

No. 2416.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - EDWARD B. JONES

Postoffice address: P. O. - Malad City, Idaho.

County - Oneida.

- II. The financial resources of the applicant are:

(a) Cash on hand - \$100

2. The quantity of water claimed is 1/5 cubic foot per second.

3. Source of water supply spring, No Name (See plat).

County of Oneida.

4. Location of point of diversion At the spring 20 rods south & 60 rods East N. W. corner Sec. 16, Tp. 13 S., R. 35 E. B. M.

5. To be used for:

- I. Irrigation and domestic use: Irrigation

(a) Number of acres to be irrigated 10 acres.

(b) In the following legal subdivisions - NW4 NW4 Sec. 16, Tp. 13 S.,
R. 35 E. B. M.

6. Estimated cost of works.....

7. Description of Works for Diversion:

- I. Kinds of works - Small trench into Spring from ditch.

- II. Dimensions of Works:

(d) Ditch (flume or pipe) width at bottom 8 inches, width at water line
8 inch, depth of water 1 1/2 inch. Average grade per mile is 3 feet.
Length of ditch is 50 rods, and it crosses the following quarter sections
NW4 NW4 Sec. 16, Tp. 13 S., R. 35, to south side same tract, which is
the point of intended use.

8. Time required for the completion of the construction of such work is - completed.

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

Remarks:

Claimant has appropriated and use this spring for the irrigation of a small garden
for 2 years. And is ready to make proof thereof as soon as possible.

Approval of State Engineer.

The number of this permit is 1768.

Date of first receipt of application 9 a. m. December 26, 1905.

Returned to applicant for correction December 26, 1905.

Corrected application received January 9, 1906.

Recorded in Book 6, page 1768. Approved January 13, 1906.

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 grant the same, subject

to the following limitations and conditions:

Work to begin on or before March 14, 1906, 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 13, 1906.

The whole of said work to be completed on or before July 13, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to July 13, 1906.

Witness my hand this 13 day of January, 1906.

Jas. Stephenson, Jr.

State Engineer.

Blank Notice of Proof of Completion of Works and blank Notice of Proof of Application of Water to Beneficial Use mailed Applicant April 2, 1906.

Notice of Proof of Completion of Works and Notice of Proof of Application of Water to Beneficial Use received May 12, 1906, fixing July 13th as the date and Malad City as the place of proof.

Notice for Publication mailed Idaho Enterprise, Malad City, Idaho, June 9, 1906, and deposition blanks mailed applicant same date.

H. R. Evans, Malad City, Idaho, authorized July 2, 1906, to make examination and report to the office of State Engineer.

Fee of \$5.00 for proof of completion of works, affidavit of publication of notice, and depositions for both proofs received July 16th, 1906.

Fee of \$2.00 for proof of application of water to beneficial use received July 27, 1906.

Report of H. R. Evans received July 30, 1906.

Depositions and report show that works have been completed of a capacity to divert and convey to the place of intended use the amount of water for which application was made, but that only one acre has been reclaimed.

Certificate of Completion of Works and License issued August 23, 1906.

Permit No. 1768

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

To All Whom It May Concern:

This is to certify that EDWARD B. JONES of Malad City, County of Oneida, and State of Idaho, the holder of Permit No. 1768, issued upon Application No. 2416, bearing date of priority of December 26, 1905, authorizing the diversion of one-fifth second-foot of the waters of a spring, County of Oneida, State of Idaho, at Lot 1, Section 16, Township 13 South, Range 35 East of Boise Meridian, 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 one-fifth

second-feet of water, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 1, Section 16, Township 13 South, Range 35 East of Boise Meridian.

Witness my hand this twenty-third day of August, A. D. 1906.

Jas. Stephenson, Jr.

State engineer of the State of Idaho.

License issued for $\frac{2}{100}$ second feet
D 83

13 SR 35

1768

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Handwritten notes and sketches, including "Garden" and "Side hill".

Handwritten "16" with a checkmark.

State Engineer.

Approved January 13, 1906.
Owida County
1/5 sec. ft. of a spring

PERMIT NO. 1768

Application No. 2416

1768

Boise, Idaho, January 20, 1906.

Mr. D. C. McDougall,
Malad, Idaho.

Dear Sir:-

I enclose herewith Permit No. 1768 in favor of Edward B. Jones, Malad, Idaho. Both proofs have been set for July 13, 1906. The enclosed notices should be filled out and mailed to me at least 60 days before proof is to be submitted. These proofs may be submitted on July 13th or any date prior by giving this office 60 days notice. The proofs may be submitted at any place convenient to the permit holder, where there is a Notary Public.

Yours truly,

State Engineer.

1768

1768

INSTRUCTIONS.

PROOF OF COMPLETION OF WORKS.

Edward B. Jones

Mataca City
Idaho

B. 1906 April 2, 1906

DEAR SIR:

I enclose herewith the following forms to be used in connection with Proof of Completion of Works under your Permit No. 1768

NOTICE OF PROOF OF COMPLETION OF WORKS.

~~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. ~~Fill out the~~ Notice of Proof of Completion of Works and mail to the State Engineer's office at least sixty days before the date upon which you wish to submit proof, which proof must be on or before _____ Upon receipt of this form, notice for publication will be sent to the paper direct from this office.

2. On _____, the date set for the proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at _____, before someone authorized to administer oaths. (The proof may be at a place most convenient to permit holder and witnesses.)

3. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of such a name I will authorize him to do the work. The examination should be made on or before the date set for the proof.

4. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice and fee of \$_____. When these have been received, together with report of examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

P.S. Also enclose blank notice
of Proof of Application of Water

1768

Notice of Proof of Completion of Works.

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

(P. O.) Malad City Idaho
(Date) May 5th 1906

To the State Engineer of the State of Idaho, Boise, Idaho.

Dear Sir:

Notice is hereby given that at 2 P M. on the 13 day of July 1906, at Malad City County of Blaine State of Idaho, before W. H. Richards proof will be submitted of the completion of works for the diversion of 1/5 cubic feet per second of the waters of Spry. on NW 1/4 sec 16 T. 13 S. R. 35 E. 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.....

Edward B. Jones

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

Malad City, County of Blaine, State of Idaho.

3. The number of such permit is 1768, and the date set for the completion of such work is July 13, 1906

4. Said water is to be used for Irrigation purposes.

5. 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 intended use, in accordance with the plans accompanying the application for such permit, is 1/5 cubic feet per second.

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

10 acres acres, particularly described as follows:

In NW 1/4 NW 1/4 sec 16 T. 13 S. R. 35 E. Blaine

(In case of all 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.

I desire that the above notice be published, according to law, in the Idaho Enterprise of Malad City, published in the county in which said works are situated; the expense of which publication will be borne by

me

(Signature) Edward B. Jones

No.

Notice of Proof of Comple-
tion of Works.

Received *May 12, 1906*

Date of proof

Place

Notice sent to

for publication on

PERMIT No. 1768

Notice of Proof of Application of Water to Beneficial Use.

(This blank must be filled out by holder of permit and forwarded to the State Engineer at least 60 days before the time set for application of water.)

(P. O.) Malad City Idaho
(Date) May 5th 1906

To the State Engineer of the State of Idaho, Boise, Idaho:

Dear Sir—Notice is hereby given that at 2 P. M. on the 13 day of July 1906, at Malad City County of Blaine State of Idaho, before W. H. Richards proof will be submitted of the application to beneficial use of 1/5 cubic feet per second of the waters of Spring on NW 1/4 sec 16-13-35 in accordance with the terms and conditions of Permit No. 1768 heretofore issued by the State Engineer of the State of Idaho.

1. The name and post-office address of the person or corporation holding said permit are 1768
Edward B Jones, Malad City Blaine Co Idaho
2. The use to which said water has been applied is
Irrigation
3. The amount applied to beneficial use is 1/5 cu feet
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) on NW 1/4 sec 16 T13 S1R 35
EB. & W. sec 16 and 17
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Spring on NW 1/4 sec 16 T13 S1R 35
6. The right to take the water from such works is based upon Permit No. 1768
7. The source of supply from which such water is diverted is
Spring
8. The date of the priority which said user is prepared to establish is
Jan 9-1906

I desire that the above notice be published, according to law, in the Idaho Enterprise of Malad City, published in the county in which said water is to be used; the expense of which publication will be borne by me.

(Sign) Edward B Jones

1768

No. _____

Notice of Proof of Application
of Water.

Received May 12 1906

Date of Proof _____

Place _____

Notice sent to _____

for Publication on _____

D. C. McDOUGALL.
ATTORNEY AND COUNSELLOR-AT-LAW.

COUNTY ATTORNEY, ONEIDA COUNTY.

Malad City, Idaho, May 8th 1906.

James H. Stevensen; Esq;
State Engineer;

Boise Idaho;

Dear Sir;

I enclose notice for permit 1768;

I have inserted in pencil the name of H.F. Evans of Malad City; he is
a civil engineer-if the proof is required to be made before an officer
then the name should be changed to W.H. Richards, clerk of the District
Court;

Mr Jones has made arrangements with the paper to
publish the notice.

Respectfully.

D. C. McDougall

1768

INSTRUCTIONS.

PROOF OF COMPLETION OF WORKS.

Edward B. Jones

DEAR SIR:

Boise, Idaho, June 9, 1906

I enclose herewith the following forms to be used in connection with Proof of Completion of Works under your Permit No. 1768

~~NOTICE OF PROOF OF COMPLETION OF WORKS.~~

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. Fill out the Notice of Proof of Completion of Works and mail to the State Engineer's office at least sixty days before the date upon which you wish to submit proof, which proof must be on or before ----- Upon receipt of this form, notice for publication will be sent to the paper direct from this office.

2. On July 13, 06, the date set for the proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Malad City before W.H. Richards, before someone authorized to administer oaths. (The proof may be at a place most convenient to permit holder and witnesses.)

3. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of such a name I will authorize him to do the work. The examination should be made on or before the date set for the proof.

4. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice and fee of \$ 5.00 When these have been received, together with report of examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

1768

JAS. STEPHENSON, JR.,

State Engineer.

Also enclose depositions for proof of application of water. The fee for this proof is \$2.00.

Boise, Idaho, June 9, 1906.

The Idaho Enterprise,

Malad City, Idaho.

Dear sir:-

I enclose herewith notice for public ation in the matter of proof of completion of works and proof of application of water to beneficial use under permit No. 1768, which please publish in your paper once a week for four consecutive weeks.

The expense of this publication will be paid by Mr. E. B. Jones to whom please furnish proof of publication on or before July 13, 1906.

Kindly send me a copy of the first issue in which this notice appears.

Yours truly,

State Engineer.

Notice of Proof of Completion of Works
and
Application of water to Beneficial Use

Notice is hereby given that at 2 p. m. on the 13th day of July, 1906 at Malad City, County of Oneida, state of Idaho, before W. H. Richards, proof will be submitted of the completion of works for the diversion of one-fifth of one cubic foot per second of the waters of a spring in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of sec. 16, Tp. 13 S., R. 35 E. B. M., and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 1768 heretofore issued by the state Engineer of the state of Idaho.

1. The name and postoffice address of the person holding said permit is Edward B. Jones, Malad City, Oneida County, 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 intended use, in accordance with the plans accompanying the application for such permit, is one-fifth of one cubic foot per second.

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

4. The place where said water is used is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 16, Tp. 13 S., R. 35 E. B. M.

5. The date of the priority which said user is prepared to establish is December 26, 1905.

Jas. Stephenson, Jr.

State Engineer

1768

D. C. McDOUGALL.
ATTORNEY AND COUNSELLOR-AT-LAW.

COUNTY ATTORNEY. ONEIDA COUNTY.

Malad City, Idaho, June 29, 1906.

Jas. Stephenson, Jr.,

Boise, Idaho.

Dear Sir:

In regard to permit number 1768 Edward B Jones;

I would suggest H.R. Evans, of this place, a competent engineer
as a proper person to make the examination under your direction.

Respty.

D. C. McDougall

1768

Boise, Idaho, July 2, 1906.

Mr. H. R. Evans,

Malad City, Idaho.

DEAR SIR:

The holder of Permit No. 1768, Edward B. Jones, residing at Malad City, which permit authorizes the diversion of 1/5 second-feet of the waters of ~~Malad~~ spring at _____, desire to make proof of the completion of works of diversion, at _____, on July 13, 1906.

Will you therefore please arrange with the holder of said permit for an examination of the works of diversion, ascertain whether or not they comply fully with the terms of said permit, and render me a report on the condition of such works before the date fixed for said proof of completion, in accordance with the provisions of Sections 4 and 5 of House Bill No. 146, passed by the Seventh Session of the Legislature, approved March 11, 1903.

Your report should be of sufficient detail to enable me to figure out the amount of water the works are capable of diverting and conveying to the place of use; giving also the description of the location of the point of diversion, and, in case of irrigation, the legal description of the land to be irrigated.

Will you also make a map on the enclosed plat, giving all the essential features of the works, such as point of diversion, route of ditch, place of use, etc.

You should also arrange with the holder of said permit for the payment of your fee for this service and such proper expenses as you will incur in making this examination and report.

Please advise me promptly of your receipt of this communication, and whether or not you will be able to make the examination and report requested.

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

1768

THE ONEIDA COUNTY
WOOL GROWERS' ASSOCIATION

JOHN R. THOMAS, President.
H. R. EVANS, Secretary.

MALAD CITY, Idaho,

July 5th 1906

State Engineer
Boise

Idaho

Dear Sir

Your letter with reference
to permit No. 1768. Edward B. Jones,
received, will attend to matters as
per your request.

Will you please for?
Blank necessary for such proofs to me
and Oblige

Respectfully

H. R. Evans

Boise, Idaho, July 9, 1906.

Permit No. 1768

Mr. H. R. Evans,

Malad City, Idaho.

Dear Sir:-

Referring to your letter of July 5, 1906, in regard to examination of works under permit No. 1768. In reply will say that I have never prepared any blanks for these reports. I desire to know the exact status of the matter so as to enable me to check up with the permit.

I desire also to know whether the works are of a sufficient capacity to divert and convey to the place of intended use the amount of water for which application was made, and also if the water is being put to a beneficial use and how much.

Yours truly,

State Engineer.

1768

D. C. McDOUGALL.
ATTORNEY AND COUNSELLOR-AT-LAW.

COUNTY ATTORNEY, ONEIDA COUNTY.

Malad City, Idaho, July 15th 1906.

Jas Stephenson-Jr;
State Engineer;

Boise Idaho;

Dear Sir;- Enclosed please find prooof under permit 1768-

Edward B Jones;

Also find my check of \$5.00; If this is not the correct
amount please let me know and I will forward same.

Respty.

D. C. McDougall

1768

PERMIT NO.

1768

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Answer. *Edward B Jones. 35 - Elkham, Id.*
Mule Creek, 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. *1768 - Jan 13 - 1906*
1/5 Cu ft per second Let 1 sec 16 - 13 - 35

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. *Irrigation - Ten acres in SW corner Let 1*
Sec. 16 Tp 13 S R 35 E T2N

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. *It has. May 1903. To the extent of all*
the water then flowing - not to exceed 1/5 Cu ft per

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. *The works are completed I have*

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. *They comply*

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

Ans. *The work consists of Tunnel 10 ft long + 3 feet*
wide into the Spring. Small dam + ditch
Capable 2/5 Cu ft per second. Cost \$50.00

(Sign here.) *Edward B Jones*

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 _____, County

of _____, State of Idaho, on this _____ day of

July

A. D., 1906

1768

W B Richardson
Notary Public

1768

Permit No.

To appropriate second

feet of water from

..... County, Idaho.

by

Proof of Completion of Works

DISPOSITION OF HOLDER

Received and filed

July 16, 1906

1768

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

Permit No. 1768

Proof of Completion of Works.

Deposition of Witness.

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

Ans. H. R. Evans - 63 - Malad, Surveyor, Malad City, Idaho

Ques. 2. Are you acquainted with Edwin B. Jones, the holder of Permit No. 1768, authorizing the diversion of 1/5 second-feet of the waters of Spring, at Lot 1 Sec 16 T. 13 N. R. 30 E. for irrigation purposes? How long have you known him, and where does he reside?

Ans. I am. 25 years

Ques. 3. Have you read or heard read said Permit No. 1768, and are you familiar with its terms and conditions?

Ans. I am

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. I am, a tract at Malad Lot 1 Sec 16 T. 13 N. R. 30 E. Black loam, dry - 1/5 Cu ft per second

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. They are

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

Ans. Tunnel into spring about 10 feet long, 3 feet wide with narrow channel at bottom to carry water - Capacity 2/5 Cu ft per second

(Sign here.)

H. R. Evans

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 Malad, County of Blaine, State of Idaho, on this 13 day of July, A. D. 1906
1758

W. B. Richman

Permit No.

To appropriatesecond

feet of water from

.....County, Idaho,

by

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS.

Received and filed

July 16, 1906

1725

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

Permit No. 1768

Proof of Completion of Works.

Deposition of Witness.

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

Ans. D M Williams Sr. 74 - Elkhorn. farmer, Malad City, Ida

Ques. 2. Are you acquainted with Edmund B Jones, theholder of Permit No. 1768, authorizing the diversion of 7 1/2 second-feet of the waters ofSpring, at Lot 1 - Sec 16 Tp 13 SB 35for Irrigation purposes? How long have you known him, and where does he reside?Ans. Idaho. 25 years

Ques. 3. Have you read or heard read said Permit No. 1768, and are you familiar with its terms and conditions?

Ans. I have. I am

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. I am - It is dry brush land
will require 1/2 cu foot per acre

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. They are

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

Ans. Tunnel in to Spring 10 ft long & 3 ft wide
with dam & ditch - Capacity 2 1/2 cu foot

(Sign here.)

David M. Williams Sr

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 Malad, County of Carroll,State of Idaho, on this 13 day of July, A. D. 1906

1768

W. B. Richardson
Notary Public

Permit No.

To appropriate.....second

feet of water from.....

.....County, Idaho,

by.....

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS.

Received and filed.....

July 16, 1906

Permit No. 1768

Proof of Application of Water to Beneficial Use.

Deposition of Holder.

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

Ans. Edw. B. Jones - 35. Elk Horn. Farmer.
P.O. Mulad Lee 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 for Self

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

Ans. 1768 - Jan 13th 1906 - Dec 26th 1905 - Same date

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

Ans. Small Spring situated on Lot 1 Sec 16 - T3S - R3E -
Johns River about 40 rods East & about 10 rods North of same
g. Sec 16 Lot 1 - Sec 16 T3S - R3E

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. Tunnel into spring about 10 feet and on
channel about 5 rods below a small dam and
ditch in a westerly direction to the place of use

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.)

Ans. Irrigation - Lot 1 Sec 16 T3S - R3E
And about one acre has been actually irrigated
That amount of land taking all the water
at present from said Spring

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

Ans. None

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

Ans. all the water then flowing.

1768

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. None

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

Ans. In May 1906, I dug channel or ditch near to Sand Spring & made the ditch and diverted the whole of said water and have used the whole of it continuously ever since during irregular seasons on 9 acres or over. The whole amount of said water never exceeds 1/5 cu foot per second.
(Sign.) Edward B Jones

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 Malheur City, County of Ottawa, State of Idaho, on this 13th day of July, A. D. 1906

W. B. Richards
Deputy County
Clerk of the Ottawa County

Permit No.

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water second feet
Source
County
Purpose
Place of use
Date of priority

Received and filed

July 16, 1906

PERMIT No. 1768

Proof of Application of Water to Beneficial Use.

Deposition of Witness:

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

Answer ~~John~~ Evans, 74 - Elkhome, Juneau, Malakoff

Ques. 2. Are you acquainted with Edmund B. Jones
 the holder of Permit No. 1768? How long have you known him, and where does he reside?

Ans. I am, 25 years,
Elkhome Nevada Co Idaho

Ques. 3. Have you read or heard read said Permit No. 1768, and are you familiar with its provisions and conditions?

Ans. I have, I am

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, Lot 1 sec 16 Tp 13 RB 35, Tunnel
dam ditch

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. 2 1/5 I have seen all conveyed through a 1 1/4
inch pipe without pressure

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.)

Ans. Irrigation on tract in the SW corner
Lot 1 sec 16 Tp 13 RB 35, now and
1 acre

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 loam - 1/5 Cft ft per second

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. 1768

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

Ans. On a number of times during the irrigation season of 1905 I saw all the water from spring, Barker through the said works to & upon the garden & orchard desert & used for irrigation.

(Sign) David M. Williams, Jr

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 Malad, County of Conda State of Idaho,

on this 13 day of July, A. D. 1906.

W. B. Richard

County Clerk

Permit No.

**Proof of Application of
Water
to Beneficial Use.**

DEPOSITION OF WITNESS.

Received and filed July 16, 1906

THE IVY PRESS, BOISE

PERMIT No. 1768

Proof of Application of Water to Beneficial Use.

Deposition of Witness:

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

Answer. A. R. Evans. 63 - Mulad Survey - Mulad City, Idaho

Ques. 2. Are you acquainted with Edmund B Jones
the holder of Permit No. 1768? How long have you known him, and where does he reside?Ans. Ido. 25 yrs He resides at Elkhorn
Oreida, IdahoQues. 3. Have you read or heard read said Permit No. 1768, and are you familiar with its provisions and conditions?Ans. I have I am

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 - about 40 miles East to about 10
miles North of W. C. R. L. Sec. 16 T. 13 N. R. 35 E. 2nd
Survey - dam & ditch

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. 2 1/2 Cu foot per second = Have seen all the water then
flowing the same flowing through & being an 1 1/4 inch pipe
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.)Ans. Irrigation on tract on W. C. R. L.
Lat N Sec. 16 T. 13 N. R. 35 E. 2nd

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

Ans. None

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 & lower & will require 1/5 Sec foot

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

1768

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

Ans. July 8th + 9th 1906 - on ground - Saw all the water of the said spring taken thru an inch pipe without pressure, into garden + orchard used for irrigation

(Sign)

H. R. Francis

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 Malad, County of Conrad, State of Idaho,

on this 13 day of July, A. D. 1906

W. B. Richards

John D. Smith

Permit No.

**Proof of Application of
Water
to Beneficial Use.**

DEPOSITION OF WITNESS.

Received and filed

July 16/1906

THE IVY PRESS, BOISE

PROOF OF PUBLICATION

STATE OF IDAHO,
COUNTY OF ONEIDA } SS.

PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that, at 2 p. m., on the 13th day of July, 1906, at Malad City, County of Oneida, State of Idaho, before W. H. Richards, proof will be submitted of the completion of works for the diversion of one-fifth of one cubic foot per second of the waters of a spring in NW 1/4 of SW 1/4 of sec. 16, Tp. 13 S., R. 35 E., B. 3 M., and of the application to beneficial use of said water in accordance with the terms and conditions to Permit No. 1768 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Edward B. Jones, Malad City, Oneida County, 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 intended use, in accordance with the plans accompanying the application for such permit, is one-fifth of one cubic foot per second.

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

4. The place where said water is used is NW 1/4 of NW 1/4 of section 16, Tp. 13 S., R. 35 E., B. 3 M.

5. The date of the priority which said user is prepared to establish is December 30, 1905.

Jrs. Stephenson, Jr.
State Engineer

Clyde Hanson being first duly sworn, deposes and says that he is the Publisher of the Idaho Enterprise, a weekly newspaper published in Malad, Oneida County, in the State of Idaho. That the notice, a true copy of which is hereto attached, was

first published in said newspaper in its issue dated the 5th day of

June, 1906, and was published in said newspaper for

six consecutive weeks, the last publication thereof being dated the 10th

day of June, 1906. That said paper has been contin-

uously and uninterruptedly published in the 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.

Clyde Hanson

Subscribed and sworn to before me this 13 day of July,

A. D. 1906

D. C. McDougall
NP

Received July 16, 1906

1768

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Boise, Idaho, July 16, 1906.

Mr. D. C. McDougall,
Malad city, Idaho.

Dear Sir:-

I enclose herewith receipt for \$5.00. This will cover the fee for proof of completion of work, in addition to which there is a fee of \$2.00 for proof of application of water to beneficial use.

As soon as the report of examination by Mr. Evans is received the papers will be checked over carefully.

Yours truly,

Jas. Stephenson Jr.
State Engineer

Fee of 2⁰⁰ received July 27, 1906

1768

THE ONEIDA COUNTY
WOOL GROWERS' ASSOCIATION

JOHN R. THOMAS, President.
H. R. EVANS, Secretary.

MALAD CITY, Idaho,

July 26th 1906

State Engineer
Boise
Idaho

Dear Sir:

I examined the appropriation described in permit No. 1768, and found the amount of water to be the height of the pipe, was 15 inches, and it was on the level sufficient to fill a $1\frac{1}{4}$ inch pipe. The amount of work done is sufficient for a 100 times that much. Claimant utilized a ditch about 3 ft. wide and about $1\frac{1}{2}$ ft. deep. formerly used by the St John Irrigation Co. The water obtained by claimant is the result of digging in the Bank where appeared seepage. He still will continue working into the bank until all the water available is had up to the extent of his appropriation, if it reaches that amount has actually irrigated Respy about one acre.

H. R. Evans

Witnessed July 30, 1906

1768

1768

Sp 13 S R 36 E

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STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Boise, Idaho, July 30, 1906.

Permit No. 1768.

Mr. D. C. McDougall,
Malad City, Idaho.

Dear Sir:-

I enclose herewith receipt for \$2.00 for proof of application of water to beneficial use under permit No. 1768, E. B. Jones. I return the report of Mr. H. R. Evans and the deposition of Mr. Jones in the matter of proof of completion of works. In the answer to question 4 the land is described as being in the S. W. corner of Section 16. The other depositions give the location as in Lot 1. It seems to me, also, that there must be an error in calling it Lot 1, as I do not understand why section 16 should have a lot.

The report of Mr. Evans does not give sufficient information to enable me to tell what has been done, the capacity, nor does it give the acreage actually reclaimed. He mentions a pipe, but does not give the location of the pipe, the length, nor grade. It is also necessary to know the number of acres actually reclaimed, as License is based on that acreage.

Mr. Jones gives in his deposition for proof of application of water to beneficial use that only one acre has been reclaimed, in which event License can be issued for but one inch. When Mr. Jones has been able to obtain more water and has reclaimed more land he can submit another proof and obtain another License for the balance. It would have been better if he had asked for more time for this last proof and submitted proof on the ten acres when

1768

he has it all reclaimed. If this last proof is submitted subsequent to the date set out in the permit the priority will be advanced.

Yours truly,

Geo. Stephenson, Jr.
State Engineer.

D. C. McDOUGALL.
ATTORNEY AND COUNSELLOR-AT-LAW.

COUNTY ATTORNEY,

ONEIDA COUNTY.

Malad City, Idaho, Aug. 6th

1906.

James Stevenson- Esq;

State Engineer-

Boise Idaho;

Dear Sir; I return the papers in the E.M. Jones proof; the description is correct in lot 1-sec. 16- as this portion of the township is a new and separate survey and all the West side of section 16 are described as lots by the official plats;

I have corrected answer 4; Mr Evans has added the information asked for in your letter- and as 1 acre is now taking all the water there is at present we have to be content with that amount.

Respty.

McDougall.

1768

Boise, Idaho, August 25, 1906.

Mr. Edward B. Jones,

Malad City, Idaho.

Dear Sir:-

I enclose herewith Certificate of Completion of
Works and License issued under your Permit No. 1768.

Yours truly,

State Engineer.

1768

Permit No. 1768

Certificate of Completion of Works.

To All Whom It May Concern:

This is to certify that

Edward B Jonesof Malad City, County of Blaine, and State ofIdaho, the holder of Permit No. 1768, issued upon ApplicationNo. 2416, bearing date of priority of December 26, 1905, authorizing the diversion of1/5 second-feet of the waters of SpringCounty of Blaine, State of Idaho, at Lot 1 Sec 16 Twp 13 SR 35 E B 2, 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 1/5

second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as fol-

lows, to-wit: Lot 1 Sec 16, Twp 13 S R 35 E B 2

1768

Witness my hand this _____ day of _____ A. D. 190_____

State Engineer of the State of Idaho.

PERMIT No. 1768

Certificate of Completion
of Works.

Dated 1906

Stream Spring

County Oreida

Amount 15

Date of priority December 25, 1906

Recorded in Book 6

of Permits page 1768

STATE OF IDAHO

Water License No. 1768

WHEREAS, On the 29 day of December A. D. 1905

of Edward M. Jones
of Malad City County of Oneida and State of
Idaho duly made application (No. 2416) to me for a permit to use 1/5
cubic feet per second of the waters of Spring
County of Oneida State of Idaho, for Irrigation and domestic
purposes; and

WHEREAS, On the 13 day of January A. D. 1906
Permit No. 1768 was issued to said applicant for the diversion of said water, and providing for the comple-
tion of the works of diversion therein described on or before the 13 day of
July A. D. 1906 and for the application to beneficial use of said
water on or before the 13 day of July A. D. 1906
and,

WHEREAS, On the 13 day of July A. D. 1906
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1/5
cubic feet per second of said waters, as evidenced by my Certificate No. 1768
dated confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1/5 cubic feet per second of water,
with date of priority of December 26, 1905 and,

WHEREAS, On the 13 day of July A. D. 1906
proof was duly made of the application to beneficial use of 1/50 cubic feet per second
of said water;

1768

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Edmund R. Jones of Malad City, Idaho the holder and owner of said Permit No. 1768 a perpetual right, dating from December 26, 1905 to the use of 150 cubic feet per second of the waters of Spring in the County of Oneida and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Lot 1 Sec 16, Twp 13S R 35 E 13m and conducted to and upon Lot 1 Sec 16 Twp 13S R 35 E 13m

for the purpose of Irrigation and domestic

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

day of A. D. Nineteen

Hundred and

State Engineer.

STATE OF IDAHO

Water License No. 1768

To Edmund R. Jones
Malad City
Oneida Co. Idaho

Source of Supply Spring

County

Am't 150 Sec. Feet

Point of Diversion Lot 1 Sec 16
Twp 13S R 35 E 13m

Place of Use Lot 1 Sec 16
Twp 13S R 35 E 13m

Purpose Irrigation and
domestic

Date of Priority December 26, 1905

Recorded
in Book of Page

BYN-BYCK CO., PRINTERS, BOISE

State of Idaho
ENGINEERING DEPARTMENT
BOISE

D. G. MARTIN
ENGINEER

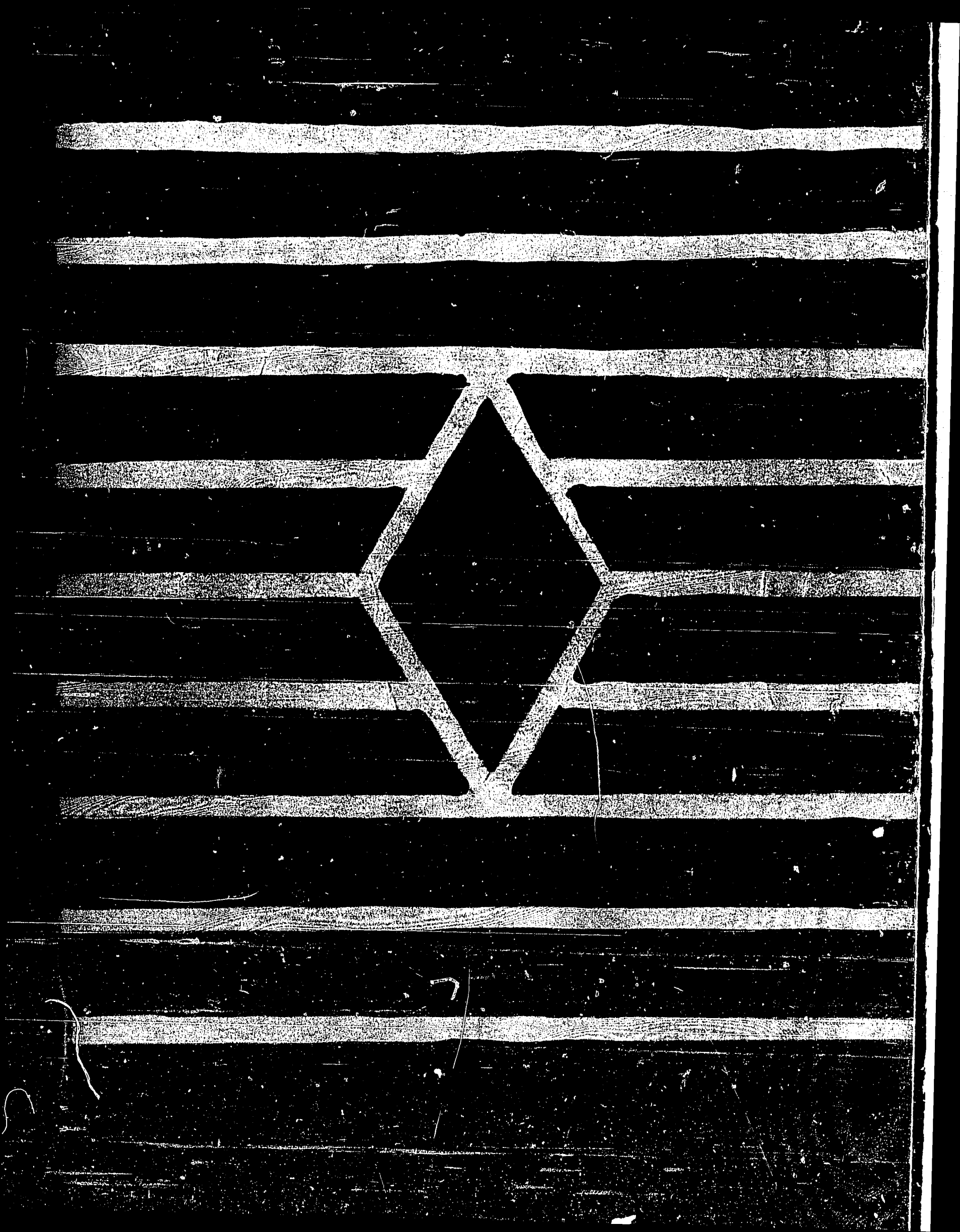
Boise, Idaho, October 1, 1910

Edward B. Jones,
Malad City, Idaho
Dear Sir:

I enclose herewith blank Notice of Proof of Application of Water to Beneficial Use under your permit No. 1768 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,

1768
D. G. MARTIN,
State Engineer.



Oneida County
Spring
1/50 sec. ft.
Irrigation
Priority 12-26-05

STATE OF IDAHO

- Water License No. 1768 -

WHEREAS, On the twenty-sixth day of December, A. D. 1905 Edward B. Jones of Malad City, County of Oneida, and State of Idaho, duly made application (No. 2416) to me for a permit to use 1/5 cubic feet per second of the waters of a spring, County of Oneida, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the thirteenth day of January, A. D. 1906 Permit No. 1768 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 thirteenth day of July, A. D. 1906, and for the application to beneficial use of said water on or before the thirteenth day of July, A. D. 1906, and,

WHEREAS, On the thirteenth day of July, A. D. 1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of 1/5 cubic feet per second of said water, as evidenced by my Certificate No. 1768, dated August 23, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/5 cubic feet per second of water, with date of priority of December 26, 1905, and,

WHEREAS, On the thirteenth day of July, A. D. 1906, proof was duly made of the application to beneficial use of one-fiftieth cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to EDWARD B. JONES of Malad City, Idaho, the holder and owner of said Permit No. 1768, a perpetual right, dating from December 26, 1905, to the use of one-fiftieth cubic feet per second of the waters of a spring, in the County of Oneida, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Lot 1, Section 16, Township 13 South, Range 35 East of Boise Meridian, and conducted to and upon (Lot 1, Section 16, Township 13 South, Range 35 East of 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 twenty-third day of August, A. D. Nineteen Hundred and six.

Jas. Stephenson, Jr.

(Seal

State Engineer.

Recorded August 24, 1906.

Oneida County
Spring
1/50 sec. ft.
Irrigation
Priority 12-26-05

S T A T E O F I D A H O

- Water License No. 1768 -

WHEREAS, On the twenty-sixth day of December, A. D. 1905 Edward B. Jones of Malad City, County of Oneida, and State of Idaho, duly made application (No. 2416) to me for a permit to use 1/5 cubic feet per second of the waters of a spring, County of Oneida, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the thirteenth day of January, A. D. 1906 Permit No. 1768 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 thirteenth day of July, A. D. 1906, and for the application to beneficial use of said water on or before the thirteenth day of July, A. D. 1906, and,

WHEREAS, On the thirteenth day of July, A. D. 1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of 1/5 cubic feet per second of said waters, as evidenced by my Certificate No. 1768, dated August 23, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/5 cubic feet per second of water, with date of priority of December 26, 1905, and,

WHEREAS, On the thirteenth day of July, A. D. 1906, proof was duly made of the application to beneficial use of one-fiftieth cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to EDWARD B. JONES of Malad City, Idaho, the holder and owner of said Permit No. 1768, a perpetual right, dating from December 26, 1905, to the use of one-fiftieth cubic feet per second of the waters of a spring, in the County of Oneida, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Lot 1, Section 16, Township 13 South, Range 35 East of Boise Meridian, and conducted to and upon (Lot 1, Section 16, Township 13 South, Range 35 East of 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 twenty-third day of August, A. D. Nineteen Hundred and six.

Jas. Stephenson, Jr.

(seal

State Engineer.

Recorded August 24, 1906.

15 3000

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the paper. The top right corner of the paper appears slightly worn or folded.