

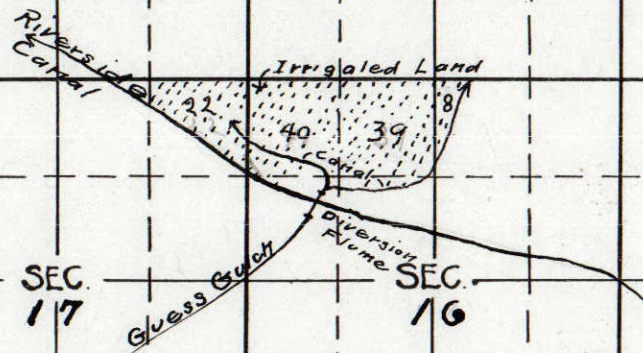
Name of Applicant *F. M. Dines and James B. Neary*

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

SEC. SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC. SEC.



T4N R4W B.M.

10681

Name of Applicant

F. M. Dines James J. May

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

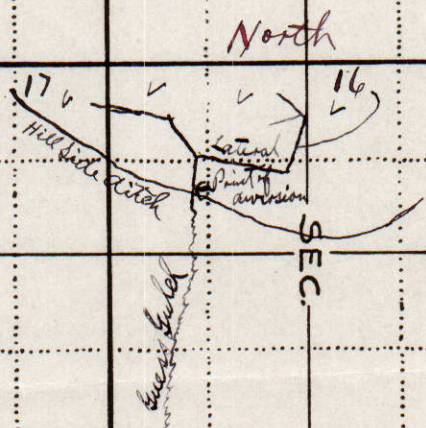
SEC.

SEC.

SEC.

SEC.

247-420



10681

County: Canyon.
 Stream: Guess Gulch.
 Amount: 2.18 sec. ft.
 Use: Irrigation.
 Priority: 8-28-14.
 District No. 12 A.

STATE OF IDAHO

Water License No. 10681.
 Water District No. 12 A.

WHEREAS, On the 28th day of August, A. D. 1914, F. M. Dines and J. J. Neary,

of Greenleaf, County of Canyon, State of Idaho, duly made application (No. 15621) to me for a permit to use 3.2 cubic feet per second of the waters of Guess Gulch, in Water District No. 12 A., County of Canyon, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 20th day of October, A. D. 1914, Permit No. 10681 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 20th day of October, A. D. 1916, and for the application to beneficial use of said water on or before the 20th day of October, A. D. 1917, and,

WHEREAS, On the 23d day of October, A. D. 1916, F. M. Dines and J. J. Neary,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 10681 dated November 10, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said water, with date of priority of August 28, 1914, and

WHEREAS, On the 17th day of October, A. D. 1917, F. M. Dines and J. J. Neary,

the holder of said permit, duly made proof of the application to beneficial use of 2.18 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

F. M. Dines and J. J. Neary,

of Greenleaf, County of Canyon, State of Idaho, the holder and owner of said Permit No. 10681, a perpetual right, dating from August 28, 1914 to the use of 2.18 cubic feet per second of the waters of Guess Gulch,

in the County of Canyon 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 4 N., R. 4 W., B.M.,

and conducted to and upon 109 acres of land, divided as follows: 22 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 39 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 4 N., R. 4 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 29th day of December, A. D. nineteen hundred and seventeen.

(Seal)

J. H. SMITH,

State Engineer.

No. 15621

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: F. M. Dine & J. J. Neary

Postoffice address: Greenleaf

County: Canyon

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 2/10 cubic feet per second.

3. Source of water supply: Green Gulch

4. Location of point of diversion: SW 1/4 NW 1/4 Sec. 16, T. 4 N. R. 4 W.

County of Canyon

5. To be used for: Irrigation & Domestic Use.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 160 acres.

(b) In the following legal subdivisions: NE 1/4 NE 1/4 Sec. 17, NW 1/4 NW 1/4 and NE 1/4 NW 1/4 and NW 1/4 NE 1/4 Sec. 16, T. 4 N. R. 4 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: \$100.00

7. Description of works for diversion: Ditch

I. Kind of works: Ditch

II. Dimensions of works: A Ditch Two ft. deep by 4 ft. wide

(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

3

feet,

Height 2

feet.

(d) Conduit

Ditch

width at bottom two

feet,

width at water line

four

feet, depth of water

two

feet; diameter of pipe

inches; average grade per mile is

feet.

Length of conduit is

miles,

and it crosses the following quarter sections: NW 1/4 and NE 1/4 Sec. 16 and NE 1/4 Sec. 17, T. 4 N. R. 4 W.

8. The time required for the completion of the construction of such work is Two years.

9. Time required for the complete application of the water to the proposed use is One additional years.

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

F. M. Dine
James J. Neary

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 3.40 P.M. August 28, 1914.

Returned to applicant for correction September 3, 1914.

Corrected application received September 26, 1914.

APPROVAL OF STATE ENGINEER

The number of this permit is 10681

Recorded in Book 36 Page 10681 Approved October 20, 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 December 19, 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 October 20, 1915.

The whole of said work to be completed on or before October 20, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before October 20, 1917.

Witness my hand this 20th day of October, 1914.

Herbert Wing,
Acting State Engineer.

Remarks:

Proof of completion of works made Oct. 23, 1916.

Certificate issued Nov. 10, 1916.

PERMIT NO. 10681.

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that F.M. Dines & J.J. Neary of Greenleaf, County of Canyon, and State of Idaho, the holders of Permit No. 10681, issued upon Application No. 15621, bearing date of priority of August 28, 1914, authorizing the diversion of 3.2 second feet of the waters of Guess Gulch, County of Canyon, State of Idaho, for irrigation and domestic purposes, have 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 3.2 second feet of the waters of Guess Gulch; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 16, T. 4 N., R. 4 W., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 17, NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 16, T. 4 N., R. 4 W., B.M.

Witness my hand this 10th day of November, A.D. 1916.

J.H. Smith,

State Engineer of the State of Idaho.

License issued for 2.18 second feet
Page 2212

WATER RIGHT NUMBER 63-2249

OWNER LAST NAME - DINES
OWNER LAST NAME - NEARYFIRST NAME - F. M.
FIRST NAME - J. J.ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GREENLEAF

STATE - ID ZIP CODE - 83626

SOURCE - GUESS GULCH

TRIBUTARY OF - BOISE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 08-28-1914 COUNTY - CANYON

TOTAL DIV. RATE - 2.1800 -CFS

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

WATER DIST. - 63 DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SWNW 17 04N 04W LOT REDIV -

272.0 312.0 8.0 8.0 0.0 0.0 0.0 0.0 0.0 0.0 0.4

FROM - TO - USE - IRRIGATION

USE DIV. RATE - 2.1800 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 04N RNG 04W SEC 16 TRACT NWE LOT AC 08 TRACT NENW LOT AC 39

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 04W SEC 17 TRACT NWNW LOT AC 40

DECREE NAME -

DATE - TOTAL ACRES 109

REMARKS - LIC. INCORRECTLY DESCRIBES P/D AS SWNW, S16, 4N, R4W.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 10681

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED J B
4/18/85

IDENT. NO. 63-2249

WATER RIGHT DATA ENTRY LOG

[illegible]

January 29, 1918.

Re: Permit No. 10681.

Messrs. Dines & Neary,
Greenleaf, Idaho.

Gentlemen:

Enclosing herewith Water License issued
under above permit, with receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By

Enc: WL
R-1372.

MB

10681

REPORT OF ENGINEER

Permit 10681.

1. State name of applicant and number of permit: F. M. Dines and James J. Neary-
2. State source of water supply: Guess Gulch
3. Location of point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 4 N., R. 4 W. B. M.

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

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

Water from Guess Gulch flows directly into
a flume 3' x 2' by 4' long with out any diversion dam.
At the lower end of the flume is a headgate 2' x 2'
which separates the water into two canals. Each
about $\frac{1}{2}$ mile in length 2' on bottom 2.5' at water line
grade 7' per mile.
1' deep capacity 6 cu. ft. each.
Capacity flume 9 sec. ft. or 450 miners inches.

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

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17; NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, T. 4 N., R. 4 W. B. M.

<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 17</u>	<u>T 4 N R 4 W B. M.</u>	<u>22 Acres.</u>
<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 16</u>	<u>" " "</u>	<u>40 "</u>
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ "</u>	<u>" " "</u>	<u>39 "</u>
<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$ "</u>	<u>" " "</u>	<u>8 "</u>
<u>Total -</u>		<u>109 "</u>

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

Remarks: _____

The land is of poor quality and several large
deposits of alkali were noted. The land is watered
and used for pasturage.

The source of water supply is seepage and drainage
from the Golden Gate Canal of the U. S. R. S. system.

This examination was made on the 14th day of November 1917.

(Signed) _____

H. H. Palmer

Examiner.

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

STATE OF IDAHO

County of _____

} ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191____

Notary Public.

My Commission Expires _____

DIST. NO. 12A

F. M. Dines & Jas. J. Neary

Greenleaf

10681

November 3rd, 1917.

Re Permit 10681- Dines & Heary.

Mr. F. D. Mumford,
Caldwell, Idaho.

Dear Sir:--

Am in receipt of your letter of the 27th ult., enclosing depositions and check for fees, in the sum of \$8.00, for proof of beneficial use of water under above permit. As soon as the report of our engineer can be made the matter of issuing the license will be taken up.

Very truly yours,

J. H. SMITH,

State Engineer.

By_____

10681

R. S. MADDEN, PRESIDENT
JOHN C. RICE, VICE-PRESIDENT

ESTABLISHED 1892

INCORPORATED 1909

J. H. LOWELL, TREASURER
H. J. ZEH, SECRETARY AND MGR.

DIRECTORS:
R. S. MADDEN
J. C. RICE
J. H. LOWELL
A. A. BINFORD
H. J. ZEH

CANYON ABSTRACT & TRUST CO., LTD.
CALDWELL, IDAHO

ABSTRACTS
LOANS
INSURANCE
BONDS
GENERAL TRUST
BUSINESS

Caldwell, Idaho, Oct. 27, 1917.

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

Dear Sir:

In Re Proof of Application of Water to Benficial
Use by James J. Neary and F. M. Dines, I enclose the following
papers, the matter having been held up for a week until they
sent in the date of their application:

Deposition of Holders, James J. Neary and F. M. Dines.

Deposition of Witness, Nellie Bowman,

Deposition of Witness, Michael Clark,

Affidavit of Application, by G. J. Shorb,

Check of F. D. Mumford for \$8.00.

Trusting all the papers will be found in order, I am,

Yours very truly,

F. D. Mumford

10681

Notice for Publication

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN That at 10:00 a. m. on the 17th day of October, 1917, at Caldwell, County of Canyon, State of Idaho, before F. D. Mumford, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of Guess Gulch in accordance with the terms and conditions of Permit No. 10681 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 F. M. Dines and James J. Neary, both of Greenleaf, Idaho.

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

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

4 The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, NW $\frac{1}{4}$ of NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16, all in Township 4 North Range 4 West of Boise, Meridian.

5 The right to take water from such works is based upon Permit No. 10681.

6 The source of supply from which such water is diverted is Guess Gulch.

7 The date of the priority which said user is prepared to establish is Aug. 28, 1914.

20-041.

J. H. SMITH
State Engineer

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO } ss.
County of Canyon }

G. L. Shorb being duly sworn, deposes and says that he is Publisher of the CALDWELL NEWS, a weekly newspaper published at Caldwell, Idaho, that the said newspaper is in general circulation in the county aforesaid, that this advertisement, a copy of which is attached hereto, was published in the regular edition of the CALDWELL NEWS four consecutive weeks, beginning with the issue of September 20 1917 and ending with the issue of October 11 1917.

G. L. Shorb
Subscribed and sworn to before me this 11th day of October, 1917.

F. D. Mumford
Notary Public
Residing at Caldwell.

10681

PERMIT No. _____

OK-
8 or**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. James J. Neary, 42, rancher, Greenleaf, Idaho.F. M. Dines, 50, rancher, Greenleaf, 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. Acting on our own behalf/

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

Ans. Permit #10681, Approved Oct. 20, 1914, Date of Priority, Aug. 28, 1914.

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

Ans. Guess Gulch. The point of diversion is on north side of Riverside Canal, near north line of SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp. 4 N.R. 4 W.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. Dividing Box 2 x 4 feet, taking the water from where it drops from the Government Flume over the Riverside Canal. Capable of carrying more than 160 inches. Ditch has no name.

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 purposes. Used to irrigate the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 4 N.R. 4 W.B.M., and 40 acres in each subdivision named has been irrigated from this source. Natural meadow land used for pasture.

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

Ans. No other purpose, except stock water.

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

Ans. 160 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. _____

10681

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

Ans. Part of this water has been used on the lands for six years,
and the full amount has been used since Aug. 25, 1914, for the purposes
above mentioned.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign)

J. M. Dines
J. J. Neary

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 Caldwell County of Canyon, State of Idaho, on this 17th day of October,

A. D. 1917.

J. D. Mumford

Notary Public for Idaho,
Residing at Caldwell.

10681

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. Michael Clark, 60, Greenleaf, Idaho. Rancher.

Ques. 2. Are you acquainted with F. M. Dines and James J. Neary the holder of Permit No. 10681? How long have you known him and where does he reside?

Ans. Acquainted with James J. Neary nearly all his life.

Acquainted with F. M. Dines nine years.

Ques. 3. Have you read or heard read said Permit No. 10681 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. Guesa Gulch. Dividing Box 2 x 4 feet, taking the water from where it drops from the Government Flume over the Riverside Canal. Ditch Capable of carrying more than 160 inches. Ditch has no name.

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 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. Used to irrigate the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 4 N.R., 4 W.B.M., and 40 acres in each subdivision named has been irrigated from this source. Natural meadow land used for pasture.

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

Ans. No other purpose except for stock water.

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. The land is natural meadow land, and 1 inch to the acre is the amount usually required for similar land in this vicinity.

10681

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

Ans. I own the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp. 4 N.R. 4 W.B.M.

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. In the fall of 1914, saw the water running in the ditch
and being used on all of above described lands.

(Sign) Michael Clark

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell, County of Canyon, State of Idaho, on this 17th day of October, A. D. 1917.

J. D. Mumford

Notary Public.

Residing at Caldwell, Idaho.

My commission expires Nov. 8, 1919.

10681

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. Nellie Bowman, 23, rancher, Greenleaf, Idaho.

Ques. 2. Are you acquainted with F. M. Dines and James J. Neary, the holder of Permit No. 10681? How long have you known him and where does he reside?

Ans. Am a daughter of F. M. Dines, and have known him all my life.
Have known James J. Neary nine years.

Ques. 3. Have you read or heard read said Permit No. 10681, 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. Guess Gulch. Dividing Box 2 x 4 feet, taking the water from
where it drops from the Government Flume over the Riverside Canal, Ditch
Capable of carrying more than 160 inches. Ditch has no name.

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 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. Used to irrigate the NE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 17, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 4
N.R. 4 W.B.M., and 40 acres in each subdivision named has been irrigat-
ed from this source. Natural meadow land used for pasture.

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

Ans. No other purpose except for stock water.

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. The land is natural meadow land, and 1 inch to the acre is
the amount usually required for similar land in this vicinity.

10681

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. **In the fall of 1914, saw the water running in the ditch and being used on all of above described lands.**

(Sign) **Nellie Bowman.**

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 **Caldwell**, County of **Canyon**, State of Idaho, on this **17th** day of **October**, A. D. 19**17**.

J. D. Mumford

Notary Public.

My commission expires **Nov. 8, 1919.**

Residing at Caldwell, Idaho.

10681

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

Sept. 28, 1917.

Re: Permit No. 10681.

Mr. F. M. Dines, & J. J. Neary.

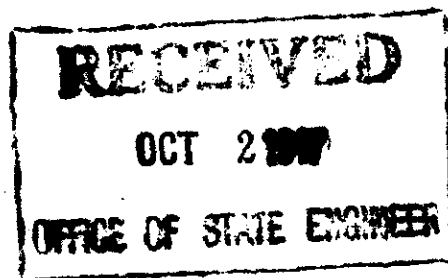
Greenleaf Idaho.

To facilitate the examination to be made by this Department in connection with proof under above permit, you are requested to fill in answers to the following questions and return this sheet to State Engineer, Boise, at once.

J. H. SMITH,

State Engineer.

1. What is nearest and most convenient railroad or stage station to the land covered by permit? Greenleaf R.R. Station
2. What is best means of reaching the land, automobile or team? Automobile to 1/4 mile of Land
3. Do you live on the place? Yes Dines & Neary 1/2 mile off
4. If not, where is your residence? 1/4 mile West & 1/4 mile South
5. If you do not live on the place is there a tenant living there? If so what is his name? No Tenant
6. If there are several roads from the station named above to the place, state briefly which road is best to take. Take Road West from Greenleaf North 1/2 mile West 1/4 and North 1/4 mile



10681

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Messrs. Dines and Henry,
c/o F. D. Mumford, N. P.,
Caldwell, Idaho.

BOISE, IDAHO, Sept. 28, 1917.

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. 10681.

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 ~~October 17, 1917~~, 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 Caldwell before F. D. Mumford, N. P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J. H. Smith,

State Engineer.

10681

(P. O.)

Baldwell, Idaho

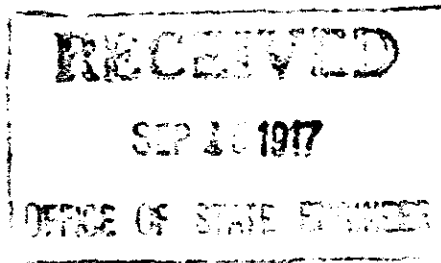
(Date)

September 4, 1917

State Engineer, Boise.

Dear Sir:

I have your letter of *September 13, 1917* enclosing Notice of Proof of Completion of Works under Permit No. *10681* which will be published as you request, beginning with our issue of *September 20, 1917*



The Caldwell News
per J.C.S.

10681

August 18th, 1917.

Re Permit 10681.- Dines and Neary.

Mr. F. D. Mumford,
Caldwell, Idaho.

Dear Sir:--

Am in receipt of notices for final proof under
above permit. Notice for publication will be mailed to the
Caldwell news for the required four weeks publication prior
to October 17th and deposition blanks will be mailed to you.

Very truly yours,

J. H. SMITH,

State Engineer.

By_____

10681

R. S. MADDEN, PRESIDENT
JOHN L. RICE, VICE-PRESIDENT

ESTABLISHED 1892

INCORPORATED 1908

J. H. L. LL, TREASURER
H. J. Z SECRETARY AND MGR.

DIRECTORS:
R. S. MADDEN
J. L. RICE
J. H. LOWELL
A. A. BINFORD
H. J. ZEN

CANYON ABSTRACT & TRUST CO., LTD.
CALDWELL, IDAHO

ABSTRACTS
LOANS
INSURANCE
BONDS
GENERAL TRUST
BUSINESS

Caldwell, Idaho, Aug. 17, 1917.

Mr. J. H. Smith, State Engineer,

Boise, Idaho.

Dear Sir:

Enclosed find Notice for Publication in the matter of the
Proof of Application of Water for Beneficial Use by F. M. Dines and
James J. Neary.

Yours very truly,

J. D. Munford

10681

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10-00 a. m. on the 17th day of October, 1917,
at Caldwell, County of Canyon, State of Idaho,
before F. D. Mumford, Notary Public, proof will be submitted
of the application to beneficial use of 3.2 cubic feet per second of the
waters of Guess Gulch in accordance with the terms and conditions of
Permit No. 10681 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 F. M. Dines and James J. Neary, both of Greenleaf, Idaho.

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

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

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, NW $\frac{1}{4}$ of NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16, all in Township 4 North Range 4 West of the Boise, Meridian.

5. ~~The manner of diversion or discharge of water from the source to which said water is conducted to such place of use is~~

6. ~~5~~ The right to take water from such works is based upon Permit No. 10681.

7. ~~6~~ The source of supply from which such water is diverted is Guess Gulch.

8. ~~7~~ The date of the priority which said user is prepared to establish is Aug 28 Oct. 20, 1914.
August 28, 1914.

J. H. SMITH,

10681

State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. H. Lines, & J. J. Heary,
Greenleaf, Idaho.

Aug. 3 1917

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 10681, 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,

State Engineer

10681

November 14, 1916.

Re Permit 10681.

Mr. J. J. Henry,
Greenleaf, Idaho.

Sir:--

Herewith enclosing you certificate of completion
of works issued under above permit, with receipt for
fees.

Very truly yours,

J. H. SMITH,

State Engineer.

CW-R8685

By _____

10681

ALFRED F. STONE
ATTORNEY-AT-LAW
ROOMS 11 & 12 LITTLE BLOCK
CALDWELL - IDAHO

Stone

October 23, 1916.

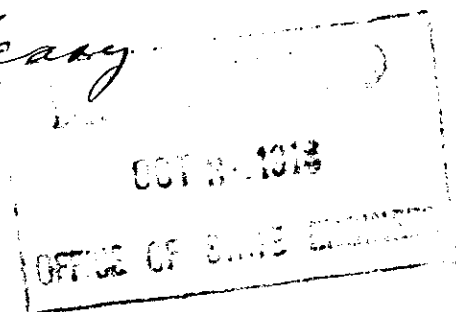
Mr. J. H. Smith,
Boise, Idaho,
Dear Sir:-

F. M. Dines and I are enclosing herewith our
proof of completion of works under Permit No. 10681,
together with our fees of \$5.00.

Very truly yours,

J J Neary

10681



Permit No. 10681.

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
 County of Canyon. } ss.

F. M. Dines & J. J. Neary, 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. 10681 and that their postoffice address is Greenleaf, Idaho, State of _____.

Second: That the name of the stream from which said water is to be diverted is an unnamed stream flowing through Gess Gulch.

Third: That the point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 4 North, Range 4 West, Boise Meridian.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 20, 1916.

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

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

1. Kind of works: ditch of Dines is $\frac{1}{2}$ mile long and carries 80 to 100 in. (Reservoir, dam, ditch, flume, pipe or otherwise)
 ditch of Neary $\frac{1}{2}$ mile long and carries 80 to 100 inches.

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 4 feet, height 2 feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 2 $\frac{1}{2}$ feet, depth of water 1 feet; diameter of pipe _____ inches; average grade per mile is 2 to 12 feet. Length of conduit is $\frac{1}{2}$ miles.

Seventh: That said works are capable of conducting to the place of intended use 2 second feet each ~~#####~~ of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, N $\frac{1}{2}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Township 4 North, Range 4 West, Boise Meridian.

Ninth: Remarks: That the dimensions given above apply to both ditches, which are the same with the exception that the Westerly ditch has a much greater fall per mile than the easterly one, water is diverted by means of tap box from which each ditch takes water.

(Sign here.)

Subscribed and sworn to before me this 23d day of October, 1916.

Notary Public,

My commission expires June 2, 1919.

Residing at Caldwell, Idaho.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

July 27 1916

INSTRUCTIONS

F. M. Dines,
J.J. Neary, PROOF OF COMPLETION OF WORKS
~~Franklin~~ Greenleaf, Idaho.

Boise, Idaho,

Dear Sir:

Under the terms of your Permit No. ~~10681~~---, you are required to complete your diversion works on or before ~~Octo~~ **20 1916**----- 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. E. MITCHELL

State Engineer.

10681

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Permit No. 10681

BOISE, IDAHO, Oct. 20, 1914.

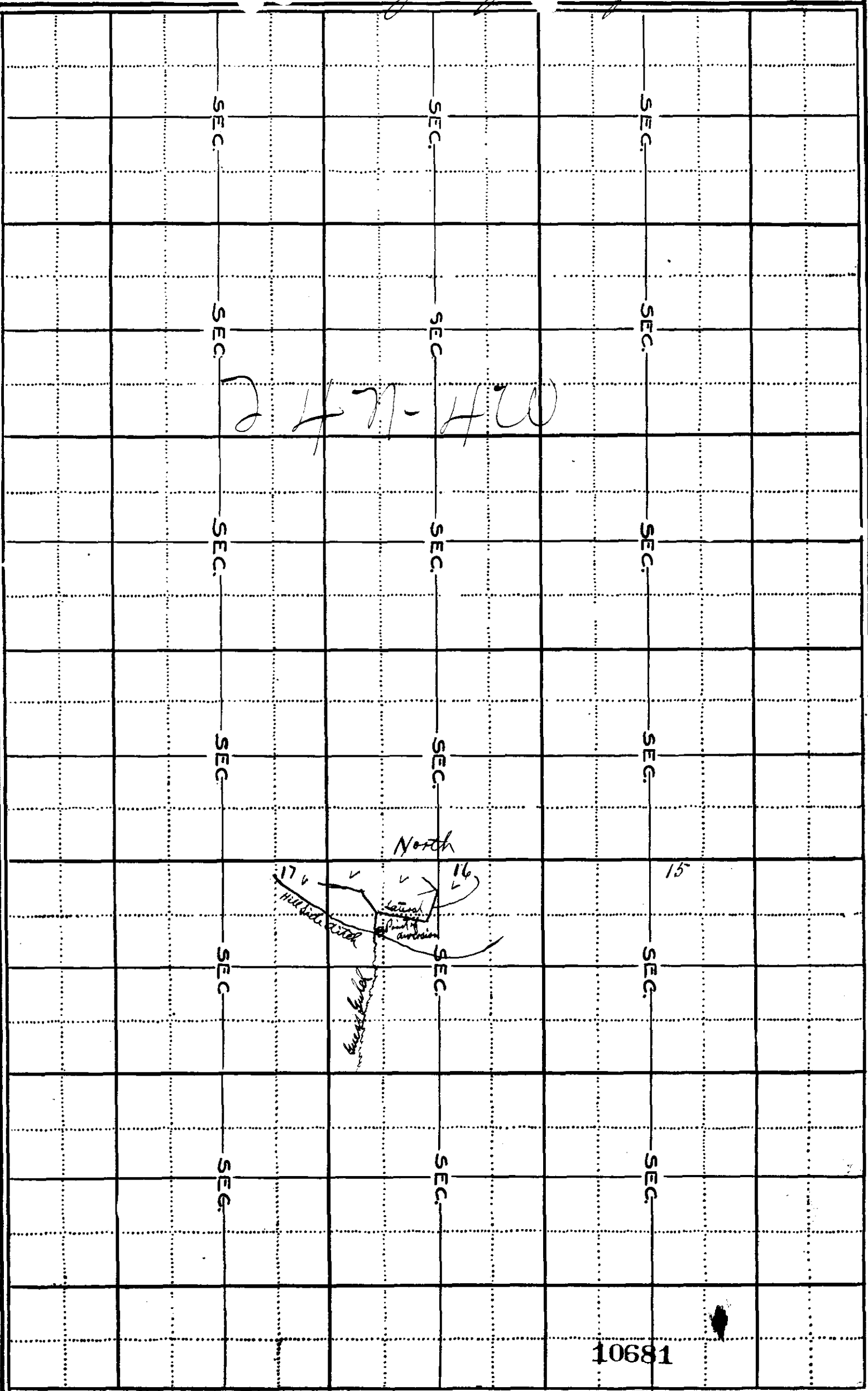
Mr. F. H. Dines,
Greenleaf, Idaho.
Dear Sir:

*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.

10681

Name of Applicant *F. M. Dines James J. May*



Boise, Idaho, September 19, 1914.

Application 15621.

Mr. F. M. Dines,
Greenleaf, Idaho.

Sir:--

The above application again received.
Same is herewith returned for completion in
the following particulars:

Give information ask in 7 II (d) of
the blank.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. A. 15621.

GB.

10681

Boise, Idaho, September 3, 1914.

Application 15621.

Mr. F. M. Dines,
Greenleaf, Idaho.

Sir:--

The above application received and filed.
Same is herewith returned to be completed in
accordance with the rules and regulations enclosed.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. A. 15621-RR-2MF.

GB.

10681