

No. 10747

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Daniel P. Thomas

Postoffice address: Treasureton

County: Bannock State: Idaho

2. The quantity of water claimed is four-tenths of one cubic foot per second.

3. Source of water supply: Spring (Not named) in NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 354. Location of point of diversion: In the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 35 Tp 13 S Range 59.

County of Bannock.

5. To be used for: Irrigation and Domestic purposes.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: Twenty acres.

(b) In the following legal subdivisions: Three acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and Two acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  sec. 34. and fifteen acres in the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  sec. 35 township 13

South of Range 59 E. B. M.

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Ditches.

II. Dimensions of works:

(a) Height of dam seven feet, length of dam at top 100 feet, length of dam at bottom 50 feet. Material used in construction Earth with some cement at the out let.

(b) Capacity of reservoir: Covers one acre.

(c) Size of headgate: Width 6 inches, height 6 inches.

(d) Conduit Ditch, width at bottom one foot, width at water line one and half feet, depth of water one foot. Average grade per mile is four feet. Length of conduit is Half mile and it crosses the following quarter sections: Spring is in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 35 and runs South westerly about one hundred and sixty rods.

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 year.

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

Daniel P. Thomas,

Applicant.

JONES COUNTY LEAD PAT 155 7. 1905

## APPROVAL OF STATE ENGINEER.

The number of this permit is 7408.

Date of first receipt at office of State Engineer 9:00 A.M. May 13, 1911.

Returned to applicant for correction May 13, 1911

Corrected application received May 29, 1911

Recorded in Book 23 Page 7408 Approved June 10, 1911

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:

Work to begin on or before August 9, 1911, 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 June 10, 1911

The whole of said work to be completed on or before June 10, 1912

Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1913.

Witness my hand this tenth day of June, 1911.

A. E. Robinson,

State Engineer.

Both notices received May 2nd, 1912, fixing June 20th, 1912, as date and Treasureton, Idaho, as place of proof.  
Deposition blanks mailed May 22, 1912, to Charles Shumway of Treasureton.  
Publication Notice mailed May 20th, 1912, to the Tribune Co., Ltd.  
Report and depositions received June 24, 1912.  
Affidavit of Publication and fees received November 29th, 1912.  
Certificate and license issued November 30th, 1912.  
License issued for 4/10ths second foot.

Permit No. 7408.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that DANIEL F. THOMAS, of Treasureton, County of Bannock and State of Idaho, the holder of Permit No. 7408, issued upon Application No. 10747, bearing date of priority of May 13th, 1911, authorizing the diversion of 4/10ths of one second foot of the waters of an UNNAMED SPRING, County of Bannock, 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 4/10ths of one second-foot of the waters of an Unnamed Spring; that the point of diversion of said waters is at a point in the Northwest quarter of the Northwest quarter, (NW<sub>1</sub> NW<sub>4</sub>), Section 35, Township 13 South, Range 39, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE<sub>1</sub> NE<sub>4</sub>, NE<sub>1</sub>, SE<sub>4</sub>, Section 34, and the SW<sub>1</sub> NW<sub>4</sub>, Section 35, Township 13 South, Range 39, East of the Boise Meridian.

Witness my hand this 30th day of November, A. D. 1912.

A. E. Robinson,  
State Engineer.

License issued for 5/10 second feet

Name of Applicant *Daniel P. Thompson*

*P 7408*

*Township 13 South Range 39 E B M*

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7408

STATE OF IDAHO  
ENGINEERING DEPARTMENT  
BOISE

A. E. ROBINSON,  
State Engineer

Permit 7408.

Boise, Idaho, July 8, 1911.

Daniel P. Thomas,

Treasureton, Idaho.

Dear Sir:

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

A. E. ROBINSON,  
State Engineer.

7108

# State of Idaho

A. E. ROBINSON  
STATE ENGINEER

## ENGINEERING DEPARTMENT BOISE

### INSTRUCTIONS

#### PROOF OF COMPLETION OF WORKS

Daniel P. Thomas,  
Treasurer, Idaho.

Boise, Idaho, Mar. 1st, 1912.

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 7408.

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof MUST be on or before June 10th, 1912.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

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,

A. E. ROBINSON

State Engineer.

7408

Treasurer to Idaho

Apr. 27, 1912

Mr. H. E. Robinson, St. Engineer  
Boise Idaho

Dear sir:

I'm looking over your letter when I first received it, I **did** not understand that the notice was to be in 60 days before Proof was submitted, but that it had to be in only four weeks before Proof was submitted. That is in time for publication. But on a gain looking at the letter ~~to~~ I found it should have been in some time ago. Trusting this delay will not cause trouble. I remain obliged to you,

Daniel P. Thomas

# Not later date Notice of Proof of Completion of Works

(This blank must be filled out by the person or corporation holding said permit and forwarded by registered mail to the State Engineer at least 60 days before the time set for completion of works)

(P. O.)

Treasurton

(Date)

Apr. 28 1912

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 4 P. M., on the Twentieth, 20th dayof June, 1912, at Treasurton, County of Bannock, State of Idaho, before Justice of Peace proof will be submitted of the completion ofworks for the diversion of four tenths of one cubic feet per second of the waters of the State of Idaho Spring in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

Daniel P. Thomas

2. The postoffice address of such person or the place of business of such corporation is

Treasurton, County of Bannock, State of Idaho.

3. The number of such permit is

7408and the date set for the completion of such work is June 10th - 1912

4. Said water to be used for

Irrigation of Domestic purposes.5. Said works of diversion will be fully completed on the day set for such completion, and the amount of water which said works are capable of conducting to the place of intended use in accordance with the plans accompanying the application for such permit is one (1) cubic feet per second.

6. The amount of lands for which said water is available is

Twenty (20) acres,particularly described as follows: Three acres in the SE 1/4 NE 1/4 and Two acres in the NE 1/4 SE 1/4 sec. 34. And Fifteen acres in the SW 1/4 of NW 1/4 sec. 35 township 13 South of Range 39 E. B. M.

(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 above notice are true.

Engineer.

desires

that the above notice be published according to law, in the BoatellTribune of Boatell

published in the county in which said works are

situated; the expense of which publication will be borne by

(Signature)

Daniel P. Thomas

7408

1912

7408-1-5-8-3918

May 3, 1912.

Permit 7408

Daniel P. Thomas,  
Treasurer, Idaho.

Sir:-

Am in receipt of your letter of the 28th ult. inclosing notice of proof of completion of works under above permit. In reply would say that you failed to give the name of the Justice of Peace before whom proof is to be made and also the name of the paper in which you desire to advertise your notice of proof. The notice should also be signed by you. I am, therefore, returning you the notice for completion as above set forth. The completed notice should be returned as soon as possible in order that same may be advertised the required four weeks prior to date of making proof.

Very truly yours,

State Engineer.

Not.

By...

7408

Permit 7408

May 15, 1912.

Daniel P. Thomas,  
Treasurer, Idaho.

Sir:-

Am today in receipt of notice of proof of completion of works under above permit. In order to allow time for the required four weeks publication of notice prior to date of making proof, I have set June 20th as date and the notice for publication will be sent out accordingly. However, at the time your proof is submitted, you will be required to file an affidavit showing the works were fully completed by June 10th and also state in the affidavit why it was necessary to make proof at a later date than set out in the permit.

It will also be necessary for you to have the works examined by some competent person. If you will give us the name of some one in your community who is generally familiar with the measuring of water, we shall be pleased to authorize him to make such examination. The expense of this work must be paid by the permit holder.

If you have the land under cultivation and desire to make both proof of completion of works and proof of beneficial use of water at the same time, you can do so. This would save the expense and trouble of a second proof. However, unless the land is under cultivation this proof could not be accepted at this time.

Very truly yours,

7408

State Engineer.

By...

RECEIVED

MAY 20 1912

OFFICE OF STATE ENGINEER

Permit 7408

May 17 1912

Treasurer Idaho

State Engier in answer to yours of  
the 15 will say the land is  
under cultivation know I would  
like to make proof of completion  
of works and use of water at  
the same time I suppose i should  
make affidavit June the 20  
at 6 o'clock the name I will  
suggest is Wm Moore

Treasurer Idaho I will  
make affidavit stating the  
works were completed June 20  
yours very Respectively

Daniel P Thomas

7108

**Notice of Proof of Completion of Works**  
and  
**Application of Water to Beneficial Use**

Notice is hereby given that at..... **6 P.M.** ..... on the..... **20th** .....  
day of ..... **June** ....., 19. **12** .., at..... **Treasureton** ....., County of  
..... **Barnock** ....., State of Idaho, before..... **Chas. Shinway, J.P.** .....  
proof will be submitted of the completion of works for the diversion of..... **four-tenths of one**  
cubic foot per second of the waters of..... **a Spring.** .....  
and of the application to beneficial use of said water in accordance with the terms and conditions of  
Permit No..... **7408** ....., 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  
..... **XXXXXXXX** .....

..... **Daniel P. Thomas, Treasureton, Idaho** .....

2. Said works of diversion will be fully completed on the date set for such completion, and the  
amount of water which said works are capable of conducting to the place of use, in accordance with  
the plans accompanying the application for such permit, is..... **four-tenths of one** cubic foot per  
second. **00**

3. The use to which said water has been applied is irrigation and domestic.....  
purposes, and the amount applied to beneficial use is..... **four-tenths of one** cubic foot per second.  
**00**

4. The place where said water is used is..... **3 acres in SE4 of NE4 and 2 acres in**  
**NE4 SE4 Sec.34, and 15 acres in SW4 of NW4 Sec.35, T.13 S., R. 39 ERM** .....

5. The date of priority which said user is prepared to establish is..... **May 13, 1911** .....

A. E. ROBINSON, State Engineer.

# State of Idaho

A. E. ROBINSON  
ENGINEER

ENGINEERING DEPARTMENT  
BOISE

## INSTRUCTIONS

Daniel P. Thomas,  
c/o Charles Shumway,  
Treasurer, Idaho.  
Proof of Completion of Works  
and  
Proof of Beneficial Use of water.

Boise, Idaho. May 22, 1912.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. 7408.

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 June 20th, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at Treasurer before Charles Shumway, J.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fees as follows: Fee for proof of completion of works is \$5.00 for ten second feet or less. Over ten second feet a charge of 30 cents a second foot is made. The fee for beneficial use of water, for power purposes is \$5.00; if for irrigation, \$2.00 for each 40-acre tract, or fraction, to which water has been beneficially applied.

When these have been received, together with report of the Water Commissioner, if everything is properly executed, Certificate of Completion of Works and License will issue.

Yours truly,

A. E. ROBINSON

State Engineer.

7108

May 22, 1912.

Permit 7408

William Moore;  
Treasurer, Idaho.

Sir:-

By request of Daniel P. Thomas I am  
inclosing you herewith blanks for report  
on completion of works for the diversion of  
four-tenths of a second foot of the waters  
of a spring and of the application to ben-  
eficial use of said water.

Very truly yours,

State Engineer.

RMF

By...

RMF

(Place)

*Perillo, Idaho*

(Date)

*May 21-12*

State Engineer, Boise.

Dear Sir:

I have your letter of *May 20-1912* enclosing Notice of Proof of Completion of Works and Beneficial Use of Water under Permit No. *7408* which will be published as you request, beginning with our issue of *May 22-12*

RECEIVED  
*Fishing Co. Lts*  
*B*

MAY 22 1912

OFFICE OF STATE ENGINEER

7108

Permit No. 16247-7408**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Daniel P. Thomas - 49. Treasurston. Farmer.  
P.O. Treasurston 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. 7408 9 o'clock A.M. May 13-1911. - June 1st 1907.

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

Ans. Spring (40 name). A little north of center of the N.W. 1/4  
of the N.W. 1/4 of sec. 35. T.P. 13 S. range 39. County of Benewah

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. two ditches. 1 ft. deep 1/2 ft. wide in bottom 2 1/2 ft. wide on  
top. with 1/4 inch fall to vent. about 8/10 second foot.

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. Domestic and Irrigation. 3 acres in S.E. 1/4 & E. 1/4  
and 2 acres N.E. 1/4 S.E. 1/4 Sec. 34 and 15 acres in the S.W. 1/4 of  
Sec. 35. Township 13 S. range 39. E. B. Co. all  
pastured alfalfa and orchard & garden.

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. 2/3 second foot.

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. ....

JUL 2 1912

BY STATE ELECTED

7408

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

Ans. June 1<sup>st</sup> 1902. Irrigated grain and garden to the amount of 5 acres. used continuously since then for irrigation and domestic purposes.

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 land herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water used on the herein described lands.

(Sign here.)

James P. Thomas

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 Treasureton, County of

Bannock, State of Idaho, on this twentieth day of June A. D. 1912. at 6 o'clock P. M.

Chas. Shumway  
J. P. Notary Public

My Commission expires.....

Permit No. ~~12747~~ 7408**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS.**

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

Ans. *W. C. Field - 38... Residence Treasurers Idaho  
Farmer... P. O. Oxford Idaho*Ques. 2. Are you acquainted with *Samuel P. Thomas*, the holder of Permit No. ~~12747~~ 7408? How long have you known him and where does he reside?Ans. *Yes 15 years... Treasurers Idaho*Ques. 3. Have you read or heard read said Permit No. *12747*, 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. *Spring (has name) N.W. 1/4 S.W. 1/4 Sec 35 T. 6. N. 3. S. 39. County of Bannock... two tubs 1 ft. deep 1/2 ft. wide in bottom with 1/4 inch fall to road*

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. *5 1/2 second feet - 4 1/2 second ft.*

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... Land irrigated 3 acres in S.E. 1/4 & E. 1/4 and 2 acres in the N.E. 1/4 S.E. 1/4 Sec 35... and 15 acres in the S.W. 1/4 of N.W. 1/4 Sec 35 T. 6. N. 3. S. 39. E. 1/4 S. 39. 2 acres Orchard & garden 18 acres alfalfa*

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

Ans. *Black Town. 2 Irrigation for alfalfa & Orchard and 4 for garden*

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. *Black Town. 2 Irrigation for alfalfa & Orchard and 4 for garden*

7108

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. *July 1911 and at various times have seen all the water from said spring used in irrigation on the homestead tract of land containing 20 acres*

(Sign here.)

*W. E. Field*

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 *Franklin* *Franklin*, County of *Bernham*, State of Idaho, on this *twentieth* day of *June*, A. D. 1912, at 6 o'clock P. M.

*Chas. Humphrey*

Notary Public.

My Commission expires.....

Permit No. 10747 7408**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS.**

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

Ans. W. R. Moore - 38 yrs old Farmer Treasurston  
IdahoQues. 2. Are you acquainted with Daniel P Thomas, theholder of Permit No. 10747 How long have you known him and where does he reside?Ans. 10 years Treasurston Banrock Co IdahoQues. 3. Have you read or heard read said Permit No. 10747, 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. Spring (no name) in S. W. 1/4 S. W. 1/4 Sec 35  
in the S. W. 1/4 of S. W. 1/4 sec 35 T. 13 S. Range 39. County of  
Banrock - 2. In trees 1 ft deep and 1/2 ft wide in bottom  
with 1/4 inch fall to road

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. 8 1/2 second ft. - 4 1/2 second ft.

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. Emigration Fed Domestic Land Emigade 3 acres in  
the S. E. 1/4 of S. W. 1/4 and two acres in S. E. 1/4 S. W. 1/4 Sec 35  
and 1.5 acres in the S. W. 1/4 of S. W. 1/4 sec 35 Banrock 1.5  
South of Range 39 E. B. Co - 2 acres orchard & garden 1.5 acres alfalfa

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. Black. Trees - 2. irrigation for orchard and alfalfa  
and 4 for garden

JUN 2 1912

OFFICE OF STATE ENGINEER  
7108

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 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. *June 1912 and August 1912 and other times I have seen add the water from said spring used on the above described piece of land containing about 20 acres*

(Sign here.) *Wm H. Moore*

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 *Treasurer*, County of *Bannock*, State of Idaho, on this *twentieth* day of *June* A. D. 1912, at 6 o'clock P. M.

*Chas. Shumway*  
J. P. Notary Public.

My Commission expires.....

# Proof of Completion of Works

## DEPOSITION OF HOLDER

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

Ans. Daniel P. Thomas 49 years old Treanonton Farmer  
Treanonton Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 1277 9 am May 13 1912 4/12 of one cubic ft per second  
Spring (not named) in the S.W. 1/4 of S.W. 1/4 Sec. 35 T.P. 13 S. Range 1 E. B. 4

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Domestic and Irrigation 20 acres - 3 acres in S.E. 1/4  
S.W. 1/4 and 2 acres in the S.E. 1/4 S.E. 1/4 Sec. 34 and 10 acres  
in the S.W. 1/4 of S.W. 1/4 Sec. 35 T.P. 13 S. of Range 1 E. B. 4

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes June 1st 1912 all water from said Spring

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. fully completed and comply with terms of permit

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. 1200 ft of ditch for carrying water to pond  
and reservoir 7 ft high 100 ft long 3 ft wide at top  
with lumber pipe with outlet 6 in diameter

(Sign here.) Daniel P. Thomas

I hereby certify that the foregoing testimony was read to the above subscriber before 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 Treanonton

Bannock County, State of Idaho, on this twentieth day of June A. D. 1912 at 6 o'clock P.M.

My Commission expires

Notary Public

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 10747

## Proof of Completion of Works

### DEPOSITION OF WITNESS

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

Ans. W. C. Field - 38 years - Treasureson Idaho  
Farmer - Oxford Idaho

Ques. 2 Are you acquainted with Daniel P Thomas, the  
 holder of Permit No. 10747, authorizing the diversion of 4/10 second-feet of the waters of  
Spring (no name), at to W 1/4 - N W 1/4 Sec 35 R 39  
 for Irrigation & Domestic purposes? How long have you known him, and where does he reside?

Ans. 15 years - Treasureson Idaho

Ques. 3. Have you read or heard read said Permit No. 10747, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Black Loam 4/10 second feet.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. two laterals 1 ft deep 1 1/2 ft wide in bottom  
1/4 inch fall to foot

(Sign here.)

W. C. Field

JUN 7 1912

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 Treasureson, County of Bannock, State of Idaho, on this twentieth day of

June A. D. 1912

Chas Shumway  
Justice of Peace

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 10747 7408

# Proof of Completion of Works

## DEPOSITION OF WITNESS

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

Ans. W. R. Moore - 38 yrs - Treasurton, Idaho  
Farmer

Ques. 2 Are you acquainted with Daniel P. Thomas, the holder of Permit No. 10747, authorizing the diversion of 4/10 second-feet of the waters of Spring (no name), at 20 1/4 20 1/4 sec 35 - R39 for Irrigation & Domestic purposes? How long have you known him, and where does he reside?

Ans. 10 years. Treasurton Bannock Co Idaho

Ques. 3. Have you read or heard read said Permit No. 10747, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes - Black Loam - 4/10 Second feet

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. two laterals 1 ft depth 1 1/2 ft wide in Bottom  
1/4 inch full to Rock. am not well enough acquainted  
with measurements to state further

(Sign here.) Wm R. Moore

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 Treasurton, County of Bannock, State of Idaho, on this twentieth day of June A. D. 1912.

Chas Summary  
Justice of Peace  
7108

Treasureton Ida

June 21, 1912

Mr. D. C. Robinson, Dist. Engineer  
Boise Ida.

Dear sir:

Inclosed is the Proof  
of completion of works for use of  
water.

In regard to the advertising,  
shall I send the money to you, or  
to the News office?

Shall I send recording  
fees to you at once?

I have had this papers filled  
out the best we could, that is  
as we understood them.

RECEIVED

JUN 21 1912

OFFICE OF STATE ENGINEER

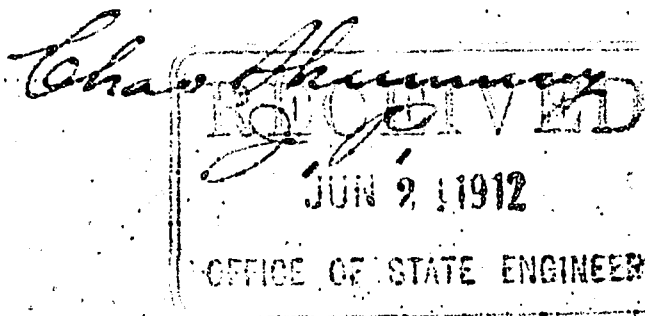
Truly yours,  
Daniel P. Thomas

7108

Treasurer Ida June 20-1912

Daniel P Thomas. being first  
duly sworn. makes affidavit as follows  
That he on                      did have published  
in <sup>the</sup> Pocatello Tribune a newspaper  
published in Pocatello - Bannock Co.  
Idaho. his intention to make proof  
on water appropriated under permit  
no 10747 and that said notice did appear  
in said paper. four weeks in succession  
prior to date of proof. being June 20-1912

Signed Daniel P Thomas  
Subscribed and sworn to before  
me. this the 20<sup>th</sup> Day of June 1912



7108

## REPORT OF ENGINEER.

1. State name of applicant and number of permit: *Daniel P. Thomas. N. 74:8*
2. State source of water supply: *Spring*
3. Location of point of diversion: *N. W. 1/4 N. W. 1/4 Section Township 13 South Range 39 East*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *yes*
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: *1 1/2 feet*
  - (b) Width at water line: *2 feet*
  - (c) Depth of water: *1 foot*
  - (d) Grade per mile: *about 10 feet*
  - (e) Capacity of ditch: *2 laterals 4 1/2 second feet*
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *yes to full capacity capacity*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *3 acres in S E 1/4 N. E 1/4 2 acres N. E 1/4 S E 1/4 Sec 34 and 15 acres in the S. W. 1/4 N. W. 1/4 Sec 35 Township 13 South Range 39 E. B. M.*
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.
- Remarks: *Two lateral ditches one South East and one South W. covers land described.*

*Wm B. Moore*

STATE OF IDAHO,

County of *Bannock*

*Wm B. Moore*, 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 *twentieth* day of *September* 191*7*

My Commission Expires

*J. P. Notary Public*

7108

Name of Applicant *Daniel P. Brown*

*Township 13 South Range 39 E B M*

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

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SEC.

SEC.

SEC.

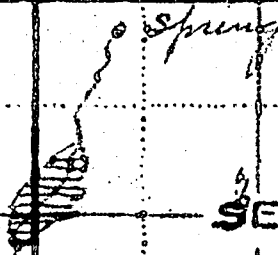
SEC.

SEC.

SEC.

SEC.

SEC.

*Spring*  


RECEIVED

JUN 2 1911

DEPT. OF AGRICULTURE

*2118*

June 24, 1912.

Permit 7408

Daniel P. Thomas,  
Treasurer Idaho.

Sir:-

I am today in receipt of depositions in the matter of proof of completion of works and beneficial use of water under above permit, also, the report of Wm. R. Moore, money order for \$7.00 and your affidavit relative to publication of notice.

In regard to the affidavit of publication required would say that same can be obtained upon payment, to the publisher of the paper, of the advertising fees. We have nothing to do with these fees.

The fees due the State amount to \$11.00, the fee for proof of completion being \$5.00 and for beneficial use \$2.00 for each forty acre tract, or fraction, to which water has been beneficially applied. As the depositions and report show parts of three forties to be under cultivation, the fees for this final proof will be \$6.00. I am, therefore, returning you herewith your check for \$7.00 as insufficient.

Upon receipt of the affidavit of publication required and fees as above given, the matter of issuing the certificate and license will be taken up.

Very truly yours,

State Engineer.

Ch. 37

By...

7208

# PROOF OF PUBLICATION

STATE OF IDAHO,  
COUNTY OF BANNOCK.

SS.

## Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 9 p. m. on the 20th day of June, 1912, at Treasuraton, County of Bannock, State of Idaho, before Charles Shumway, J. P., proof will be submitted of the completion of works for the diversion of four-tenths of one cubic foot per second of the waters of a spring, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 7408, heretofore issued by the state engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit, are Daniel P. Thomas, Treasuraton, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is four-tenths of one cubic foot per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is four-tenths of one cubic foot per second.

4. The place where said water is used is three acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , and two acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 34, and 15 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 35, T. 13 S., R. 30 E., B. M.

5. The date of priority which said user is prepared to establish is May 13, 1911.

A. E. ROBINSON.  
State Engineer.

5-22-4w-SW.

*Bert Stearns*  
being first duly sworn, deposes and says that he is the publisher of THE POCATELLO TRIBUNE, a newspaper published in Pocatello, Bannock County, in the State of Idaho. That the notice, a true copy of which is hereto attached, was published in the *Semi-weekly* edition of said newspaper for *four* consecutive *weeks*, first publication having been made on the *second* day of *May*, 1912.

That said paper has been continuously and uninterruptedly published in said county during a period of fifty-two consecutive weeks prior to the first publication of said notice or advertisement, and is a newspaper within the meaning of the laws of Idaho.

SUBSCRIBED AND SWORN TO before me this *27th* day of

*June*, A. D. 1912

*Donald O. Burnside*

7108

Treasurer Nov 26<sup>th</sup> 1912  
State Engineer  
in regards to my proof of the  
use of water enclosed find the  
proof at publication at the same  
I have neglected sending it to you  
enclosed find my check for 10<sup>00</sup> \$  
the fee as I remember if this is not  
right let me know hoping to hear  
from you in regards to the matter  
yours

Respectively

Samuel P. Thomas

RECEIVED

NOV 29 1912

OFFICE OF STATE ENGINEER

7108

*Copy 24*

November 29, 1912

Permit 7408

Daniel P. Thomas,  
Treasurer, Idaho.

Sir:-

I am today in receipt of your letter enclosing affidavit of publication and fees for proof of completion of works and beneficial use of water under above permit. Am inclosing you herewith receipts. The certificate and license will now issue and will be mailed to you soon.

Very truly yours,

State Engineer.

85139-40

By...

7108

December 10, 1913.

Permit 7408

Daniel P. Thomas,  
Treasurer, Idaho.

Sir:-

Am herewith inclosing certificate of completion of works and water license issued under above numbered permit.

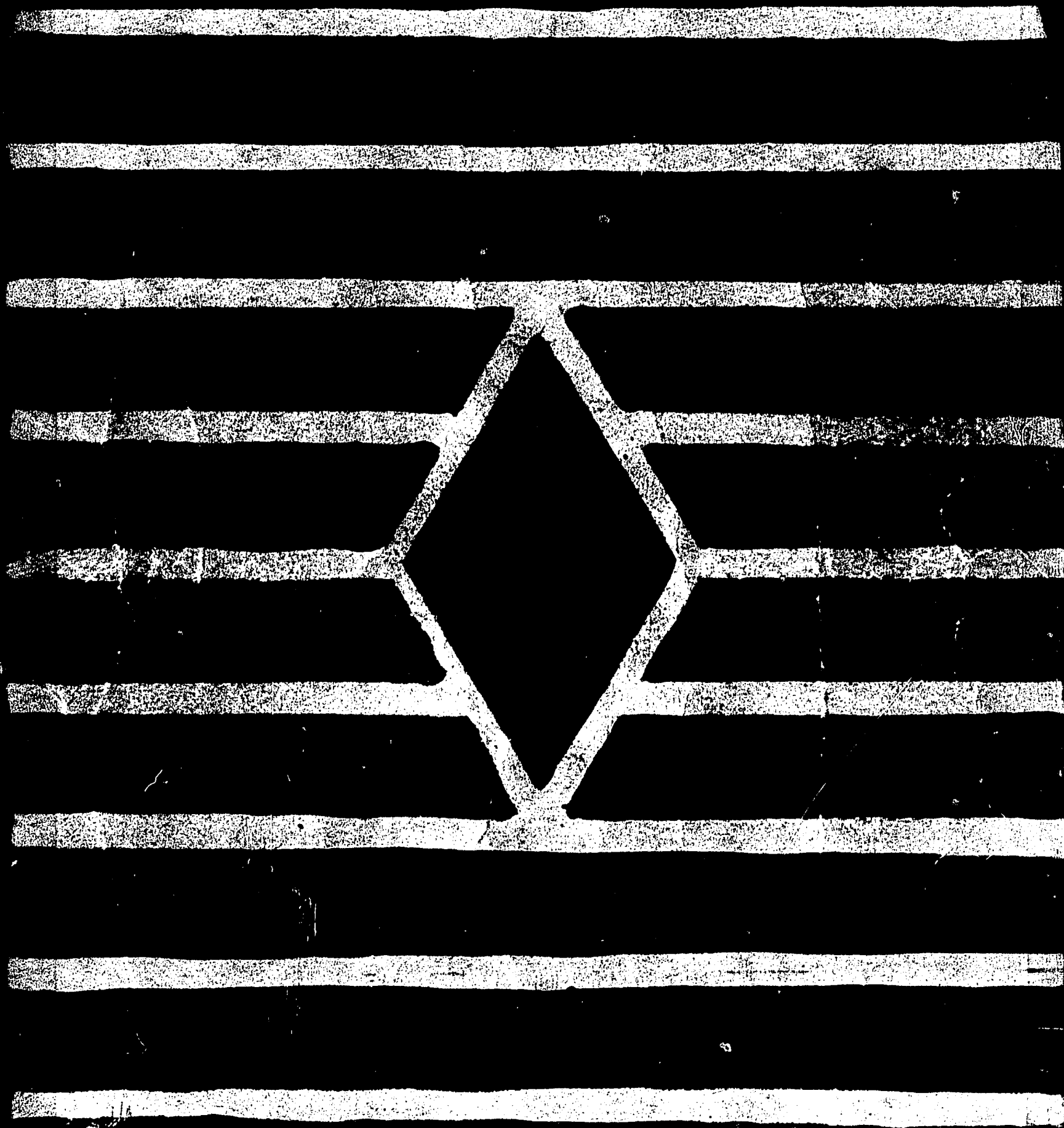
Very truly yours,

State Engineer.

C&L

By...

7108



County: Bannock  
 Stream: Unnamed Spring  
 Amount: 4/10ths second-foot  
 Use: Irrigation  
 Priority: 5/13/11

# STATE OF IDAHO

Water License No. 7408

WHEREAS, On the 13th day of May, A. D. 1911,

DANIEL P. THOMAS,

of Treasureton, County of Bannock, State of Idaho, duly made application (No. 10747) to me for a permit to use 4/10ths of one cubic foot per second of the waters of an UNNAMED SPRING,

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

WHEREAS, On the 10th day of June, A. D. 1911, Permit No. 7408 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 10th day of June, A. D. 1912, and for the application to beneficial use of said water on or before the 10th day of June, A. D. 1913, and,

WHEREAS, On the 20th day of June, A. D. 1912,

DANIEL P. THOMAS,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4/10ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 7408 dated November 30th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4/10ths of one cubic foot per second of water with date of priority of May 13th, 1911, and

WHEREAS, On the 20th day of June, A. D. 1912,

DANIEL P. THOMAS

the holder of said permit, duly made proof of the application to beneficial use of 4/10ths of one cubic foot 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

DANIEL P. THOMAS

of Treasureton, County of Bannock, State of Idaho, the holder and owner of said Permit No. 7408, a perpetual right, dating from May 13th, 1911, to the use of 4/10ths of one cubic foot per second of the waters of an UNNAMED SPRING,

in the County of Bannock 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 Northwest quarter of the Northwest quarter, (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 35, Township 13 South, Range 39, East of the Boise Meridian,

and conducted to and upon 20 acres, divided as follows: 3 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 2 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 34 and 15 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 35, Township 13 South, Range 39, East of the Boise Meridian,

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 30th day of November A. D., nineteen hundred and twelve.

(Seal)

A. E. Robinson.

State Engineer.

13 2042