

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: A63-03488
Date Received: 10/11/1989
Receipt No: W006208
Received By: PW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: H. J. BRYANT 208-459-6283
Address: 21793 HWY 20/26
CALDWELL, ID 83605
AND/OR
Name: OPAL M. BRYANT 208-459-6283
Address: 21793 HWY 20/26
CALDWELL, ID 83605

2. Date of Priority: FEB 07, 1966

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04W	33	NE	NW			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.670		

7. Total Quantity Appropriated is:
1.670 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	04W	32	NE		NE		IRR	23.0
			SE		NE		IRR	12.0
							Section Acres	35.0
		33	NW		NW		IRR	22.0
			SW		NW		IRR	26.0
							Section Acres	48.0
							Total Acres	83.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A63-19139, 63-4807

14. Remarks:
AC. IRR.=83.5.

15. Basis of Claim: LICENSE
Water Right Number: 32720

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x H. J. Bryant Date: x 10-11-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of October 19 89

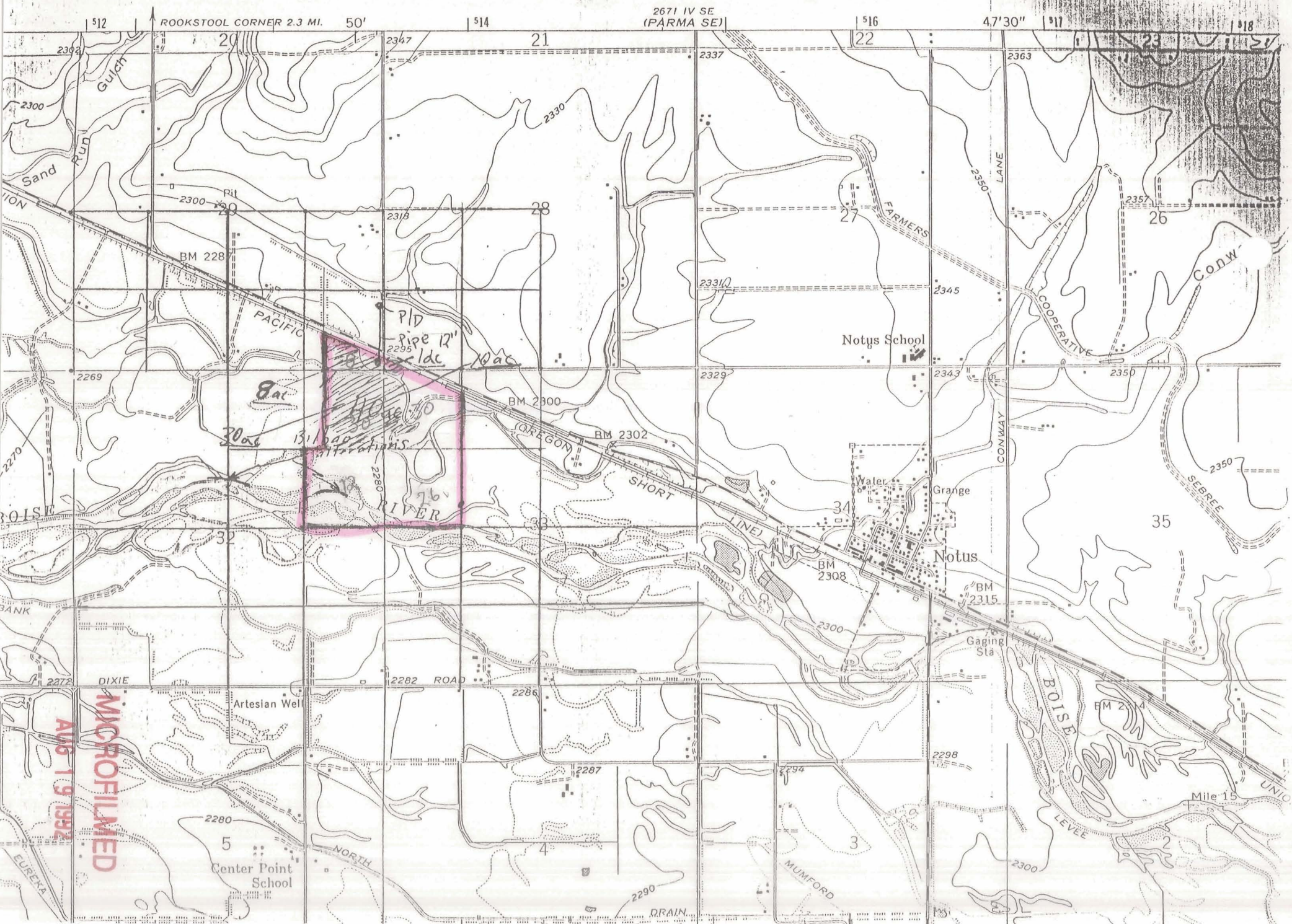
Lori Harris
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 12-8-94

156.7

ERIOR



ROOKSTOOL CORNER 2.3 MI. 50'

2671 IV SE (PARMA SE)

47'30"

Notus School

Notus

Artesian Well

Center Point School

Gaging Sta

Mile 15

MICROFILMED

AUG 19 1992

12/10/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3488

NAME AND ADDRESS: OPAL M BRYANT
21793 HWY 20/26
CALDWELL ID 83605

H J BRYANT
21793 HWY 20/26
CALDWELL ID 83605

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 1.670 CFS

Right Nos. 63-3488, 63-4807 and 63-19139 are limited to a total combined diversion rate of 1.91 cfs.

PRIORITY DATE: 02/07/1966

POINT OF
DIVERSION: T05N R04W S33 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.670 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R04W S32	NENE	23.00	T05N R04W S32	SENE	12.00
T05N R04W S33	NWNW	22.00	T05N R04W S33	SWNW	26.00

83 ACRES TOTAL

Right Nos. 63-3488, 63-4807 and 63-19139 are limited to the irrigation of a combined total of 95.5 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-3488

OPAL M BRYANT
21793 HWY 20/26
CALDWELL ID 83605
Telephone Number: (208)459-6283

H J BRYANT
21793 HWY 20/26
CALDWELL ID 83605
Telephone Number: (208)459-6283

RECEIVED

OCT 20 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-17-06

SIGNATURE:

Opal M. Bryant. H.J. Bryant.

Please print your name:

Harley Jack Bryant
Opal M. Bryant

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

09/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3488

NAME AND ADDRESS: OPAL M BRYANT
21793 HWY 20/26
CALDWELL ID 83605

H J BRYANT
21793 HWY 20/26
CALDWELL ID 83605

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 1.670 CFS

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PRIORITY DATE: 02/07/1966

POINT OF DIVERSION:

T05N R04W S33 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.670 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R04W S32	NENE	23.00	T05N R04W S32	SENE	12.00
T05N R04W S33	NWNW	22.00	T05N R04W S33	SWNW	26.00

83 ACRES TOTAL

Right Nos. 63-3488, 63-4807 and 63-19139 are limited to the irrigation of a combined total of 95.5 acres in a single irrigation season.

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This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

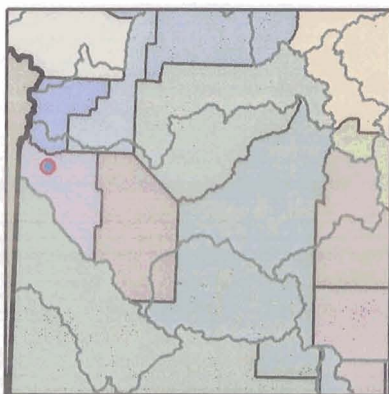
SRBA Recommendation:

63-3488

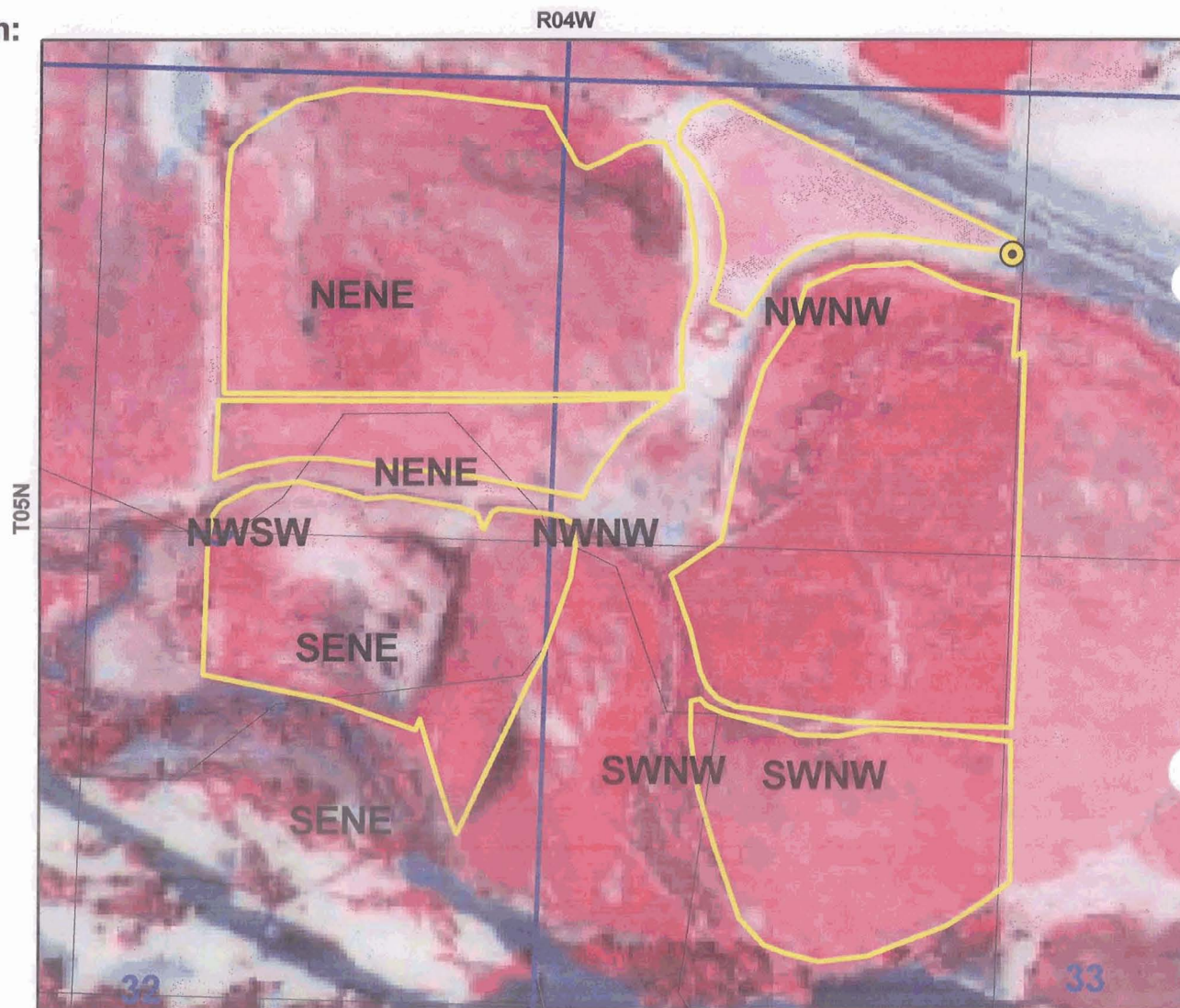
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



0 0.2 0.4 Miles

Prepared by S. Egbert
On Wednesday, September 20, 2006
1987/88 Aerial Photography

Field Exam Date June 1, 2006

RECEIVED

SEP 15 2006

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-3488

Owner: Opal M. or H.J. Bryant Phone No. (208) 459-6283

Current Address: 21793 Hwy 20/26 Caldwell, Id 83605

- ☐ No change NAME IS THE SAME The H.J. Bryant + Opal M. Bryant Trust
- ☒ NEW OWNER Opal M. or H.J.
- ☒ No change Address
- ☐ NEW ADDRESS
- ☒ How long owned property? 1950 (name changed + owned by trust, instead of individuals on 4/9/1998)

Accompanied by: Floyd Bryant/son (208) 459-6283

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 2/7/1966

(If priority date, based on your exam, seems questionable, explain below.)

Source: Unnamed Drain Tributary to Boise River

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

A0002123

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	NW	33	5N	4W	Canyon	N43° 43.987' W 116° 49.666'

this point comes out in the NW NW

Description of diverting works

* See attachment

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

—

WATER USES

- ☐ No change
- ☐ Different Uses

Use Irrigation From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater only

N/A

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change
- ☒ Changes Exam found: Domestic # of homes _____ Stock # 150 pr. cattle
Types _____ Additional comments: same as irrigation

PLACE OF USE:

- ☐ No Change
- ☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: _____

Delivery System Narrative: ** see attachment*

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size	
<i>A0002123</i>	<i>Parma</i>	<i>5</i>	<i>No tag</i>	<i>No tag</i>	<i>3"</i>	<i>→ 8" PVC to ditch</i>
	<i>Water left</i>					

- no gauge (use irrigation std of 40 psi)

25' lift

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Supplemental water: None

*"Since 4/9/1998, the ranch has been owned by the trust:
The HJ Bryant + Opal M Bryant Trust."*

Son: Floyd Baryant (208) 459-6283, 21011 Hwy 20/26 Caldwell
(house before Iverson Rd).

Directions: I 84, take the Parma/Notus off ramp (Hwy 20/26),
on south side, 21793 Hwy 20/26 (house set back, + have to cross
railroad tracks to get there)

POD: when you come across railroad tracks (on the driveway, go
about 150' then southeast to the drain

POU: garden + yard around house, + small field south of house +
field north + northeast of house

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED:

9-15-2006

FIELD EXAMINER:

Sandy Hernandez

63-3488, 63-19139, and 63-4807 Bryant

Date of Inspection: June 1, 2006

Inspector: Sandy Hemenway

Description of Diverting Works:

63-3488: 150' south of the railroad tracks (entering the driveway for 21793 Hwy 20/26) to Unnamed Drain; 15 Hp Parma Water Lift pump (no tag) 3" discharge into 8" PVC, 25' lift, estimate 40 psi (no gauge, and standard for irrigation).

NOTE: Unnamed Drain consists of waste water and is spring fed. The springs run year-round.

63-19139: POD located south of 25255 Lon Davis Rd., on the south side of the Farmers Co-op Ditch. Culvert to collect water and control direction of flow to south with 12" discharge into buried 12" PVC pipe

NOTE: this point of diversion also has access to supplemental water with a valve that can be opened and discharged into the culvert, in the event there is little or no flow from this Unnamed Drain, or the Unnamed Drain that feeds 63-4807. So far, they have never had to use their supplemental source: Farmers Co-op Ditch.

63-4807: The Unnamed Drain is piped with a grid at the opening, east of 25230 N. Lon Davis Rd (where the house is actually located---743' set back from Lon Davis Rd with GPS coordinates: N43.44.225' W116.49.769'). 868' of buried 12" PVC pipe from grid going north to south to control box #1, then turning west 163' to control box #2 (POD). POD/control box #2 has a grid located at the culvert that allows additional waste water from the field where it is located to drain into the culvert (this was designed to prevent flooding on this end of the field). The culvert has a 12" discharge pipe.

Delivery System Narrative:

63-3488: 3" discharge into 8" PVC that open discharges into concrete ditch that converts to dirt ditches (piped under the drive-way to the field directly west of the drive way and north of the house). ¾" siphon tubes, gravity flow east to west. Ditch travels south and irrigates a small field directly south of the house (gravity flow east to west), then joins water in the ditch from 63-19139 and 63-4807 traveling west on the south boarder (gravity flow south to north). This system irrigates the field north of the house, the yard and garden around the house, and a small pasture area directly south of the house.

63-19139: 12" buried PVC (1/4 mile), under Hwy 20/26, then open discharges to a small section between Hwy 20/26 and the railroad tracks, at #47445 Railroad marker (GPS coordinates: N43.44.116' W116.49.498'), then piped under the railroad tracks and open discharged to dirt ditches that irrigates a small field borders with Russian Olive trees along its south boarder running east and west. The dirt ditch travels west to east (gravity flow north to south) until it ties in with a dirt ditch running north to south coming from 63-4807.

63-4807: The 12" discharge pipe is buried under Hwy 20/26, open discharged to a dirt ditch at railroad marker #47432, then piped under the railroad tracks, and open

discharged to dirt ditch on the south side of the railroad tracks running north to south (gravity flow east to west, with the possibility to gravity flow west to east if needed). The gravity flow and ditch co-mingles with flow from 66-19139, and continues to travel south (gravity flow east to west). At the far south, the ditch co-mingles with the flow from 63-3488 with the ditch turning west traveling east to west (gravity flow south to north) along the south boarder.

Comment: (1) Irrigation overlaps when and where the systems water co-mingles (hand drawn map depicts the each system and where they merge/co-mingle). (2) There are 150 pairs of cattle that are rotated throughout the entire system (conclusive with irrigation, since no stock tanks are located on the property).

Claim No. and Name: A63-3488 Bryant

Date of Inspection: June 1, 2006

Field Inspector: Sandy Hemenway

Measurements/Calculations:

Maximum Capacity Pipe Flow:

8" pipe = 1.74 cfs

Stockwater (livestock drink irrigation water, but if listed as separate entity):

Table 1 Recommended Diversion Rates for Stockwater 201-300 cattle= 0.07 cfs (12gpd/head)

Stock: 150 pair cattle = 300 cattle

Season: 1/1 - 12/31 = 365 days

Required V.i.r. = (#head x gallons/day/head x days of use per year) / 325,850 =

300 x 12 x 365 / 325,850 = 4.0 af

Potential V.d.r = Max. allowable cfs x permit season number of days x 1.9835 =

.07 x 365 x 1.9835 = 50.67 = 50.7 af

Pumpback Information: (see attachment for calculation) = 0.80 cfs**

Background information: 15 Hp Parma Water Lift pump (no tag), 3" discharge, 40 psi

(irrigation standard - no gauge), 25' lift, discharge to 8" PVC then open discharge to ditch

Ditch Measurement:

Orange Peel Method: 15" wide (W = 1.25'), 5" deep (H = 0.42'), traveled 8' in 4 seconds

Q = VA = 1.06 cfs

V = 8' / 4 seconds = 2.0 ft/sec

V = ft/sec

A = 0.42' x 1.25' = 0.525 = 0.53 feet squared

A = H x W

*** this pond has a flow through system, where the water reaches the height of a diversion dam and spills over and runs down the ditch to the south (located on the southeast corner).

Irrigation: *Need to confirm acreage**

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A63-3468 Bryant

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 \cdot (100/\text{roughness})^{1.85} \cdot ((\text{cfs} \cdot 448.8)^{1.852} / \text{ID}^4 \cdot 8655 \cdot \text{Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 25.00 feet

Pressure Req'd: 40.00 psi

Required Head: 117.40 feet

Pump Horsepower: 15.00 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 80 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
7.50	25.00	0.07		0.29
1.50	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!
			0.07	

Initial Estimate of Rate of Flow: 0.799 CFS

Computation of Rate of Flow: 0.79



hand drawn
shows area
irrigated by
63-3488, there
no-mingle

ID Tag #
A0002173

POD:
150' SE
across
railroad tracks
+5 HP
Parma Water
Left pump
(no tag)
3" discharge
40 psi
(irrigation
std - no
gauge)
25' lift
through 8"
PVC to ditch



unnamed
drain
with
humorous
springs
(not capable
of isolating
any spring
flow)

63-3488

June 1, 2006 STT



Concrete
ditch to dirt
w/ 3/4" siphon
tubes
goes directly
to yard
around
house, +
field
directly
north of
the house

63-3488 Bryant

June 1, 2006 STT



gravity
flow
east to
west

63-3488

June 1, 2006 SH



house

POU:

yard
& field
north of
house

Stockwater:

Livestock:

150 pairs
cattle
rotate
around
fields;
drink
same water
as irrigation

63-3488 Bryant

June 1, 2006 SH

Pon:
House
+ yard +
garden

Concrete/dirt
ditch,
3/4" siphon
tubes
gravity
flow
east
to west



Pon:
pasture
north
of house

63-3488 Bryant

June 1, 2006 SH



Stockwater:

Livestock
150 pairs
cattle
rotate
around
fields;
drink
same water
as
irrigation

PON: ———→
co-mingled
irrigation
w/ ———→
63-4807
or
63-19139

63-4807, 63-19139, + 63-3488 Bryant

June 1, 2006 SH



63-3488, 63-4807, & 63-19139

9-13-06 SK

Stockwater : Livestock consists of 150 pairs cattle (300 head)
that drink the same water as irrigated. (same as irrigation)

FIELD EXAM MEMO

DATE: 5/3/2006

TO: Sandy Hemenway

FR: Lori Graves

RE: A63-4807, A63-19139

Sandy, please measure the capacity of the diversion structures listed on the above claims. Floyd Bryant is the claimant's son and contact (459-6283). He visited the office and explained his Father's irrigation system, which not only involves the above claims, but also license A63-3488. Thanks to Floyd, I have a pretty good idea of which right irrigates what acres, however I still need measurements for two of the three diversions (a measurement is not needed for the licensed diversion in the NENW S33).

Please see the attached map for the diversion locations. Also attached are the associated SRBA claims. Thx Sandy.

Please confirm in field

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3488

WATER RIGHT NUMBER: 63-3488

Owner Type Name and Address
 Current Owner OPAL M. BRYANT
 21793 HWY 20/26
 CALDWELL, ID 83605
 (208)459-6283
 Current Owner ~~H. J. BRYANT~~
 21793 HWY 20/26
 CALDWELL, ID 83605
 (208)459-6283

> The H. J. Bryant +
 Opal M. Bryant Trust
 * they changed this 4/9/1998

Priority Date: 02/07/1966

Basis: License

Status: Active

Source

UNNAMED DRAIN

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From	To	Diversion Rate	Annual Volume
3/15	11/15	1.670 CFS	
3/1			
<u>Total Diversion:</u>		1.670 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN

NE1/4NW1/4

Sec. 33, Twp 05N, Rge 04W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	04W	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	35.0
			23.0			12.0													
05N	04W	33							22.0	26.0									48.0

Total Acres: 83

possible overlap

Conditions of Approval:

1. AC. IRR.=83.5.

Remarks:Comments:

stockwater : 150 pr. cattle (same as irrigation)
 rotate around fields



CONVERSATION MEMO

Date: 4/25/2006

Agent: Lori Graves

With: Floyd Bryant 459-6283

Subject: Father's Claims

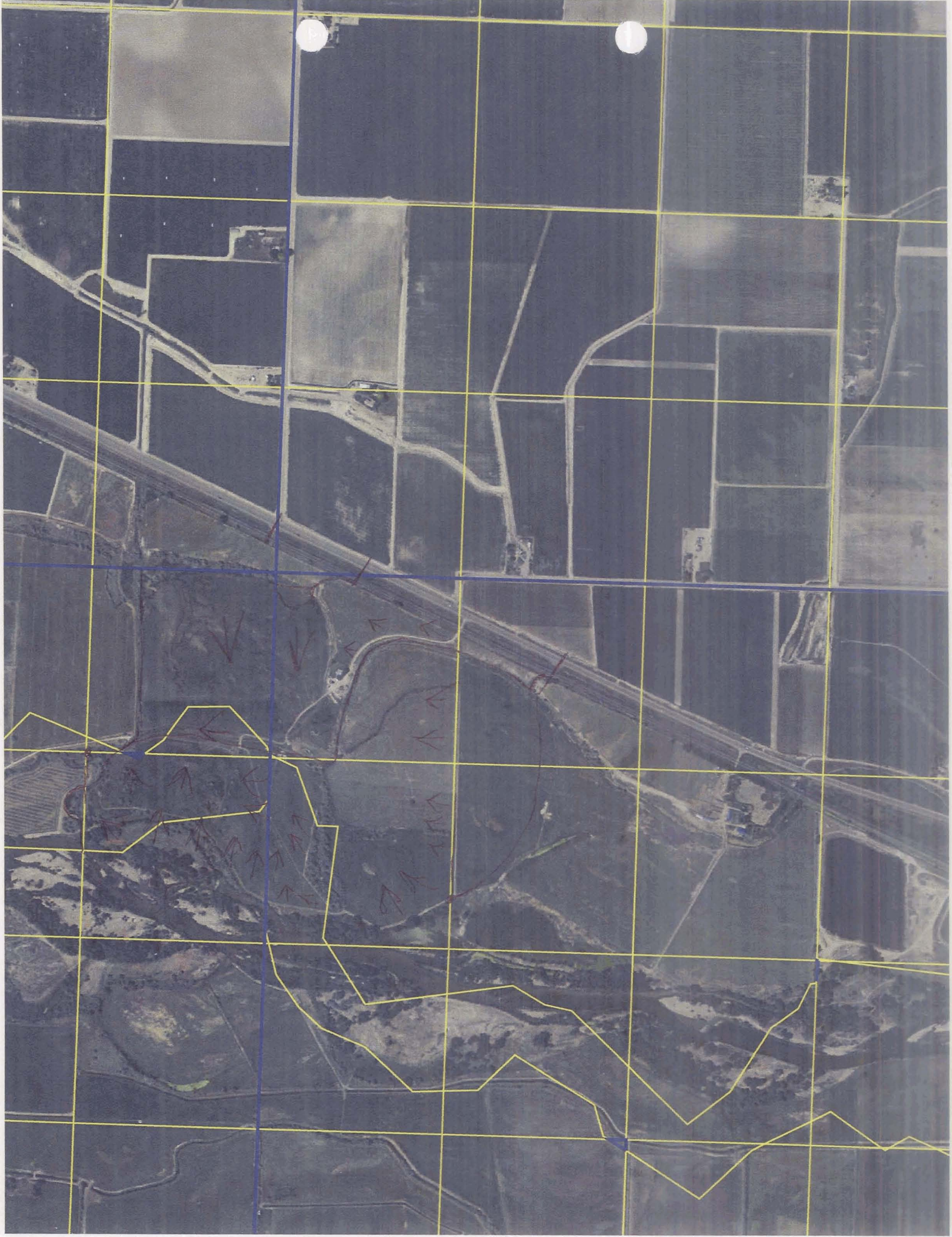
Claim No.(s): A63-3488, A63-4807, A63-19139

Floyd made an office visit to review the claims and maps that his Father filed. After looking at the maps and claims, Floyd verified that each of the filings were for separate systems, each collecting water from different fields/drainages. The statutory claim system flows only during the irrigation season from wastewater. The beneficial use claim and license systems also receive wastewater during the irrigation season as well as tributary spring water, allowing them to flow all year. Floyd indicated on maps which acres each system can irrigate. Some field can be irrigated with more than one system.

Floyd stated that his Father also uses surface water from Farmers Co-op on the property for irrigation.

Other uses include up to 200 beef cow/calf pairs that graze the property and drink the water from the ditches.

Each system was developed at different times. Proof of priority is not necessary for the license, but is required for the other two claims. Floyd will meet with his Father, explain what is needed, and provide supporting information ASAP.



RECEIVED

MAY 8 1906

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
63-3488)
63-4807)
463-19139)
State of Idaho)
County of Canyon)

AFFIDAVIT

4/28/06 H.J. Bryant

deposes and says: I took possession of the property that
these water rights are associated with in 1950.

At that time, the unnamed drains, culverts, ditches, &

canals were in operation, and well established. I have

included copies of the documents that state the prior exs-

istence of the above mentioned water rights through unnam-
ed drains and ditches.

Floyd
4159-6283

H. J. Bryant
(Signature)

United States,

-TO-

Osceola S. Willits.

PATENT.

No. 1

Dated Feb. 19, 1906.

Recorded April 14, 1896, 1:46 P.M.

Book 1 Pat. page 229.

The SW $\frac{1}{4}$ of Sec. 28, Twp. 5 N. R. 4 W. B.M. 1460.

And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

ABSTRACT & TRUST COMPANY, LTD.

Fred Specht and Marie Specht,
his wife,

-TO -

Frank G. Gilbert.

WARRANTY DEED. No. 3

Dated June 18, 1910.

Recorded Aug. 5, 1910, 2:32 P M

Book 57 Deeds, page 199

Consideration \$1.00

Acknowledged June 18, 1910, before Thos. E. Buckner, Notary Public, Canyon County, Idaho, (Seal).

All of that portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 38, Twp. 5 N. R. 4 W. B. M. lying S and W of the right of way of the O. S. L. Ry. Company; together with all ditches and laterals used in the irrigation thereof, and the water rights connected therewith.

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Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 171	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Claim	63 177	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Claim	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 20563	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Claim	63 20566	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Claim	63 208	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Claim	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 303A	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	39	38	38	3	38	2		40					8				206
Claim	63 5022	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Rec	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	X	X	X	X	X	X		X					X				0
Rec	63 171	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									X	X	X	X	X	X	X	X	0
Rec	63 177	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									X	X	X	X	X	X	X	X	0
Rec	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	X	X	X	X	X	X		X					X				0
Rec	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	X	X	X	X	X	X		X					X				0
Rec	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	X	X	X	X	X	X		X					X				0
Rec	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	X	X	X	X	X	X		X					X				0

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Rec	63 20563	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									X	X	X	X	X	X	X	X	0
Rec	63 20566	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									X	X	X	X	X	X	X	X	0
Rec	63 208	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									X	X	X	X	X	X	X	X	0
Rec	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W33	X	X	X	X	X	X		X						X			0
Rec	63 5022	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W33									X	X	X	X	X	X	X	X	0
Right	63 153	G W GESS,	BOISE RIVER	05N04W33											X	X					0
Right	63 154	ROBERT MC GUIRE,	BOISE RIVER	05N04W33											X	X					0
Right	63 177	FREDRICK ODE,	BOISE RIVER	05N04W33														X	X		0
Right	63 223A	JOHN E EKBERG,	BOISE RIVER	05N04W33															X		0
Right	63 223B	JE EKBERG,	BOISE RIVER	05N04W33														X	X		0
Right	63 5022	LOWER CENTER POINT DITCH CO,	BOISE RIVER	05N04W33									20	28	40	40	20	20	40	40	248
Claim	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	05N04W33	39	38	38	3	38	2		40					8				206
Rec	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	05N04W33	X	X	X	X	X	X		X					X				0
Right	63 19140	H J BRYANT, OPAL M BRYANT,	GROUND WATER	05N04W33						X											0
Right	63 20343	GAIL WIEN JOHNSON,	GROUND WATER	05N04W33			X														0
Right	63 20580	RONALD CHRISTENSEN, INA CHRISTENSEN,	GROUND WATER	05N04W33												X					0
Right	63 20580	RONALD CHRISTENSEN, INA CHRISTENSEN,	GROUND WATER	05N04W33												X					0
Right	63 21370	LOIS E BELK,	GROUND WATER	05N04W33															X		0
Right	63 21370	LOIS E BELK,	GROUND WATER	05N04W33															X		0
Claim	63 4851	FARMERS COOPERATIVE DITCH CO,	SAND HOLLOW DRAIN	05N04W33	39	38	38	3	38	2		40					8				206
Rec	63 4851	FARMERS COOPERATIVE DITCH CO,	SAND HOLLOW DRAIN	05N04W33	X	X	X	X	X	X		X					X				0

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Claim	63 19139	OPAL M BRYANT, H J BRYANT,	UNNAMED DRAIN	05N04W33						10										10
Claim	63 3488	OPAL M BRYANT, H J BRYANT,	UNNAMED DRAIN	05N04W33						22	26									48
Claim	63 4807	OPAL M BRYANT, H J BRYANT,	UNNAMED DRAIN	05N04W33						15										15
Rec	63 19139	OPAL M BRYANT, H J BRYANT,	UNNAMED DRAIN	05N04W33						10										10
Rec	63 3488	OPAL M BRYANT, H J BRYANT,	UNNAMED DRAIN	05N04W33						22	26									48
Rec	63 4807	OPAL M BRYANT, H J BRYANT,	UNNAMED DRAIN	05N04W33						15										15
Right	63 3488	H J BRYANT,	UNNAMED DRAIN	05N04W33						22	26									48
Right	63 4807	H J BRYANT,	UNNAMED DRAIN	05N04W33						15										15
Claim	63 3436	GAIL WIEN JOHNSON,	UNNAMED STREAM	05N04W33					11			24								35
Claim	63 3440	GAIL WIEN JOHNSON,	UNNAMED STREAM	05N04W33		12	35					19					4			70
Rec	63 3436	GAIL WIEN JOHNSON,	UNNAMED STREAM	05N04W33					11			24								35
Rec	63 3440	GAIL WIEN JOHNSON,	UNNAMED STREAM	05N04W33		12	35					19					4			70
Right	63 3436	GRANT F GEMMETT,	UNNAMED STREAM	05N04W33					11			24								35
Right	63 3440	F GRANT JEMMETT,	UNNAMED STREAM	05N04W33		12	35					19					4			70

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Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 152A	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 171	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 177	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 20563	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 20566	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 208	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 21134	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 223C	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 233P	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 4045	DAN L BILBAO JR,	BOISE RIVER	05N04W32					48	37	20										105
Claim	63 5022	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 9944	DAN L BILBAO JR,	BOISE RIVER	05N04W32							X	X									0
Rec	63 152A	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Rec	63 171	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 177	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 20563	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 20566	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0

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Rec	63 2423	DAN L BILBAO JR,	INAMED STRE	05N04W32	5	40			40	40	40									165
Right	63 2423	OLE E LARSON,	INAMED STRE	05N04W32	5	40			40	40	40									165
Claim	63 8742	DAN L BILBAO JR,	WASTE WATER	05N04W32		20	5		31	5		4								65
Rec	63 8742	DAN L BILBAO JR,	WASTE WATER	05N04W32		20	5		31	5		4								65
Right	63 8742	DAN L BILBAO JR,	WASTE WATER	05N04W32		20	5		31	5		4								65

License and Certificate of Water Right

Water License No. 32720 Priority February 7, 1966 Amount 1.67 c. f. s.

THIS IS TO CERTIFY that H. J. BRYANT

of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 7, 1966; that Permit No. 32720 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.67 second feet, was issued thereunder on March 22, 1968, showing that said works were completed on the 15 day of April, 1967; and that on the 15 day of April, 1967 H. J. BRYANT

of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of unnamed drain

a tributary of Boise River for the purpose of irrigation, under Use Permit No. 32720 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 188 Licenses, Part Page, on the 22 day of March, 1968.

The right hereby confirmed dates from February 7, 1966.

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, Twp. 5 N, R. 4 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 1.67 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract		No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	4 W	32	NE $\frac{1}{4}$	NE $\frac{1}{4}$	40	23.
			SE $\frac{1}{4}$	NE $\frac{1}{4}$	30	12
		33	NW $\frac{1}{4}$	NW $\frac{1}{4}$	37	22.5
			SW $\frac{1}{4}$	NW $\frac{1}{4}$	40	26
			Total number of acres irrigated:			

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 22 day of March, 1968.

R. Keith Higgins
State Reclamation Engineer.

3488

32720

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ H. J. Bryant

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. February 7, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32720

Recorded in Book 114 Page 32720 Approved February 11, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before April 11, 1966 and to continue diligently and uninterruptedly to completion.

One-fifth of the work above specified to be completed on or before August 11, 1968

The whole of said work to be completed on or before February 11, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before February 11, 1977

WITNESS My hand this 11th day of February, 1966

S/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th
day of February, 1966.
STATE OF IDAHO

Countersigned:

STATE OF IDAHO

(SEAL)

By.....s/.....ARNOLD WILLIAMS.....
Secretary of State.

By s/ ROBERT E. SMYLIE
Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	4 W	32 33	40			30				37	40							70 77	
Total Number of Acres to be Irrigated																		147	
PERMIT NO. 32720 ✓																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that H. J. BRYANT of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 32720 issued upon Application No. 40886 bearing date of priority of February 7, 1966, authorizing the diversion of 2.94 second feet of waters of a unnamed drain County of Canyon, State of Idaho, for 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 1.67 second feet of the waters of an unnamed drain tributary of Boise River, that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 5 North, Range 4 West, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:																			
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33; Township 5 North, Range 4 West, Boise Meridian.																			
Proof of Completion of Works made: April 15, 1967																			
Witness my hand this 22 day of March, A. D. 1968																			
/S/ R. KEITH HIGGINSON State Reclamation Engineer																			
LICENSE ISSUED FOR 1.67 SEC. FT. LICENSE PAG NO. 32720																			

32720
63-
2-11

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40886
PERMIT No. 32720
DISTRICT No.

1. Name of Applicant: H. J. Bryant

Postoffice address: Rt. 5, Box 126, Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

(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 on hand:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 2.94

cubic feet per second.

3. Source of water supply: Unnamed Drain

which is a tributary of Boise River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. . B.M., and is in the NE~~1~~4

of section 33 , T. 5 N , R. 4 W , B. M.. County of Canyon

5. Water is to be used for irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the

of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 2500

8. Kind of works: Cement ditch headgate

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 12" ~~xxxx~~ width at water line 42" ~~xxxx~~ depth of water 16" ~~xxxx~~

dimensions of flume: 12"x 12"

Diameter of pipe 24 inches; length of conduit 2000' miles.

Average grade per mile 4 ft. per 100 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Pump from Boise River

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 32720 ✓

REPORT ON PROOF OF Completion of Works & Beneficial Use

Rge. 4 W.

Ac 19 $\frac{382}{2.9 \text{ c.s.}}$ $\frac{1}{5}$

Thrup. 5N.

10	10	10	5	(21) 3	10.5 ~~10.5~~	P.D. ①	45.5	~~21.5~~ 22
20	E.O.			11.5 (17)	(26)	33	38	37.5 (38)
32							83.5	59.0 (60)
								Notes

83.5

1.67 cfs 3-21-68
DR

Area - ~~59~~ Acres

SUBD	-	A
------	---	---

Q - ~~1.18~~ c.f.s. (1.67)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 32720

This proof is for Comp. of Works & Beneficial Use

In Water District No.

1. Name of applicant H. J. Bryant

2. Source of water supply: ~~Subterranean~~ unnamed drain tributary Boise River

3. Location of point of diversion: Is in the NE 1/4 of Section 33
T. 5 N. R. 4 W. County of Canyon

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

PO LOCATION ON RAIL ROAD PROPERTY - CONSISTS
OF ROCK DIVERSION - 14" X 12" WOODEN
FLUME - THROUGH SARTH DITCHES

5. Water is used for: Irrigation

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):

ENE 1/4, Sec. 32, WNW 1/4, Sec. 33, T. 5 N., R. 4 W., B.M.

(147 acres)

GROUND IN THE N 1/2 NW 1/4 & NW 1/4
SEC 33 HAS BEEN REVEALED RECENTLY

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

8. What large stream would the water here appropriated finally reach? BOISE RIVER

Remarks: THERE APPEARS TO BE AN ABUNDANCE OF WATER
AVAILABLE (APPROX 300" IN OCT - THE SAME NOV 16)

MR BRYANT CONTACTED. HE STATES HE
AND MR. BILL A WOOD HAVE HAD A
VERBAL AGREEMENT - ALLOWING MR BRYANT
TO CONVEY THE WATER ACROSS MR. BILL A.
WOODS PLACE (ADJOINING EAST)

2- THE WORKS & DITCHES ARE CAPABLE OF CONVEYING
APPROXIMATELY 80-90"

This examination was made on the 15TH day of NOV, 1959

(Signed) DR

Examiner.

32720

pw
Plat-

H. J. Bryant ✓
Rt. 5, Box 126 ✓
Caldwell, Idaho ✓
Permit No. 32720 ✓

Examination for Comp. of Works & Beneficial Use

County Canyon

Quantity: 2.94 c.f.s. Sec. 33 T5N R. 4W

63-
Source: Unnamed Drain, tributary of Boise River

P.D.: NE 1/4, Sec. 33, T. 5 N, R. 4 W, B.M.

Use: Irrigation ✓

Extension:

Protest:

Completion of Works:

Other Rights: Pump from Boise River ✓

Filed: February 7, 1966 ✓

Due: February 11, 1971 ✓

Made: April 15, 1967

Priority: February 7, 1966

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.
-

