THE BOISE MERIDIAN.

**NOTICE OF PROOF APPLICATION OF WATER
To Beneficial Use**

Notice is hereby given that at 10:00 A.M. on the 4th day of October, 1940, at Fairfield, County of Camas, State of Idaho, before Tom Wokersien, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of McMahon Creek in accordance with the terms and conditions of Permit No. 18951 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W. W. Leek, Fairfield, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) East half Sec. 22, Twp. 1 N., Range 13 E., B.M.

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

The right to take water from such works is based upon Permit No. 18951.

The source of supply from which such water is diverted is McMahon Creek, a tributary of Three Mile Creek.

The date of priority which said user is prepared to establish is March 12, 1940.

49-4 James Spofford.

Commissioner of Reclamation.