

No. 14619

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO.

1. Name of Applicant: Joseph and George M. Cordie

Postoffice address: Preston, RFD No. 2

County: Franklin

State: Idaho

2. The quantity of water claimed is 8/10 of one cubic foot per second.

3. Source of water supply: Springs, about six in number, Located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 14 S. R. 39 E. B. M.

4. Location of point of diversion: Part is diverted by pipe line from springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 14 S., R. 39 E. B. M. Part is diverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, said T. and R.

County of Franklin, Idaho.

5. To be used for: Culinary and irrigation purposes.

I. Irrigation and domestic use:

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

(b) In the following legal subdivisions: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 14 S., R. 39 E. B. M.

6. Estimated cost of works: \$5000.00

7. Description of works for diversion: For irrigating purposes a small ditch as shown on map leading from channel of hollow south to forty acre tract to be irrigated. This land is at present being irrigated through this manner. For culinary purposes the following: 4 inch tiling at springs, runs southwesterly about 300 feet to concrete settling basin 4x4x4 ft., continues with 4 inch tiling to concrete reservoir, distance of 1300 feet; reservoir being 10x14 feet; 8 feet deep inside; continues by 4 inch wood pipe for about 1000 feet; 2 inch wood pipe about 175 rods, then inch pipe branch lines. This pipe line is already constructed and in use by applicants.

II. Dimensions of works:

(d) Length of conduit is --- miles and it crosses the following quarter sections: The information called for here is given above, except the land the diverting works cross. The persons owning the land crossed by the diverting works have given their free consent and will receive a benefit from this application if granted.

8. The time required for the completion of the construction of such work is none years.

This work is already done and the water is being used.

9. Time required for the complete application of the water to the proposed use is ----- additional years. Already being used.

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.

Joseph Condie, Geo. M. Condie,

Applicant.

Date of first receipt at office of State Engineer 9.00 A. M. November 8, 1913.

Returned to applicant for correction November 12, 1913.

Corrected application received December 26, 1913.

APPROVAL OF STATE ENGINEER.

The number of this permit is 9917.

Recorded in Book 33 Page 9917 Approved January 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:

Work to begin on or before March 21, 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 April 20, 1914.

The whole of said work to be completed on or before July 20, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 20, 1914.

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

F. P. King,

State Engineer.

REMARKS: The water applied for is from springs along a hollow, the water runs from one spring to another and diverted as mentioned above. Sufficient for culinary purposes is diverted through the tile and wood pipe line, the point of diversion of this being at the lower springs which are already tapped and the water being now used. The water used for irrigating purposes flows down its natural channel (the hollow) to the land of applicants where it is diverted by means of a ditch and used for irrigating the land of applicants. The water so used for irrigating purposes has been in use in this manner for eight years by applicants, and by the persons owning the land before them for about twenty years.

The springs mentioned are located in the NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 3, and in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 3, T. 14 South, Range 39 E. B. M.

About Maps: Distances are shown to corners. Distances are reckoned from pipe line to corner in direction of which the same are indicated in yds. or rods. Creek is shown by light lines as far as point of diversion by small ditch. The creek follows the general direction of the pipe lines, the pipe line being started at the springs indicated.

9917

Proof of Completion of Works made October 20, 1914.

Certificate of Completion of Works issued October 27, 1914.

PERMIT NO. 9917

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Joseph and George M. Condie of Preston, County of Franklin, and State of Idaho, the holders of Permit No. 9917, issued upon Application No. 14619, bearing date of priority of November 8, 1913, authorizing the diversion of 8/10 of 1 second foot of the waters of about six springs, located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Tp. 14 S. R. 39 E.B.M., County of Franklin, 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 8/10 of 1 second-foot of the waters of about six springs; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Tp. 14 S. R. 39 E.B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Tp. 14 S. R. 39 E.B.M., containing 40 acres.

Witness my hand this 27th day of October, A. D. 1914.

Herbert Wing,

Acting State Engineer of the State of Idaho.

License issued for 8/10 of 1 second foot
(Reg. 100)

Name of Applicant Joseph and George M. Condie, Preston, Idaho.

39

Land crossed by pipe line is in Township 14 South, Range/E. B. 1

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STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Permit No. 9917.

BOISE, IDAHO, Jan. 20, 1914.

Mr. Joseph Condie,
Preston, Idaho.
Dear Sir: RFD 2.

*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.

9917

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

April 1, 1914.

Joseph & George Condie,
RFD 2, Preston, Idaho.
Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 9917..... 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,

F. P. KING,

State Engineer.

9917

State of Idaho

ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Joseph & George Condie,
RFD 2, Preston, Idaho.

Boise, Idaho, April 1, 1914.

Dear Sir:

Under the terms of your permit No. 9917, you are required to complete your diversion works on or before July 20, 1914. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

F. P. KING,

State Engineer

9917

SMITH & CONDIE

ATTORNEYS-AT-LAW

NOTARY PUBLIC

PRESTON, IDAHO

Oct. 22, 1914.

State Engineer,

Boise, Idaho.

Dear Sir:-

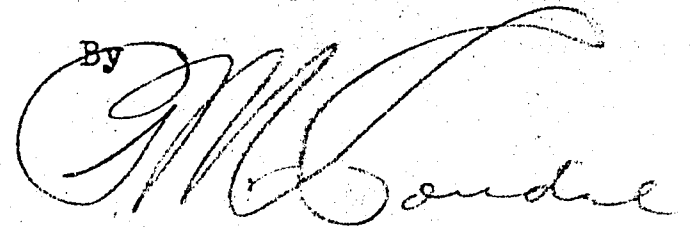
We enclose proof of completion of works and also notice for publication of proof of application of water to beneficial use. You are authorized to put in the proper date or make any changes necessary on account of this notice not being given when it should have been.

You will find enclosed check for \$5.00. Also \$1.50 for permit.

Very truly yours,

SMITH & CONDIE,

By



RECEIVED

OCT 23 1914

OFFICE OF STATE ENGINEER

Permit No. _____

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Franklin.

ss.

Joseph Condie and George Condie

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 9917 and that his postoffice address is Preston, R. F. D. 2, Idaho.
State of Idaho.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 20th, 1914.

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

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

I. Kind of works: For irrigation purposes- a small ditch leading from chan-
nel of hollow to land to be irrigated, ditch, flume, pipe or otherwise.)
For culinary purposes- concrete settling basin, reservoir, tiling
pipe, and wood pipe.

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 of ditch for irrigation purposes is earth, ditch about four feet wide.

For culinary purposes (State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 10x14 feet ~~mainstem~~

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

(d) Conduit pipe width at bottom 4 inch diameter part way 2 in. diameter part way
(State whether ditch, flume or pipe.)
line _____ feet. depth of water _____ feet; diameter of pipe 4" and 2" inches:

average grade per mile is _____ feet. Length of conduit is about ~~miles~~ 2900 ft.

Fifth. That said works are capable of conducting to the place of intended use more than
eight-tenths second feet of water.

Sixth. That water appropriated under said permit is available for forty acres of land described as follows: The SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 14 S. R. 39 E. B. M.

OCT 23 1914

OFFICE OF STATE ENGINEER

Seventh. Remarks: That the pipe line and water system was in use at the
date of filing application for permit and all work done at that
date.

Joseph Condie George Condie
Sign here.

Subscribed and sworn to before me this 20th day of October, 1914.

My commission expires March 5th, 1917.

9917 Notary Public.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 20th, 1914.

(P. O.) Preston, R. F. D. 2, Idaho.

To the State Engineer,

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Franklin County Citizen, of Preston, published in the
county in which the works are situated.

Joseph Leondie
George Condie

(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.

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 28th day of November, 1914, at Preston, County of Franklin, State of Idaho, before P. M. Condie, a notary public, proof will be submitted of the application to beneficial use of eight-tenths cubic feet per second of the waters of about six springs located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14 S. R. 39 E. B. M., in accordance with the terms and conditions of Permit No 9917 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.....
Joseph Condie and George (M) Condie, Preston, R. F. D. 2, Idaho,
2. The use to which said water has been applied is.....culinary and irrigation of about forty acres of land.
3. The amount applied to beneficial use is.....eight-tenths cubic foot per second.
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 14 S. R. 39 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is.....
Has no name, but belongs to Condie Brothers.
6. The right to take the water from such works is based upon Permit No 9917.
7. The source of supply from which such water is diverted is the springs above mentioned for culinary purpose, and for irrigation purposes the channel of the hollow down which the water from the springs naturally flows.
8. The date of the priority which said user is prepared to establish is ~~November eighth, 1914.~~
March 16, 1914.

October 23, 1914.

Permit 9917.

Smith & Condie, Lawyers,
Preston, Idaho.

Gentlemen:

We are just in receipt of affidavit of holders for proof of completion of works, also, notices for final proof under above permit, together with check for \$6.50, for which you will find enclosed receipts. The certificate of completion of works will be mailed to you soon.

The notice for publication for final proof will be mailed to the Franklin County Citizen today, November 28th being set as date for making proof. Inasmuch as final proof is being made four months and eight days later than the date specified in the permit, the date of priority has been brought down to March 16, 1914.

Very truly yours,

Herbert Wing,

Acting State Engineer.

R6926-7

By _____

9917

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING.
STATE ENGINEER

BOISE

INSTRUCTIONS
—
PROOF OF BENEFICIAL USE

Joe. & Geo. Condie,
c/o P. M. Condie,
Preston, Idaho.

BOISE, IDAHO, Nov. 5, 1914.

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. 9917.

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 November 28th, 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 **Preston, before P. M. Condie, E.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,

Herbert Wing, ~~E. P. King~~
Acting State Engineer.

9917

Boise, Idaho, Nov. 7, 1914.

Permit No. 9917.

Smith & Condie, Lawyers,
Preston, Idaho.

Gentlemen:-

Enclosed herein find Certificate of
Completion of Workss issued under the above
numbered Permit.

Very truly yours,

HERBERT WING,

Acting State Engineer.

By _____

Enc. C.
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PERMIT No. 9917

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Joseph Condie and George M. Condie.

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

Ans.

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

Ans. Permit No. 9917. Date of priority- March 16th, 1914.

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

Ans. Springs. About six in number, located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 14 S. R. 39 E. B. M. Part is diverted by pipe line from springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, above T. and Range; part is diverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, said T. and R. County of Franklin, Idaho.

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. For irrigation purpose: a small ditch leading from the channel of the hollow (Spring Hollow) leading South to the forty acre tract to be irrigated. The dam is only an earth dam, and the ditch ~~in~~ heads near the land to be irrigated. Ditch is three feet wide and eight inches deep. For culinary purposes: 4 inch tiling at springs, runs southwesterly about 300 feet to concrete settling basin 4x4x4 ft. continues with 4 inch tiling to concrete reservoir, distance of 1300 ft. reservoir being 10x14 feet, 8 feet deep inside; continues by 4 inch wood pipe for about 1000 feet; 2 inch wood pipe about 175 rods, then inch pipe branch lines.

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. Purpose of use: Culinary and domestic purposes. Also irrigation of the following land which is all actually irrigated with said water: The Southeast quarter of the Northeast quarter of Sec. 9, T. 14 South, Range 39 E. B. M. This land is all under cultivation at this date.

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. Eight tenths of one cubic foot per second.

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.

9917

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

Ans. All the water diverted under above mentioned permit has been put to a beneficial use as applied for under permit No. 9917.

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.

Joseph Condie
(Sign) Geo. M. Condie

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 Preston, County of

Franklin, State of Idaho, on this 28th day of November, A. D. 1914.

Geo. M. Condie

Notary Public.

9917

Permit No. 9917.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Thomas C. Palmer, 52 years old, reside at Preston, Idaho, farmer,
Address: Preston, R. F. D. 2, Idaho.

Ques. 2. Are you acquainted with Joseph Condie and George M. Condie, the holder of Permit No. 9917? How long have you known him and where does he reside?

Ans. Twenty five years. They reside Preston, Idaho,

Ques. 3. Have you read or heard read said Permit No. 9917, 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. For irrigation purpose: a small ditch leading from the channel of the hollow (Spring hollow) leading South to the
Ans. forty acre tract to be irrigated. The dam is of earth and the ditch heads near the land to be irrigated. Ditch is three feet wide and eight inches deep. For culinary purposes: 4 inch tiling at springs, runs southwesterly about 300 feet to concrete settling basin 4x4x4 feet, continues with 4 inch tiling to concrete reservoir, distance of 1300 feet, reservoir being 10x14 feet, 8 feet deep inside; continues by 4 inch wood pipe for about 1000 feet; 2 inch wood pipe about 175 feet, then inch pipe branch lines.

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. At least eight tenths second foot, estimate that it will carry more. I have seen this water conveyed.

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. Culinary and domestic purposes by the applicants. Also irrigation of the following land which is under cultivation: The Southeast quarter of the Northeast quarter of Sec. 9, T. 14 South, Range 39 East of Boise Meridian.

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. Nearly eight tenths of a cubic foot per second; land black loam.

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 whatever.

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. During the summer of 1914 at different times, by actually having seen water applied. Water has been diverted by means of the pipe line mentioned; also by the ditch from the hollow to the forty acre tract.

(Sign) Thomas C. Palmer

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 Preston, County of Franklin State of Idaho, on this 23th day of November A. D. 1914.

J. M. Couderc
Notary Public.

My Commission Expires March fifth, 1917.

Permit No. 9917.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. George Young, 40 years, residence Preston, Idaho, occupation farmer.

Ques. 2. Are you acquainted with Joseph Condie and George M. Condie the holder of Permit No. 9917? How long have you known him and where does he reside?

Ans. Have known them for 17 years; they reside in Preston, R. F. D 2 being their address.

Ques. 3. Have you read or heard read said Permit No. 9917, 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. For irrigation purpose: a small ditch leading from the channel of the hollow (Spring hollow) leading South to the

Ans. forty acre tract to be irrigated. The dam is only an earth dam, and the ditch leads near the land to be irrigated. Ditch is three feet wide and eight inches deep. For culinary purposes: 4 inch tiling at springs - this continues for about 300 feet to concrete settling basin 4x4x4 feet; continues with 4 inch tiling to concrete reservoir. Distance of 1300 feet, reservoir being 10x14 feet, 8 feet deep inside; continues by 4 inch wood pipe for about 1000 feet; 2 inch wood pipe about 175 rods, then inch pipe branch lines.

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. At least eight tenths second x foot, estimate that it will carry more. I have seen this water conveyed.

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. Culinary and domestic purposes by the applicants. Also irrigation of the following land which is under cultivation: The Southeast quarter of the Northeast quarter of Sec. 9, T. 14 South, Range 39

E. B. M.

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. Nearly eight tenths of a cubic foot per second; land black loam.

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 whatever.

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. During the summer of 1914 at different times, by actually having seen ~~mm~~ water applied. Water has been diverted by means of the pipe line mentioned; also by the ditch from the hollow to the forty acre tract.

(Sign)

George Young

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 Preston, County of Franklin, State of Idaho, on this 28th day of November, A. D. 19 14.

J. M. Gaudie

Notary Public.

My Commission Expires March fifth, 1917.

Affidavit of Publication

STATE OF IDAHO,
County of Franklin

Notice for Publication Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 28th day of November, 1914, at Preston, County of Franklin, State of Idaho, before P. M. Condie, a notary public, proof will be submitted of the application to beneficial use of eight-tenths cubic feet per second of the waters of about six springs located in NE quar, NW quar, Sec. 3, and SW quar NW quar, Sec. 3, T. 14 S. R. 39 E. B. M., in accordance with the terms and conditions of Permit No. 9917 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 Joseph Condie and George (M) Condie, Preston, R. F. D. 2, Idaho.

2. The use to which said water has been applied is culinary and irrigation of about forty acres of land.

3. The amount applied to beneficial use is eight-tenths cubic foot per second.

4. The place where said water is (if for irrigation, give full and accurate description of the land irrigated) SE quar NE quar, Sec. 9, T. 14 S. R. 39 E. B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is—Has no name, but belongs to Condie Brothers.

6. The right to take the water from such works is based upon Permit No. 9917.

7. The source of supply from which such water is diverted is the springs above mentioned for culinary purpose, and for irrigation purposes the channel of the hollow down which the water from the springs naturally flows.

8. The date of the priority which said user is prepared to establish is March 16, 1914.

HERBERT WING.
o29n19 Acting State Engineer.

THANKSGIVING DAY

Franklin L. Roe, Jr. do solemnly swear that I am one of the publishers of the FRANKLIN COUNTY CITIZEN, a weekly newspaper of general circulation published each week at Preston, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for 5 consecutive weeks, the first publication having been made on the 29th day of October, 1914 and that the last publication was made on the 26th day of November, 1914 that said notice was published in the regular issue of every number of the paper during the periods and times of publication, and that the said notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 29th day of Nov, 1914

P. M. Condie
Notary Public.

I, _____, Register, do hereby certify that a notice, a printed copy of which is hereto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the _____ day of _____ 191__

9917

December 1, 1914.

Permit 9917.

Joseph Condie, et al.,
Preston, RFD #2, Idaho.

Sir:

We are in receipt of depositions, affidavit of publication and check for fees in the sum of \$2.00 for final proof under above permit.

As it will be several months before an examining engineer will be able to report on this proof I would suggest that you send us the name of some one near you whom you feel to be competent to do this work for you. The necessary blanks for report and map will be furnished from this office.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By _____

9917

REPORT OF ENGINEER

1. State name of applicant and number of permit: Jos. & Geo. Condie- 9917.
2. State source of water supply: About 6 springs-
3. Location of point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ -3 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ -3, T.14 S.R.39 E.

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

5. Describe works as they exist, giving dimensions and capacities of same: Pipe Line diversion from spring - Canal, 3' on bottom, 4.5' on water line, 1' deep - work also in connection with filing on Battle Creek.

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):

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T.14 S. R.39 East.

S. 2 $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, Tp. 14 S., R. 39 E., 40 acres -
Hay + Grain.

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

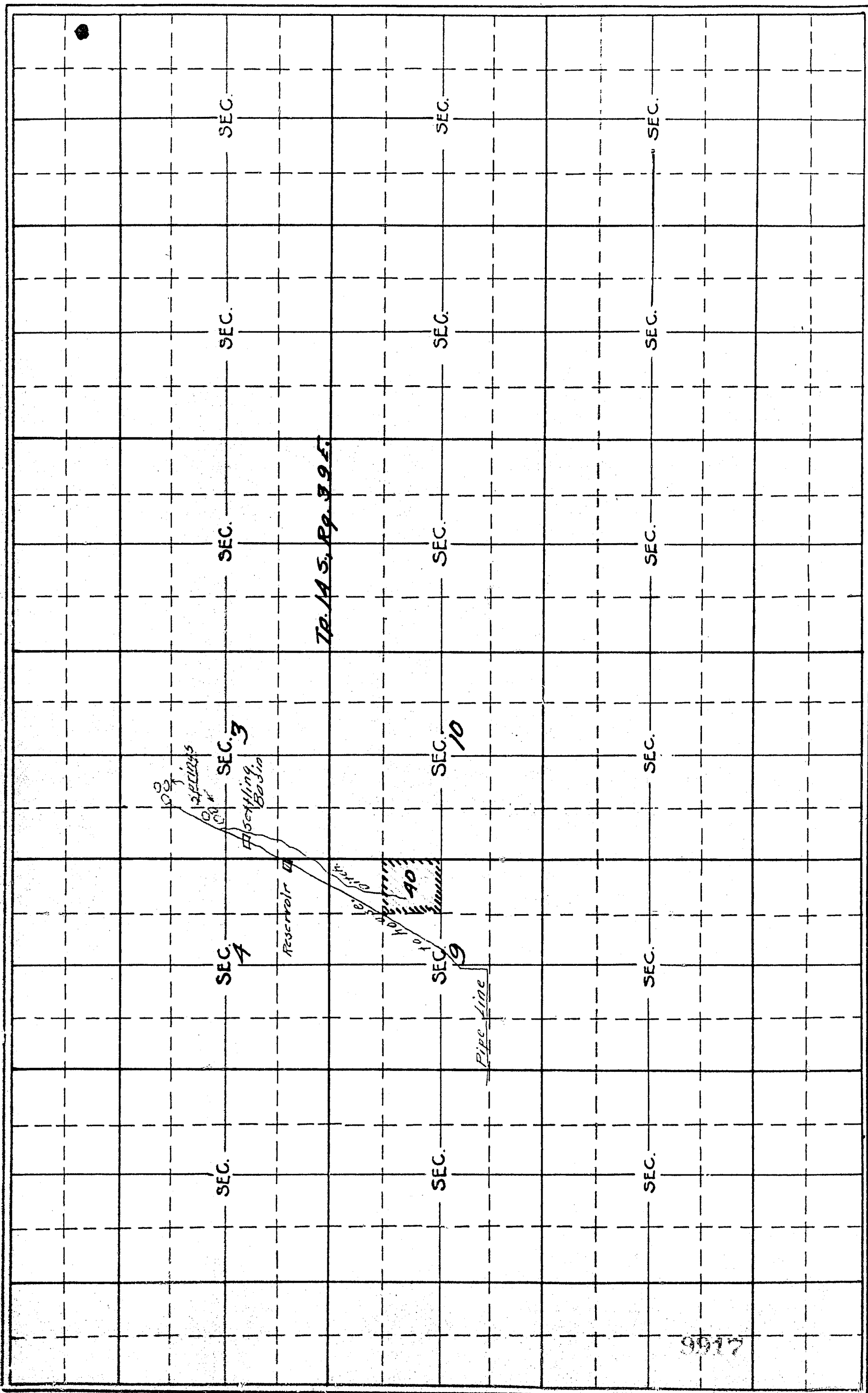
Remarks:

This examination was made on the 18th day of July 1916.

(Signed)

S. J. [Signature]
Examiner.

Name of Applicant *Jos. & Geo. Gendie* — # *9917*.



June 8, 1916.

Re Permit 9917.

Jos. and Geo. M. Condie,
Preston, Idaho, R.F.D. No. 2,

Gentlemen:--

Herewith enclosing you water license issued
under above permit, with receipt for fees.

Very truly yours,

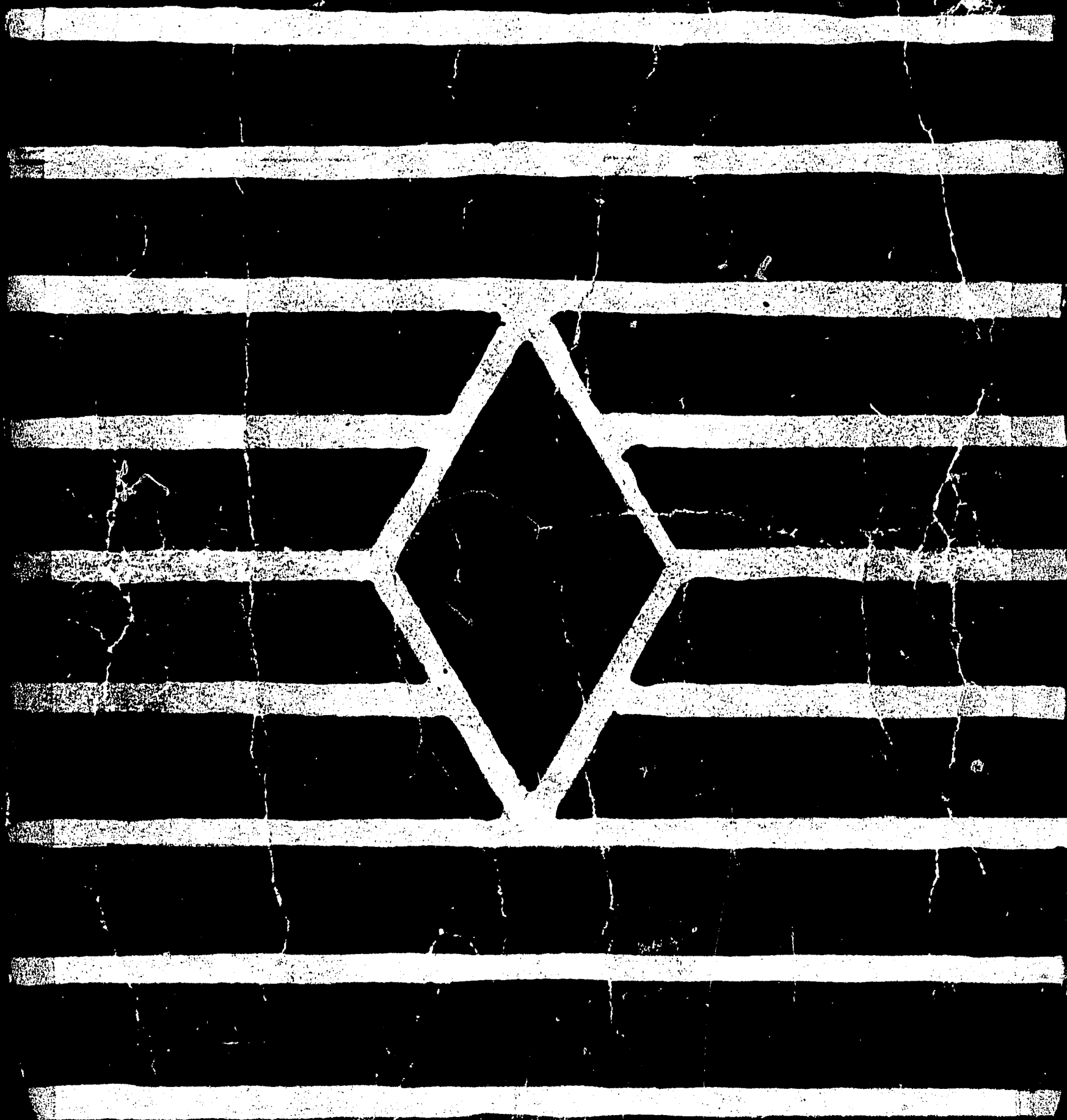
J. H. SMITH,

State Engineer.

WL-R7045

By _____

9917



County: Franklin.
Stream: six springs.
Amount: .8 cu.ft.
Use: Irrg.
Priority: 3-16-14

STATE OF IDAHO

Water License No. 9917

Water District No. 5-J

WHEREAS, On the 8th day of November, A. D. 1913, JOSEPH and GEORGE M. CONDIE,

of Preston, County of Franklin, State of Idaho, duly made application (No. 14619) to me for a permit to use 8/10 of 1 cubic foot per second of the waters of about 6 springs, located on the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and S $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14 S., R. 39 E.B.M., in Water District No. 5-J.
County of Franklin, State of Idaho, for Irrigation and domestic purposes, and,

WHEREAS, On the 20th day of January, A. D. 1914, Permit No. 9917 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 July, A. D. 1914, and for the application to beneficial use of said water on or before the 20th day of July, A. D. 1914 and,

WHEREAS, On the 20th day of October, A. D. 1914, JOSEPH and GEORGE M. CONDIE,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 8/10 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9917 dated October 27 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 8/10 of 1 cubic foot per second of said water with date of priority of November 8 1913, and

WHEREAS, On the 28th day of November, A. D. 1914, JOSEPH and GEORGE M. CONDIE,

the holder of said permit, duly made proof of the application to beneficial use of 8/10 of 1 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

JOSEPH and GEORGE M. CONDIE

of Preston, County of Franklin, State of Idaho, the holder and owner of said Permit No. 9917, a perpetual right, dating from March 16, 1914 to the use of 8/10 of 1 cubic foot per second of the waters of about six springs, located on the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 3, T. 14 S., R. 39 E.B.M.

in the County of Franklin and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at the springs,

and conducted to and upon 40 acres in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 9 T. 14 S., R. 39 E.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 or 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 1st day of June
A. D. nineteen hundred and Sixteen

J. H. SMITH

(Seal)

State Engineer:

15 2083

