

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: ³⁹⁵⁷⁶

Ident. Number 63-2929

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CANYON COUNTY, STATE OF IDAHO Phone (208) 454-7391

Mailing Address 1115 Albany Street, Caldwell, ID Zip 83605

2. Date of Priority (Only one (1) per claim) March 13, 1953

3. Source of water supply (a) well, ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 2W Section 20,
NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is: Not Applicable

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Culinary and irrigation purposes
consisting of diversion rate of 0.02 under water license No. G-23784,
approved on or before February 27, 1953 and thereafter

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For culinary & irrigation purposes from 1953 to present amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) County Monument and Memorial Park

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	2W	20					X												

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Canyon County

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

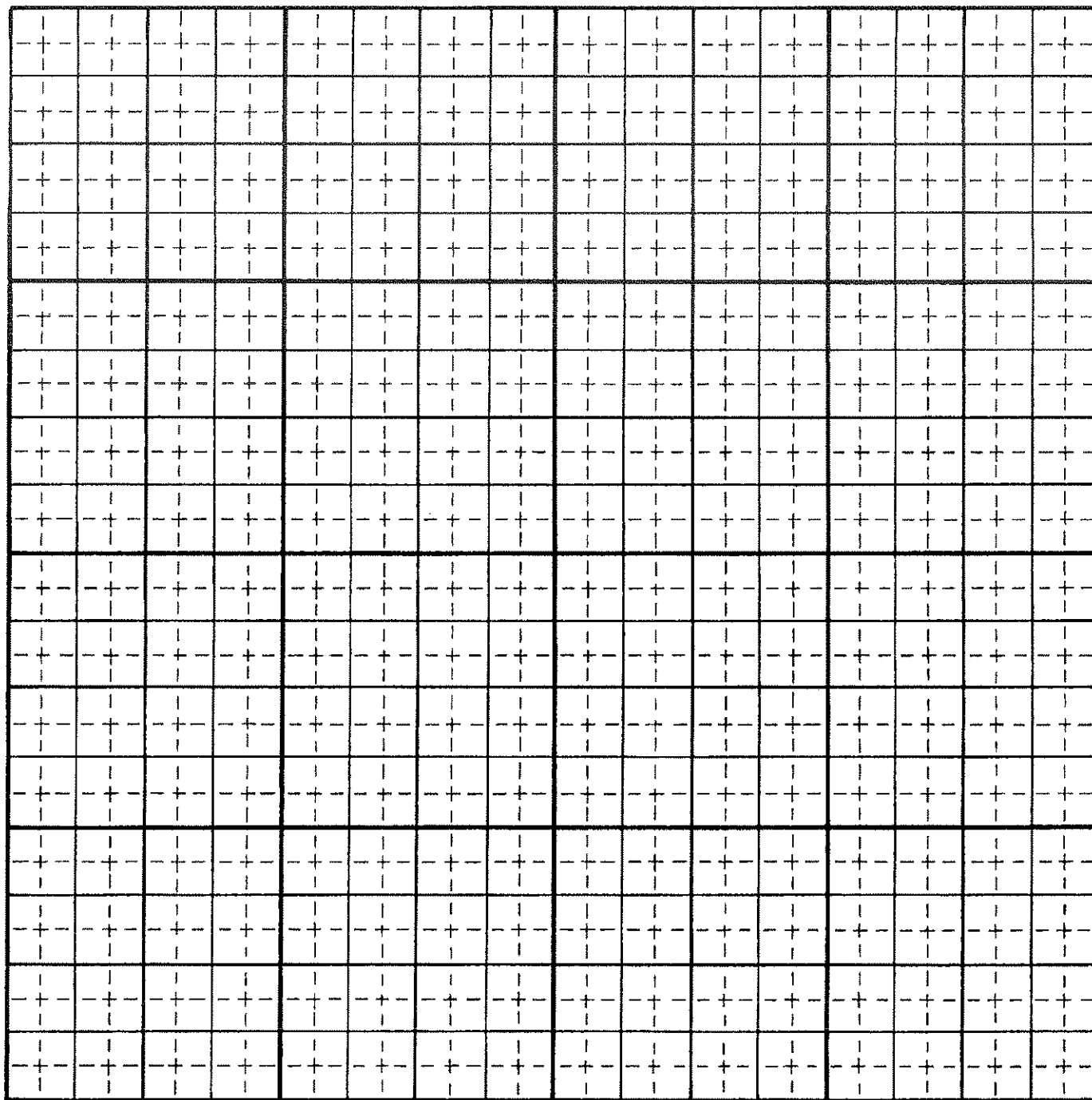
13. Describe any other water rights used at the same place and for the same purposes as described above.
Culinary and irrigation purposes or None ()

14. Remarks: Canyon County Monument and Memorial Park;
Ward Massacre Historical Monument Park

Canyon County, Ward Massacre Historical Monument Park
Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile SEE EXISTING DOCUMENTS OF RECORD: ATTACHED



Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License 6-23784 Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-2929
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments Thirty-seven (37)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Canyon County Date September 6, 2006
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am a Commissioner

_____ Title
of Canyon County Board of Commissioners, that I have signed the foregoing
_____ Organization
document in the space below as Member of Board of Canyon County Commissioners
_____ Title
and that the statements contained in the foregoing document are true and correct. _____ Organization

Signature of Authorized Agent [Signature]

Title and Organization Board of Canyon County Commissioners Date September 6, 2006

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 6th day of September 19 2006

Notary Public Claudia Amaral

Residing at Caldwell, ID

My Commission Expires 3-15-08

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Douglas D. Emery, ISB # 3834 will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature [Signature]

Address 1115 Albany Street, Caldwell, ID 83605

Date September 6, 2006

CANYON COUNTY; WARD MASSACURE HISTORICAL MONUMENT PARK
Last Name _____ Ident. Number _____

IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below. ☐ Search for both active and inactive water right records.

Search Results

Type of Query USAGE INSTRUCTION	☐ All SRBA & Water Rights	
	SRBA ☒ Claims ☐ Recommendations ☐ Both	Water Rights ☐ Applications ☐ Permits ☐ Decrees, Licenses and Statutory Claims ☐ Transfers ☒ All of the above

[Basin](#) [Who](#) [What](#) [When](#) [Where](#) [Clear](#) [Search](#) [Help](#)

Query parameters:

basinFrom = 63

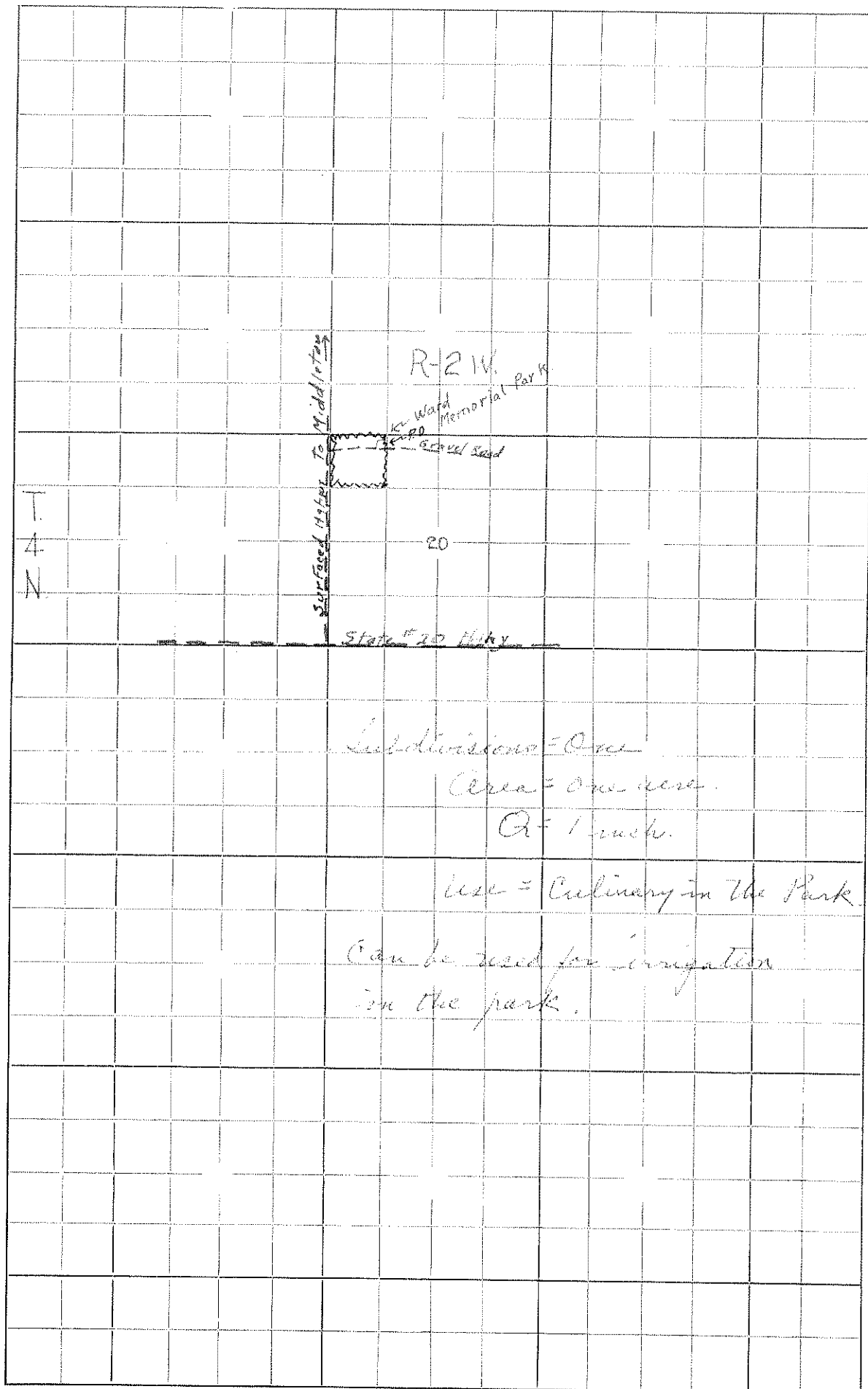
sequenceNumberFrom = 2929

Search for: active Records

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details												
Related Documents	1	63	2929			License	Active	1953-02-20	0.02	GROUND WATER	DOMESTIC, IRRIGATION	STATE OF IDAHO (Current)
General Provision												

Number of records = 1



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

23784

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

ss.

Charles Grey

, being first duly sworn, deposes and says;

That he is the Foreman of WESTERN IDAHO PUBLISHERS, INC., publisher of The News-Tribune, a daily newspaper published at Caldwell, Idaho, within the meaning of Chapter 154 of the 1933 Session Laws of Idaho; published six consecutive days a week except legal holidays. And that the publisher of said The News-Tribune, a daily newspaper, has all the time since the 5th day of July, 1933 and in each issue thereof, at the head of the editorial column of said newspaper, announced the day of the week to-wit: Saturday, on which legal notice required by law or by order of any Court of competent jurisdiction to be published weekly, will be published; that the said paper is in general circulation in Canyon County, Idaho and has been for a period of seventy-eight weeks preceding the first publication of this advertisement, a copy of which is attached hereto, and by reference thereto made a part of this affidavit, and was published in the regular

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

Notice is hereby given that at 10:00 o'clock a.m., on the 27th day of February, 1955, at Boise, County of Ada, State of Idaho, before M. C. Hamblin, Notary Public, proof will be submitted of the completion of works for the diversion of 0.025 cubic feet per second of the waters of an artesian well in the NW 1/4 NW 1/4, Sec. 20, Twp. 4 N., Range 2 West B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23784 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are State Land Department, State House, Boise, 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.025 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 0.025 cubic feet per second.

4. The place where said water is used is in the small State park at Ward Massacre Monument in the NW 1/4 NW 1/4, Section 20, Township 4 North, Range 2 West B.M.

5. The date of priority which said user is prepared to establish is February 20, 1953.

MARK R. KULT,
State Reclamation Engineer
No. 646--Jan. 29; Feb. 5, 12, 19

Saturday issue of The News-Tribune for 4 consecutive weeks beginning with the issue of Jan 29, 1955 and ending with the issue of Feb

19, 1955
Charles Grey
Subscribed and sworn to before me this 19 day of February, 1955

823784

Notary Public for Idaho
Residing at Caldwell, Idaho

NAME OF APPLICANT..... Form No. 0

[illegible]

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

Q 23784

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10-00 o'clock a.m., on the 27th day of February, 1933, at Boise, County of Ada, State of Idaho, before M. C. Hamblin, Notary Public, proof will be submitted of the completion of works for the diversion of 0.25 cubic feet per second of the waters of an artesian well in the NW $\frac{1}{4}$ Sec. 20, Twp. 4 N., Range 2 West B.M. and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. G-29784 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are State Land Department, State House, Boise, 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.035 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to the beneficial use is 0.025 cubic feet per second.

4. The place where said water used is in the small State park known as Ward Massacre Monument in Co. NW 1/4 NW 1/4 Section 26, Township 4 North, Range 3 East, N. 14 E.

The date of priority which user is prepared to establish is February 20, 1965.

MARK R. KUIP,
State Reclamation Engineer
646—Jan. 20. Feb. 5, 12, 1963

State Reclamation Engineer
646—Jan. 20. Feb. 5, 1914

State of Idaho

License and Certificate of Water Right

Water License No. G-23784Amount .02 second foot

Water District No. _____

Priority February 20, 1953

THIS IS TO CERTIFY that STATE OF IDAHO, STATE LAND DEPARTMENT
 of Boise, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated February 20, 1953; that Permit No. G-23784
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 .025 second foot, was issued thereunder on February 20, 1956, showing that said works
 were completed on the 28th day of February, 1955; and that on the 28th
 day of February, 1955,

STATE OF IDAHO, STATE LAND DEPARTMENT

of Boise, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well
 , a tributary of , for the purpose of irrigation & domestic

uses , under Use Permit No. G-23784 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5660, on the 20th day of February, 1956;

The right hereby confirmed dates from February 20, 1953;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Tp. 4 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed .02 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	2 W.	20	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Known as the Ward Massacre Monument, an historical monument and park.	1.25	1

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

20th day of February, 1956.

Mark R. Kulp

State Reclamation Engineer.

(SEAL)

State of Idaho **License and Certificate of Water Right**

Water License No. 21441Amount 0.4 second foot

Water District No. _____

Priority March 31, 1950THIS IS TO CERTIFY that W. K. HARRELL

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 31, 19 50; that Permit No. 21441 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4 second foot, was issued thereunder on March 26, 19 53, showing that said works were completed on the 19th day of March, 19 53; and that on the 10th day of June, 19 55,

W. K. HARRELL

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed stream, a tributary of _____, for the purpose of irrigation, under Use Permit No. 21441 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5659, on the 20th day of February, 19 56;

The right hereby confirmed dates from March 31, 19 50;

The Point of Diversion is located

in the NE ¼ SE ¼, Sec. 28, Tp. 4 N., R. 1 E., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>4 N.</u>	<u>1 E.</u>	<u>28</u>	<u>N ½ NE ¼ SE ¼</u>	<u>20</u>	<u>20</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

20th day of February, 19 56.

MARK R. KULP
 State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31559
Permit No. G- 23784
District No.

1. Name of Applicant: STATE OF IDAHO, by and through the STATE BOARD OF LAND COMMISSIONERS
Postoffice address: State House , Boise County: Ada State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. .025 or Idaho
Miners' inches 1.25 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: artesian well
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 20
Twp. 4 N , Rge. 2 W , B.M., County of Canyon
5. Water is to be used for: domestic and lawn irrigation purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: garden hose and gravity flow irrigation
8. Estimated cost of works: \$
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is two years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Not known.
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

By EDWARD WOOZLEY
State Land Commissioner

Corrected application received:

MARK R. KULP *State Reclamation Engineer.*

STATE OF IDAHO

Governor

Secretary of State.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
4 N	2 W	20	1.25				1.25
Total Acres to be irrigated							1.25
Permit No. G-23784 CERTIFICATE OF COMPLETION OF WORKS							
TO ALL WHOM IT MAY CONCERN:							
This is to certify that STATE OF IDAHO, STATE LAND DEPARTMENT, of Boise, County of Ada, and State of Idaho, the holder of Permit No. G-23784, issued upon Application No. G-31559 bearing date of priority of February 20, 1953, authorizing the diversion of 0.025 second foot of the waters of an artesian well, County of Canyon, State of Idaho, for domestic and irrigation 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 0.025 second foot of the water of said artesian well; that the point of diversion of said waters is in the NW¼ NW¼ Section 20, Township 4 North, Range 2 West, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northwest Quarter Northwest Quarter (NW¼ NW¼) Section 20, Township 4 North, Range 2 West, B.M. known as the Ward Massacre Monument, an historical monument and park.							
Witness my hand this 20th day of February, A. D. 1956.							
MARK R. KULP State Reclamation Engineer							
Proof of completion of works made February 28, 1955 Certificate of Completion of Works issued February 20, 1956.							

LICENSE ISSUED FOR 1.02 SEC. FT
 Page 5660

9/89

Drilling Permit No. 63-90-2-05Water Right Permit No. 63-2929

Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

REC

APR 11 1990

Department of Water Resources

1. Applicant (Please Print) Canyon County Historical Society
2. Mailing Address P.O. Box 595, Nampa ID
83652 Telephone 467-7611
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NW 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 20, Twp. 4N, Rge. 2W, County Canyon,
Street Address of Well Site West of RR track, 1/2 mile N. of Hwy. 20, East
Lot, block and subdivision of M. L. Linton Road on North East Lincoln Rd.
4. Proposed use of well:
☐ Single family or stockwater use (less than 13,000 gallons per day)
☐ Irrigation (more than 1/2 acre)
☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
☒ Other (describe fully) Public Park (0.02 CFS)
5. Well construction information:
A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9.
B. Proposed surface diameter 6" Maximum depth 100'
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Construction Start Date 4-13-90
7. Anticipated Well Driller Ed Holder
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Dalest Blackfield Date 4-11-90
Title Pres Canyon County Historical Society
(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is

APPROVED

Date

4-11-90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Lotnick Reese By: [Signature]
Signature of Authorized Department Representative

Groundwater Protection Section
Title

Receipt No. C016227 Received by C. Wong Fee 10.00 Date 4/11/90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C016227

Date: 04/11/90
Time: 12:20:59

Received
From: CANYON COUNTY HISTORICAL

Type of Payment	Program Acct Class	Amount
DRILLING PERMIT	0930350 1238 6390	\$10.00

Total

\$10.00

CASH

Idaho Department of Water Resources

Region: STATE

Signature: C. Wong

NOTICE OF PRESENT OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 o'clock a.m., on the 27th day of February, 1953, at Boise, County of Ada, State of Idaho, before M. C. Hamblin, Notary Public, proof will be submitted of the completion of works for the diversion of 0.025 cubic feet per second of the waters of an artesian well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp. 4 N., Range 2 West B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23784 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are State Land Department, State House, Boise, 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.025 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 0.025 cubic feet per second.

4. The place where said water is used is in the small State park at Ward Massacre Monument in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 North, Range 2 West B.M.

5. The date of priority which said user is prepared to establish is February 20, 1953.

MARK R. KILY,
State Reclamation Engineer

February 27, 1956

RE: Permit No. G-23784

State of Idaho, Land Department
B U I L D I N G

ATTENTION: Mr. Arthur Wilson

Dear Mr. Wilson:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued on Permit No. G-23784 confirming the right of the State Land Department to the use of 0.02 second foot of water from an artesian well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 North, Range 2 West, B.M. with priority of February 20, 1953, for irrigation and domestic use in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20, known as the Ward Massacre Monument, an historical monument and park.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll
Enc.

23784

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23784

REPORT ON PROOF OF Completion of Works & Beneficial Use

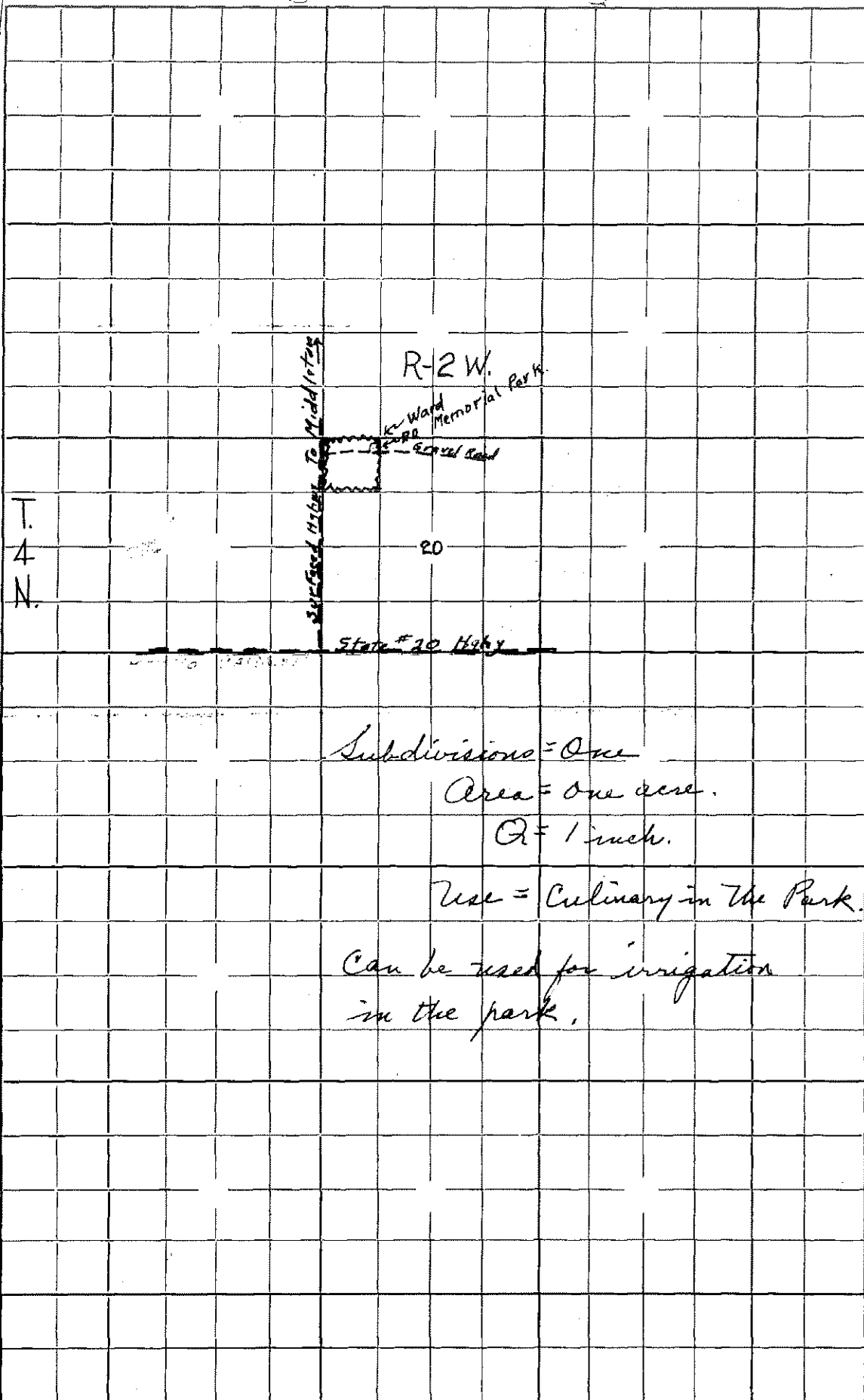
STATE LAND DEPARTMENT, Boise, Idaho

~~10.000~~

1020 ft
Tmt

app. 1025 ft.

1 Sub. (1-40)
1. acre



Subdivisions = One

Area = one acre.

Q = 1 inch.

Use = Culinary in the Park.

Can be used for irrigation
in the park.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23784

This proof is for Completion of works & Beneficial Use In Water District No.

1. Name of applicant State Land Department, Boise, Idaho
2. Source of water supply: An artesian well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20
T. 4 N. R. 2 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: This is a small flowing well in the NE corner of the Park. Well casing is 4" diameter. There is a 2 $\frac{1}{2}$ " pipe from the cap that reduces to a smaller pipe. Water is flowing into a watering trough for the farm on the East side of the park. Rather small flow now, less than ~~two~~ one inch. In summer time water from it is made available for the use in the park.
5. Park is irrigated by gravity from another source.
Water is used for irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Ward Massacre Memorial Park, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Twp. 4 North, Range 2 West, B. M.

Park is approx. one acre in ~~xxx~~ area.

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

Boise River

8. What large stream would the water here appropriated finally reach?
- Remarks: This could be fixed up much better for park usage, perhaps a fountain could be built, and it would certainly improve things to pipe it away from the cattle pens. At present it belongs more to the farmer than to the Park.

This examination was made on the 16th day of February, 1956.

(Signed)

E. H. Humphrey
Examiner.

L23784

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
FEB 17 1956

Department of Reclamation

State Land Department
Boise, Idaho
Permit No. 0-23784

Examination for Completion of Works
and Beneficial Use

County Canyon

20 - 4 N. - 3 W.

Q = 0.025 c.f.s.

S = Well (Anderson)

P.A. = NW. 1/4, Sec. 20, T.4N. - R.2W.

52"

33" 1/2" pipe into cattle trough
8.5' x 1/2" pipe into cattle trough
Mc = Domestic & lawn.

65 yds N. of fence by road

approx. 5' W. of fence.

stream size of 1/4 pipe

Priority = Feb. 20, 1953

Due = Feb. 27, 1955

4" cog. 1 1/2" x

458
0225
2250
900
11,250 gpm

74 yds N. S.

x 67 yds E-W.

2 1/2" pipe into well

✓
March 8, 1955

RE: Permit No. G-23784

Mr. Arthur Wilson
State Land Commissioner
B U I L D I N G

Dear Mr. Wilson:

We now have the corrected depositions of yourself and two witnesses which completes proof of Completion of Works and Beneficial Use on Permit No. G-23784.

This completes the proof but as you know before final action is taken the law requires inspection by a field engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

23784

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-23784

Proof of Application of Water to Beneficial Use

and Completion of Works
Deposition of Holder

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

Ans. Arthur Wilson, State Land Commissioner, State House, Boise, Idaho
Residence and postoffice address, 2805 North 28th, Boise, Idaho

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

Ans. State of Idaho, Department of Public Lands, Boise, Idaho

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

Ans. Permit No. G-23784, dated February 27, 1953. Date of priority February 20, 1953.

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

Ans. This water comes from an artesian well in NW¹/₄ NW¹/₄ Sec. 20,
Twp. 4 N., Rge. 2 W., B.M., conveyed to grass by garden hose and gravity flow.

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. There is no canal, ditch or other works. Water is spread on
the park area by gravity flow through ordinary garden hose.

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. Used to irrigate Ward Massacre Memorial Park, a small area of
probably 1.25 acres of lawn. Natural grass, water applied by garden
hose or flooding, mowed occasionally.

23784

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 purpose specified above?

Ans. .025 c.f. 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. _____

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

Ans. approximately .025 c.f. per second has been used during the summer season to irrigate the park.

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. no other water used.

(Sign) _____

Arthur Wilson

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____ Boise _____ County of Ada _____

State of Idaho, on this 28th day of February A. D. 1955

M. C. Hamblin

My commission expires _____

M. C. HAMBLIN
Notary Public, Boise, Idaho
My commission expires 3/5/55

23784

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. G-23784

**Proof of Application of Water to Beneficial Use
Deposition of Witness ^{and Completion of Works}**

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

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

Ans. O. T. Hansen, age 49, State Mining Engineer, 2301 North 13th, Boise, Idaho.

Ques. 2. Are you acquainted with Arthur Wilson, State Land Commissioner, the holder of Permit No. G-23784? How long have you known him and where does he reside?

Ans. I have known him for approximately two years. His place of business is Room 120, State House, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. G-23784, 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. Source of water -- artesian well located in NW 1/4 Sec. 20, Twp. 4 N., Rge. 2 W., B.M., conveyed to place of use by garden hose and natural flow.

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. .025 c.f. per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. _____

23784

Ques. 7. 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. For irrigating small parcels, probably 1.25 acres of lawn.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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. See 7

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. 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. When visiting the park, or when cleaning the park.

(Signed)

O. T. Hansen

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 Boise, County of Ada, State of Idaho, on this 28th day of February, A. D. 1955.

M. C. Hamblin
Notary Public.

My commission expires 3-5-55

M. C. HAMBLIN
Notary Public, Boise, Idaho
My commission expires 3/5/55

23784

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-23784

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. A. A. Storkman, 67, State Parks Supervisor, Nampa, Idaho
719 - 9th Ave., So.,

Ques. 2. Are you acquainted with Arthur Wilson, State Land Commissioner, the holder of Permit No. G-23784? How long have you known him and where does he reside?

Ans. Yes, I have known him for approximately two years. He resides at
2805 North 28th, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. G-23784, and are you familiar with its provisions and conditions?

Ans. Yes, I have read it and I am familiar with its provisions and conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of water — artesian well located in NW 1/4 Sec. 20, Twp. 4 N.,
Rge. 2 E., S.M., conveyed to place of use by garden hose and natural flow.

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. .025 c.f. per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. _____

N 23784

Ques. 7. 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. For irrigating small parcels, probably 1.25 acres of lawn.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (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. See 7

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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. When visiting the park, or when cleaning the park.

(Signed) _____

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 Boise,
County of Ada, State of Idaho, on this 28th day of February,
A. D. 19 55

M. C. Hamblin
Notary Public.

My commission expires _____

M. C. HAMBLIN
Notary Public, Boise, Idaho
My commission expires 3/5/55

8 23784

March 3, 1955

RE: Permit No. G-23784

Mr. Arthur Wilson
State Land Commissioner
B U I L D I N G

Dear Mr. Wilson:

We acknowledge receipt of your letter of February 28 enclosing Depositions of yourself and two witnesses also Affidavit of Publication in the Caldwell News-Tribune all submitted in proof of Completion of Works and Beneficial Use on Permit No. G-23784 .

We return your own deposition with the request that you answer question 3 as to the number and date of the Permit and the date of priority to be established thereunder.

We also return the deposition of O. T. Hansen in order that he may answer question 1, question 2, and question 3.

Also the deposition of A. A. Storkman in order that he may answer Question 1.

Very truly yours,

MAK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A:cu
Encl.

23784

IDAHO
DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



COMMISSIONER
ARTHUR WILSON

STATE BOARD OF LAND COMMISSIONERS

LEN JORDAN
GOVERNOR AND CHAIRMAN
IRA H. MASTERS
SECRETARY OF STATE
ROBERT E. SMYLLIE
ATTORNEY GENERAL
H. F. NIELSON
STATE AUDITOR
ALTON B. JONES
SUPT. OF PUBLIC INSTRUCTION

February 28, 1955

RECEIVED
MAR 3 1955
Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
State House

Dear Mr. Kulp:

Pursuant to Application No. G-31559 for Permit No. G-23784,
and publication of Notice of Proof of Completion and Appli-
cation of Water to Beneficial Use, we enclose herewith
the following instruments:

Deposition of Holder, Arthur Wilson, State Land Commissioner
Deposition of Witness, O. T. Hansen
Deposition of Witness, A. A. Storkman
Affidavit of Publication of Notice January 29, February 5, 12, 19.

I trust these will be found to be in order and that permit will
be issued.

If anything further is needed, please advise me.

Sincerely yours,

ARTHUR WILSON
State Land Commissioner

mh
Encl 4

23784

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

ss.

Vergil Grey, being first duly sworn, deposes and says;

That he is the Gareman of WESTERN IDAHO PUBLISHERS, INC., publisher of The News-Tribune, a daily newspaper published at Caldwell, Idaho, within the meaning of Chapter 154 of the 1933 Session Laws of Idaho; published six consecutive days a week except legal holidays. And that the publisher of said The News-Tribune, a daily newspaper, has all the time since the 5th day of July, 1933 and in each issue thereof, at the head of the editorial column of said newspaper, announced the day of the week to-wit: Saturday, on which legal notice required by law or by order of any Court of competent jurisdiction to be published weekly, will be published; that the said paper is in general circulation in Canyon County, Idaho and has been for a period of seventy-eight weeks preceding the first publication of this advertisement, a copy of which is attached hereto, and by reference thereto made a part of this affidavit, and was published in the regular

Saturday issue of The News-Tribune for 4 consecutive weeks beginning with the issue of Jan 29, 1955 and ending with the issue of Feb

19, 1955
Vergil Grey
Subscribed and sworn to before me this 19 day of February, 1955.

§ 23784

Notary Public for Idaho
Residing at Caldwell, Idaho

THE

SERVING IDAHO'S

NEWS

FARM MARKET

TRIBUNE

SINCE 1883

BOX 451 - PH. 8-4611

CALDWELL, IDAHO

RECEIVED
JAN 28 1955

Department of Reclamation
January 25, 1955

923784

Mark R. Culp, State Reclamation Engineer,
State of Idaho
Boise, Idaho

Dear Sir:

This will acknowledge receipt of legal
"Notice of Proof of Completion" to be published
for four consecutive weeks. This notice will
be published January 29th, February 5th, 12th
and 19th and you will be mailed a copy of
the first publication.

Very truly yours,

THE NEWS-TRIBUNE

By Hazel Davis

923784

✓
January 25, 1955

RE: Permit No. G-23784

State Land Department
B U I L D I N G

ATTENTION: Mrs. Hamblin

Dear Mrs. Hamblin:

Notice for Completion of Works and Beneficial Use proof on Permit No. G-23784 has been sent to the Caldwell News-Tribune with instructions to publish it once a week for four weeks prior to February 27, 1955, the date set for proof.

This permit is for water from a well in the State Park at the Ward Massacre Monument.

At the time set for proof the enclosed depositions should be executed by a representative of the State Land Department together with two disinterested witnesses before Mrs. M. C. Hamblin, Notary Public.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A/au
Enc.

23784

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No.G-23784

Date: January 24, 1955

Caldwell News-Tribune

Caldwell, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 27, 1955 the date set for proof, the expense of the publication to be paid by the applicant, State Land Department of Boise, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

✓ 23784

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 13, 1954

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Baldwin News Tribune
~~Power County Press~~ of American Falls, Idaho published in
the county in which the works are situated. State Board of Land Commissioners

Arthur Wilson
State Land Commissioner

(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.

23784

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 o'clock, A. M., on the 27th day of February, 1955, at Boise, County of ADA, State of Idaho, before M. C. Hamblin, Notary Public, proof will be submitted of the completion of works for the diversion of 0.025 cubic feet per second of the waters of an artesian well in the NW 1/4 Sec. 20, Twp. 4 N., Range 2 West B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 423784 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are State Land Department, State House, Boise, 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.025 cubic feet per second.
3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 0.025 cubic feet per second.
4. The place where said water is used is Ward Monument in the small State park at Massacre Rocks in the NW 1/4 Section 20, Township 4 North, Range 2 West B.M.
5. The date of priority which said user is prepared to establish is February 20, 1953.

MARK R. KULP

State Reclamation Engineer

23784

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

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

December 1, 1954

RE: Permit No. G-23784

State Land Department
B U I L D I N G

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-23784. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than February 27, 1955.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

L 23784

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ROISE

Permit No. 0-23784

Date March 13, 1953

We enclose herewith the above numbered permit. BE SURE AND

NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the

State Reclamation Engineer, on the fourth page.

Mr. Edward Woolley
State Land Commissioner
Building

MARK R. KULP
State Reclamation Engineer

823284

Twp. 4.N. R. 2.W.

20

20

Permit Map No. 4-23784
As Approved
FEB 27 1952
MARK R. KUL
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

Q 23784

NOTICE OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 o'clock a.m., on the 27th day of February, 1935, at Boise, County of Ada, State of Idaho, before N. C. Hamblin, Notary Public, proof will be submitted of the completion of works for the diversion of 0.025 cubic feet per second of the waters of an artesian well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp. 4 N., Range 3 West B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23781 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are State Land Department, State House, Boise, 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.025 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 0.025 cubic feet per second.

4. The place where said water is used is in the small State park

MARK R. KULP,
State Reclamation Engineer
646—Jan. 22—Feb. 4—1935