

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

A. J. Marinneau

being first duly sworn, on oath,
deposes and says:

That he is the printer of The
DAILY IDAHONIAN, a newspaper
of general circulation, printed and
published daily except Sunday at
Moscow, Latah County, Idaho, in
compliance with Sections 60-106,
60-107, and 60-108 of the Idaho
Code and the amendments there-
to; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supple-
ment thereto, upon the following

dates: Sept. 12, 19,
1974

the same being the dates desig-
nated for the publication of said
legal notice.

Marinneau
Subscribed and sworn to before

me this 27 day of Sept.

19 74

Carol George

Notary Public,

residing at Moscow, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Jesse C. Oylear, of
Harvard, Idaho has received an approved Permit No.
31201-87-2020 issued by the Idaho Department of Water
Resources authorizing the diversion at 1.30 cubic feet
per second of water from the Palouse River. The
priority to be established under this permit is June 10,
1963 and the permit was approved June 18, 1963.

Water is to be diverted by pump from a point within
the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 41N, Rge. 3 W.B.M.,
Latah County, to be used for the irrigation of 215 acres
in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 9 and NW $\frac{1}{4}$ Sec. 10, Twp. 41
N, Rge. 3W, B.M.

Proof of the application of the water to beneficial
use was submitted to the Department on May 9, 1974.
Any protest against the issuance of the license for the
above referenced permit should be filed with the
Idaho Dept. of Water Resources, State Capitol, Boise,
Idaho, 83720, within 10 days of the last date of pub-
lication of this notice.

R. KEITH HIGGINSON
Director

September 12, 19, 1974

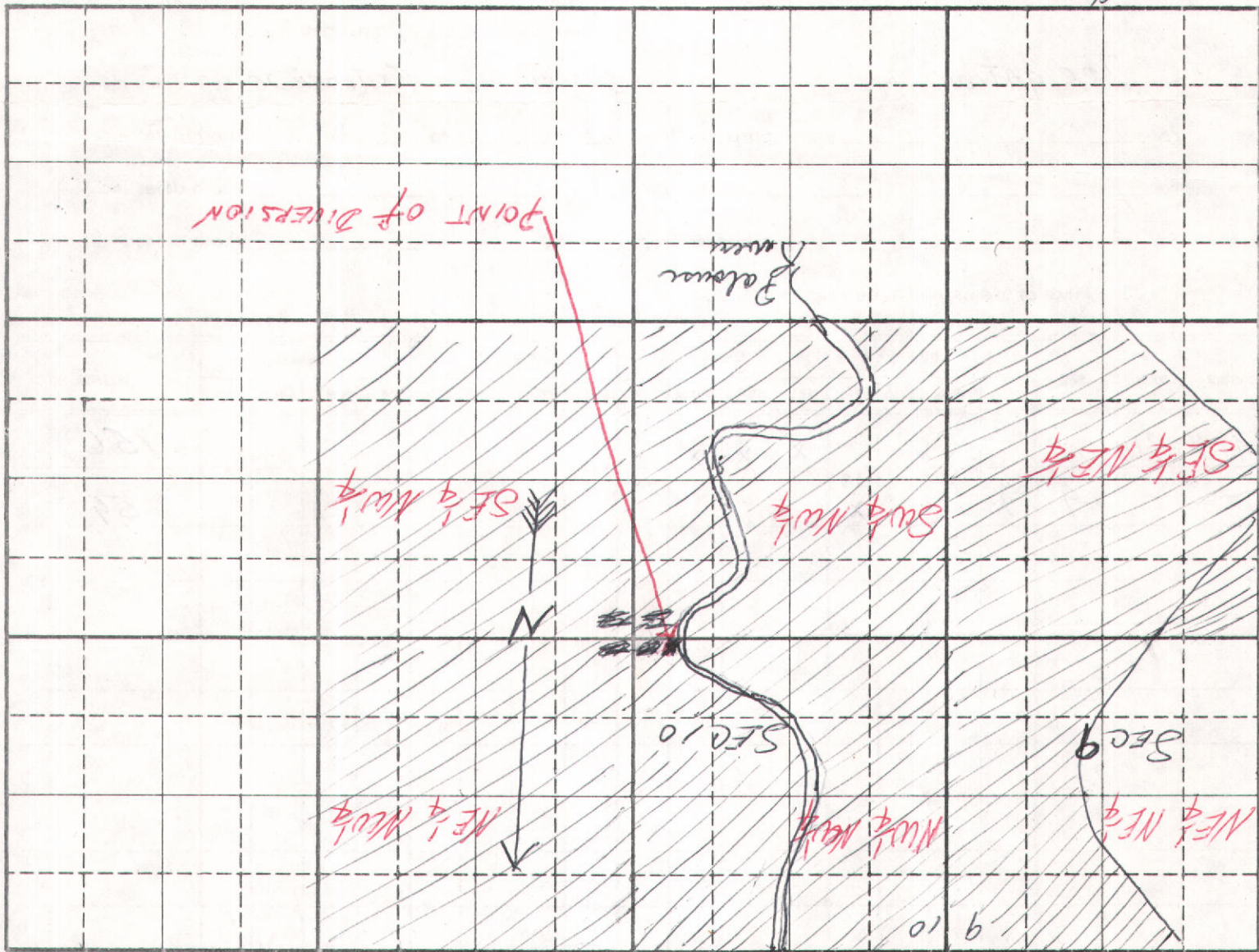
RECEIVED

NOV 29 1974

Department of Water Resources

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

R 3 W. 8 N. T 41 N



Scale: 1/2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Harvard Idaho, this 29 day of April, 1977.

(signature)

ACTION OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

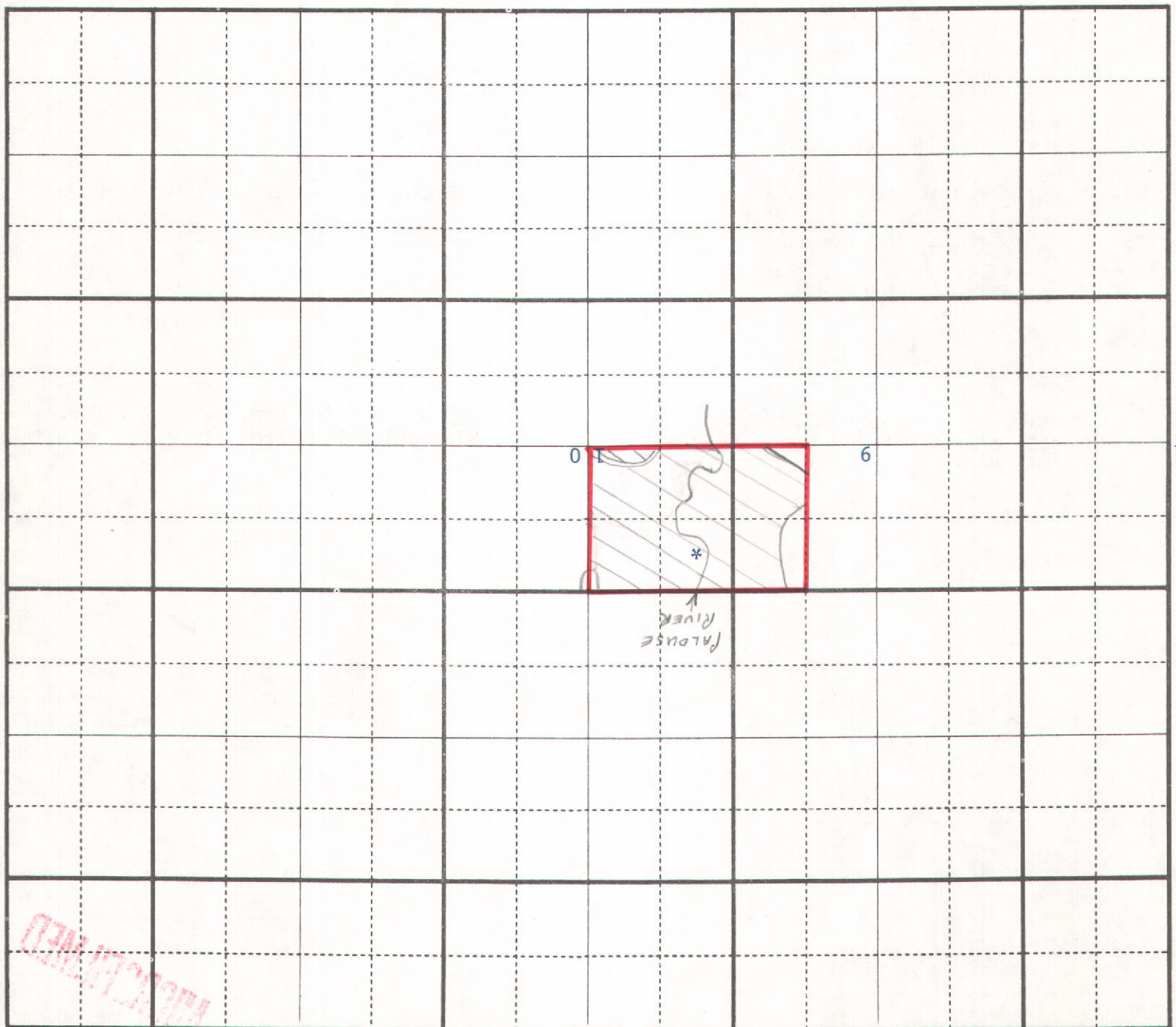
I, _____, State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 87-2020.

Witness my hand this 20 day of May, 1974.

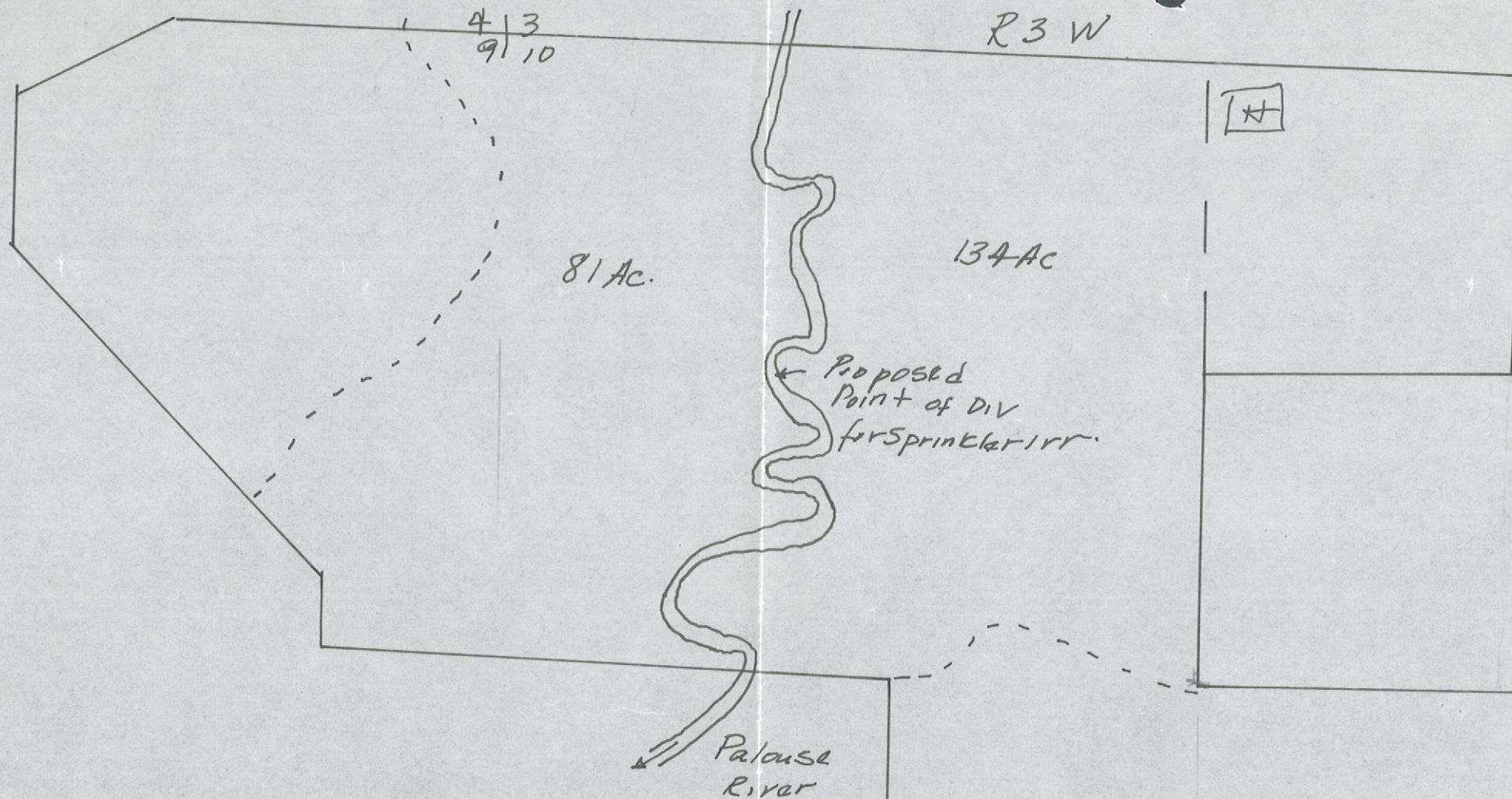
State Reclamation Engineer

Diagram of System



Rge - 3W

FALOUSE



Permit Map No. **31201**
 As Approved JUN 18 1963
Ralph W. Thomas
 Deputy State Reclamation Engineer

REFERENCE

JESSE C O'Leary

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE
 ASSISTING
 SOIL CONSERVATION DISTRICT

31201

DRAWING NUMBER

Photo 2148-33 & 2149-33
 Scale 8" = 1 mi
 SHEET 1 OF 1 SHEETS
 DATE Aug 5/29/63 Tracey

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31201/87-2020 Priority June 10, 1963 Amount 1.30 cfs

THIS IS TO CERTIFY, that JESSE C. OYLEAR
of Harvard, Idaho, has complied with the terms and conditions of Permit
No. 31201/87-2020 issued pursuant to Application for Permit dated June 10, 1963,
and has submitted proof to the Department of Water Resources on May 9, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.30 cfs of water from the Palouse River,
tributary to the Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 20</u> to <u>October 20</u> at <u>1.30</u> cfs and	<u>551 acre feet or</u>	
	from _____ to _____ at _____ cfs and	<u>3.0 af per acre</u>	
	from _____ to _____ at _____ cfs and		
(both dates inclusive)			

Subject, however, to the condition that no more than 1.30 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
551 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10,
Twp. 41 N, Rge. 3 W, B.M. in the County of Latah

Description and location of place of use:

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 $\frac{1}{4}$	
41 N	3 W	9	22			37													59
		10					40	38	38	40									156

Total number of acres irrigated 215

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of
January, 19 75.

Director

Affidavit of Publication

STATE OF IDAHO
County of Latah

} ss.

A. J. Marneau

being first duly sworn, on oath,
deposes and says:

That he is the printer of The
DAILY IDAHONIAN, a newspaper
of general circulation, printed and
published daily except Sunday at
Moscow, Latah County, Idaho, in
compliance with Sections 60-106,
60-107, and 60-108 of the Idaho
Code and the amendments there-
to; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supple-
ment thereto, upon the following

dates: Sept. 12, 19
1974

the same being the dates desig-
nated for the publication of said
legal notice.

A. J. Marneau
Subscribed and sworn to before

me this 27 day of Sept

1974

Carol Seage

Notary Public,

residing at Moscow, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Jesse C. Oylear, of
Harvard, Idaho has received an approved Permit No.
31201-87-2020 issued by the Idaho Department of Water
Resources authorizing the diversion at 1.30 cubic feet
per second of water from the Palouse River. The
priority to be established under this permit is June 10,
1963 and the permit was approved June 18, 1963.

Water is to be diverted by pump from a point within
the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 41N, Rge. 3 W.B.M.,
Latah County, to be used for the irrigation of 215 acres
in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9 and NW $\frac{1}{4}$, Sec. 10, Twp. 41
N, Rge. 3 W.B.M.

Proof of the application of the water to beneficial
use was submitted to the Department on May 9, 1974.
Any protest against the issuance of the license for the
above referenced permit should be filed with the
Idaho Dept. of Water Resources, State Capitol, Boise,
Idaho, 83720, within 10 days of the last date of pub-
lication of this notice.

R. KEITH HIGGINSON
Director

September 12, 19, 1974

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Rec'd #14448
Department of Water Administration

Permit No. 31201/87-2020

HARVARD, IDAHO, and represents to the State Reclamation
Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31201/87-2020, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 41N
R. 3W, B.M. Other points of diversion _____

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

[illegible]

Total number of acres to be irrigated

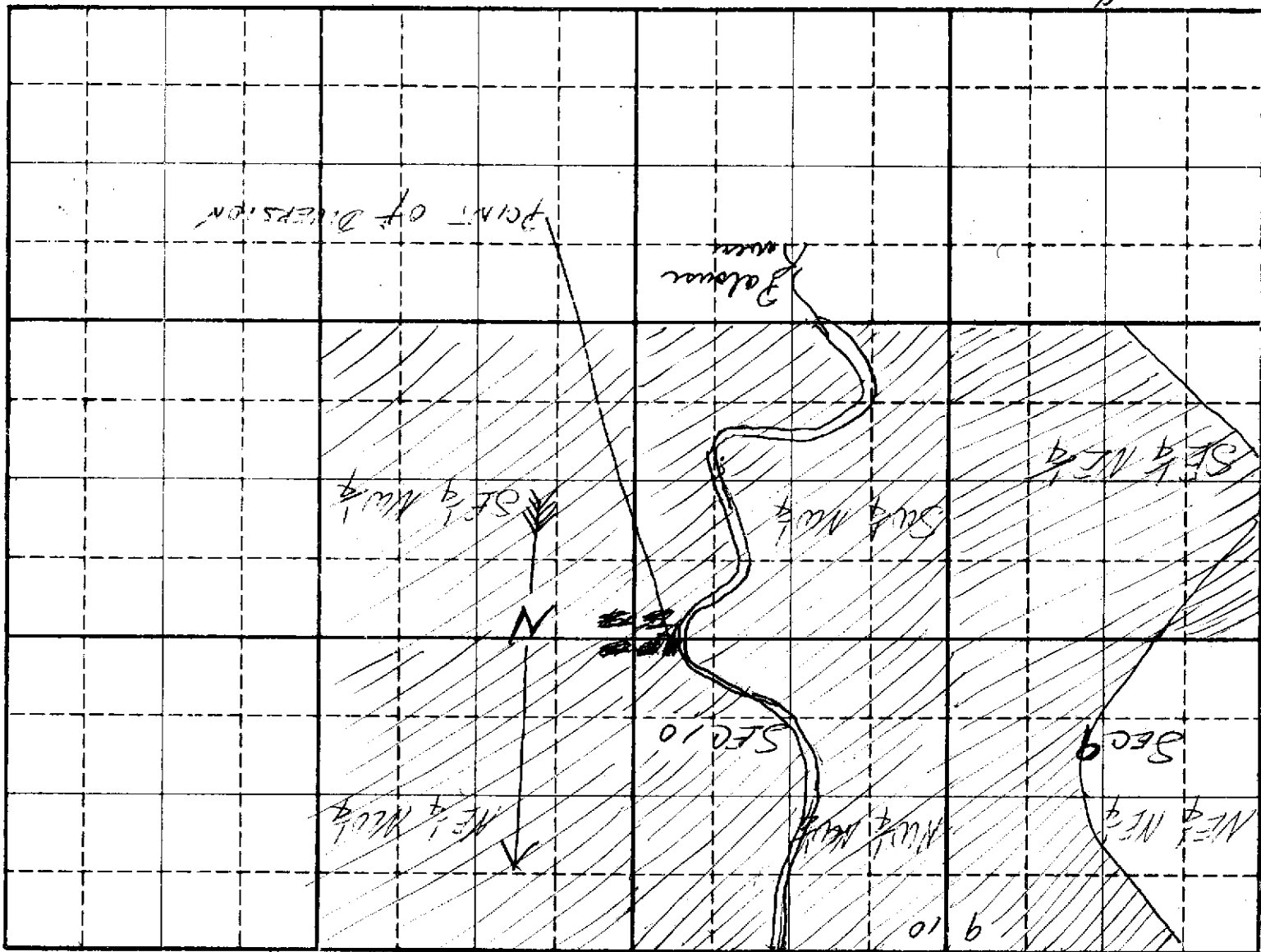
215

87-2027

87-2220

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

R 3 W. 6 N. T 41 N



Scale: 1/4 inches equal 1 mile

risk.

That no one will be injured by such change, and that such change will be made at permit holder's own

Signed at Harvard Idaho, this 29 day of April, 1977

(signature)

ACTION OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, _____, State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 87-2020.

Witness my hand this 20 day of May, 1974

State Reclamation Engineer

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31201/87-2020)
in the name of JESSE C. OYLEAR)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

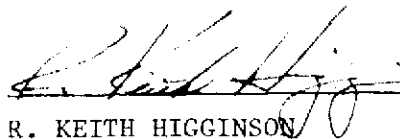
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 31201 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 1 day of February, 1971.



R. KEITH HIGGINSON
DIRECTOR

87 2020

87-2020

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

APPLICATION No. 39293
PERMIT No. 31201
DISTRICT No.

1. Name of Applicant: **Jesse C. Oylear**

Postoffice address: **Harvard**

County: **Latah**

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:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: **4.3** cubic feet per second.

3. Source of water supply: **Palouse River** which is a tributary of **Snake River**

4. Location of point of diversion: **2250** feet distant from the **N $\frac{1}{4}$** corner of Section **10**, T. **41 N**, R. **3 W**, B.M., and is ~~in the~~ **near center NW $\frac{1}{4}$** of section **10**, T. **41 N**, R. **3 W**, B. M., County of **Latah**

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: **\$20,000**

8. Kind of works: **Sprinkler Irrigation**

9. Height of dam **feet**; length of dam at top **feet**; length of dam at bottom **feet**;
feet; material used in dam:

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

11. Ditch: Width at bottom **feet**; width at water line **feet**; depth of water **feet**;
dimensions of flume:

Diameter of pipe **8** inches; length of conduit **5/8** miles.

Average grade per mile **Pump** 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: **none**

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/ Jesse C. Oylear Applicant.
By Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. June 10, 1963
Returned to applicant for correction:
Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31201
Recorded in Book 109 Page 31201 Approved June 18, 1963
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 August 18, 1963 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before December 18, 1965
The whole of said work to be completed on or before June 18, 1968
Beneficial use of water appropriated in accordance herewith, to be made on or before June 18, 1974

WITNESS My hand this 18th day of June, 1963
s/ RALPH W. THOMAS, Deputy
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 18th day of June, 1963.
STATE OF IDAHO
Countersigned:
(SEAL) By s/ ARNOLD WILLIAMS, Secretary of State.
By s/ ROBERT E. SMYLIE, Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				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	
41 N	3 W	10		20	20		40	40	40	40									200
41 N	3 W	9	15																15
Total Number of Acres to be Irrigated																			215
PERMIT NO. 31201																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that Jesse C. Oylear of Harvard, County of Latah, and State of Idaho, the holder of Permit No. 31201, issued upon Application No. 39293 bearing date of priority of June 10, 1963, authorizing the diversion of 4.3 second feet of waters of Palouse River County of Latah, 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 1.33 second feet of the waters of Palouse River a tributary of Snake River, that the point of diversion of said waters is 2250 ft. from N1/4 corner of Sec. 10, Twp. 41 N., Rge. 3 W., B.M. and near center NW1/4 Sec. 10, Twp. 41 N., Rge. 3 W., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:																			
W1/2NE1/4, NW1/4 Sec. 10 and NE1/4NE1/4 Sec. 9, Twp. 41 N., Rge. 3 W., B.M.																			
Proof of completion of works made: June 26, 1968																			
Witness my hand this 25 day of July, A. D. 1968																			
/s/ R. Keith Higginson State Reclamation Engineer																			

LICENSE ISSUED FOR 1.30 SEC. FT.
LICENSE PAGE NO.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 8, 1975

Re: Permit No. 31201/87-2020

Mr. Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

Enclosed is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

RECEIVED
JAN 13 1975

WATER RESOURCE BOARD:

John F. Streiff
Chairman
Franklin Jones
Member

George L. Yost
Vice-Chairman
M. Reed Hansen
Member

Donald R. Kramer
Secretary
Scott W. Reed
Member

Edwin C. Schlender
Member
Joseph H. Nettleton
Member

December 19, 1974

Mr. Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

We acknowledge receipt of the affidavit of publication submitted in connection with your Permit No. 31201/87-2020.

A representative of the Department has made an examination of the works covered by this permit and has found the following:

Quantity of water diverted: 1.30 cfs Source: Palouse River

Amount of water that can be recognized as beneficially used under
Idaho law: 1.30 cfs

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 41 N, Rge. 3 W, B.M.

Beneficial use: Irrigation of 215 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9;
NW $\frac{1}{4}$, Sec. 10; Twp. 41 N, Rge. 3 W, B.M.

Priority date established: June 10, 1963

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

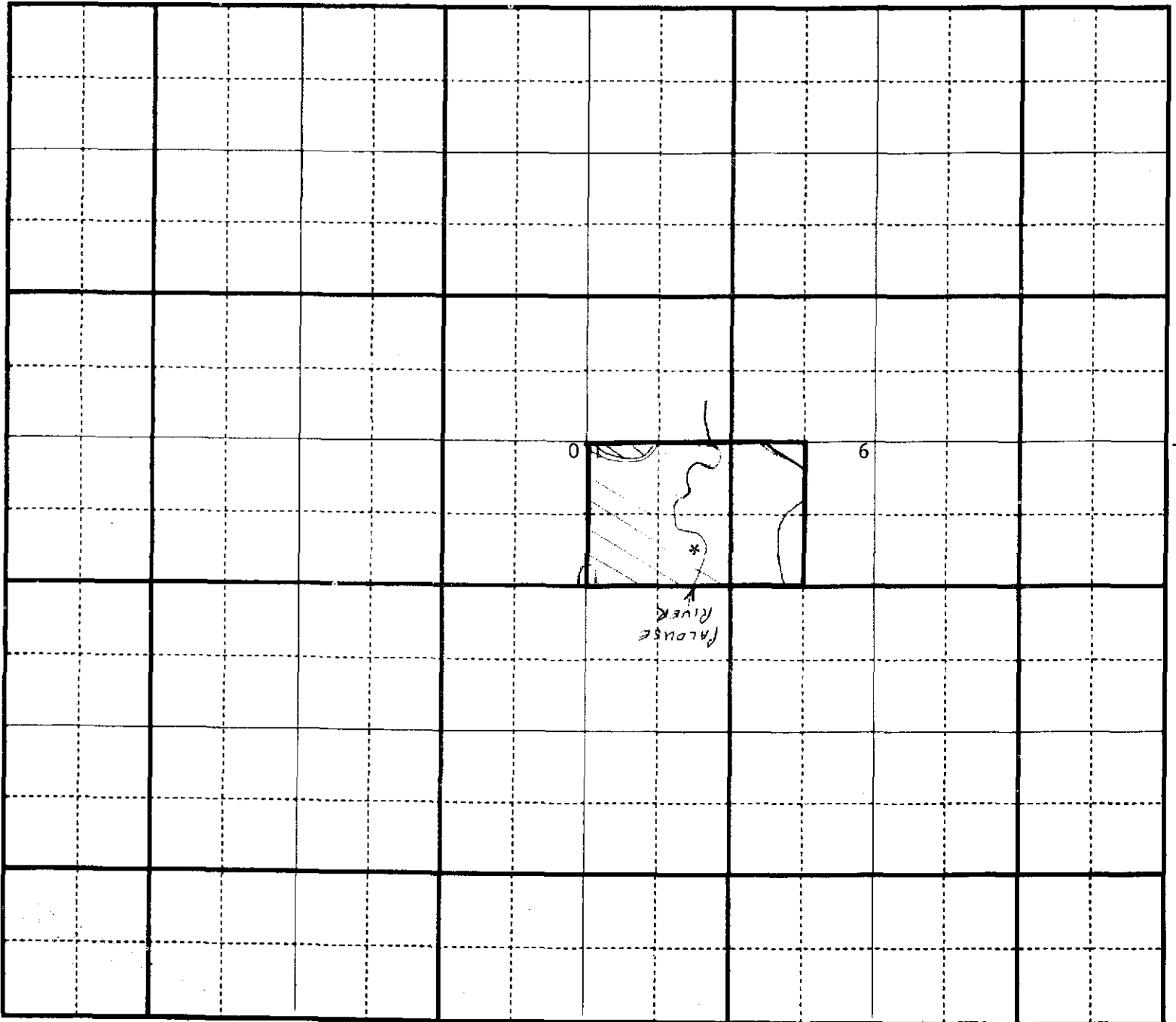
BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

bc: Northern District Office

RECEIVED
DEC 20 1974

Diagram of System



DATE OF EXAM 7/29/24

ACREAGE

Found 215
Recommended 215

Irrigation Requirement 3.50 Ac Ft/Ac

USE

Irrigation Q = 1.30 c.f.s. V = 550.8 AF/Ann. from MAR 20 to OCT 20
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1.30 Method of measurement PRESSURE GAUGE

Total Q recommended 1.30 Meter No. _____ Type _____ Condition _____

Total V recommended 550.8

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

66 - RAINBIRDS 13/64 55 psi 214 DAYS X 1.98 X 1.30 cfs = 550.8 AF/ANN
 $\frac{66 \times 8.87}{448.8} = 1.30 \text{ cfs.}$

SYSTEM DESCRIPTION:

40 HP UNICLOSED MOTOR
ID # 9304857-127

REMARKS:

Examiner's Signature [Signature] Date 8/5/24

Checked by [Signature] Date 8/12/24

Approved by _____ Date _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 3, 1974

Re: Permit No. 87-2020 - Jesse C. Oylear

Daily Idahonian
Box 399
Moscow, ID 83843

Gentlemen:

We are forwarding the bill recently received by this office for the publication of the notice of existing water permit #87-2020 in the name of Jesse C. Oylear. Also enclosed is a copy of our letter to you which requested that the bill for this publication be paid by Mr. Oylear.

Would you please send this bill to Mr. Oylear so that we may continue processing his permit. Thank-you.

Sincerely,

Jan Grover
Jan Grover
Secretary

JG
Enclosures

RECEIVED

DEC 10 1974

Department of Water Resources

*This legal was billed to Mr Oylear
and was paid 10/8/74*

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

December 3, 1974

Re: Permit No. 87-2020 - Jesse C. Oylear

Daily Idahonian
Box 899
Moscow, ID 83843

Gentlemen:

We are forwarding the bill recently received by this office for the publication of the notice of existing water permit #87-2020 in the name of Jesse C. Oylear. Also enclosed is a copy of our letter to you which requested that the bill for this publication be paid by Mr. Oylear.

Would you please send this bill to Mr. Oylear so that we may continue processing his permit. Thank-you.

Sincerely,

Jan Grover
Secretary

JG
Enclosures

November 25, 1974

Re: Permit No. 31201/87-2020

Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit.

Please be advised that we cannot issue a water license for this permit until this affidavit of publication is received.

Please submit the affidavit within 10 days in order that this permit may remain in good standing with our office.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

September 6, 1974

Re: Permit No. 87-2020 - Jesse C. Oylear

Daily Idahonian
Box 399
Moscow, ID 83843

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact this office immediately.

The expense of the publication is to be paid by:

Jesse C. Oylear
Harvard,
Idaho 83834

to whom you should furnish an affidavit of publication.

Very truly yours,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

September 6, 1974

Re: Permit No. 87-2020

Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

We have caused the legal notice for the above referenced permit to be published in the Daily Idahonian, Moscow, on September 12, and September 19, 1974.

You will be required to submit an affidavit of publications to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the publication fee. We have asked the newspaper to bill you direct. Upon receipt of the affidavit of publication, a water right license will be issued.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

August 26, 1974

Mr. Jesse C. Oylear
Harvard,
Klaho 83834

Dear Mr. Oylear:

A representative of this Department has made an examination of the works covered by your Permit No. 31201/87-2020 and has found the following:

Quantity of water diverted: 1.30 cfs Source: Palouse River

Amount of water that can be recognized as beneficially used under
Klaho law: 1.30 cfs

The maximum quantity diverted shall not exceed 551 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 41 N, Rge. 3 W, B.M.

Beneficial use: Irrigation of 215 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9 and
NW $\frac{1}{4}$, Sec. 10, Twp. 41 N, Rge. 3 W, B.M.

Priority date established: June 10, 1963

Enclosed is a copy of the legal notice the Department proposes to have published for two consecutive weeks. If you do not concur with the above findings, please contact this office within 10 days; otherwise the Department will proceed with publication of the notice.

You will be required to submit an affidavit of publication. The affidavit may be obtained from the newspaper upon payment of the publication cost; we will advise you of the dates the notice is to appear in the newspaper.

Upon receipt of the affidavit of publication, a water right license will be issued as set forth above. If you have any questions regarding this matter, please contact us within the 10-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosure

bc: Northern District Office

87-2020

May 20, 1974

Re: Permit No. 31201/87-2020

Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit. Also enclosed is Receipt #14448 for \$10.00 covering the amendment filing fee.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for this permit. Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning the field exam, please contact our Northern District Office at 401 Front Ave., Room 209, Coeur d'Alene, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Enc: Copy of amendment
Receipt #14448

bcc: Northern District Office

87-2020

May 10, 1974

Re: Permit No. 31201/87-2020

Jesse C. Oylear
Harvard,
Idaho 83838

Dear Mr. Oylear:

We are in receipt of the application for amendment and proof of beneficial use affidavit submitted in connection with the above referenced permit.

However, we cannot process this application for amendment until another \$5.00 is submitted, as the amendment filing fee is \$10.00. Therefore, we are returning your check for \$5.00.

Please submit the \$10.00 filing fee within 10 days so that we may proceed to process this application for amendment.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

cc: E. J. Woods

87-2020

Identification No. 87-2020
Permit No. 31201

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

MAY 9 1974

Department of Water Administration

1. a) Name of Permit Holder JESSE C. OYLEAR
b) Post Office Address HARVARD, IDAHO 83834
2. Permit Number 31201/87-2020
3. Date of Priority that you are prepared to establish 3:00 PM, June 10, 1963
4. a) Source from which water was appropriated PALOUSE RIVER
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 10
Township 41 N, Range 3 W Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 4.3 cfs for IRRIGATION purposes from MARCH 20 to OCTOBER 20 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4.3 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

3600 RPM
PUMPING FROM PALOUSE RIVER,
40HP PACIFIC PUMP, 3600 RPM; Imp. DIA = 8.125 in.; SUCTON =
5", DISCHARGE = 4" ON PUMP. 6" SUCTON LINE FROM RIVER,
6" MAIN LINE, 4" LATERALS.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

SEE ABOVE

c) Give well drillers name and address and date the well was completed _____

Exam typed 5/20/74 by fgj

87-2020

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

Notes

[illegible]

Total number of acres irrigated.

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

(b)(7)(D)

3 May 1974

(Signature)

(Signature)

State of Ill. County of Ill. ss.

On this 8 day of May, 1974, personally appeared before me the signers(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at _____

My commission expires

Oct. 1974

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)



Show address
where delivered



Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

25239

2

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

4-3-74

27-2020

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$0.05

HARVARD

APR 13

P.M.

1974

83834



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moistan gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707.**

PS Form 3811
June 1973

87-2020

April 1, 1974

CERTIFIED MAIL

#25239

Re: Permit No. 31201/87-2020

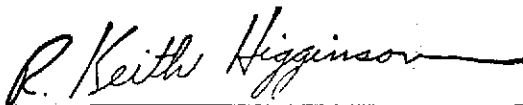
Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

One of the conditions of approval of your water Permit No. 31201/87-2020 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 18, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

87-2020

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 29, 1971

Re: Permit No. 31201/87-2020

Mr. Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

We are returning your personal check in the amount of \$5.00 and your application for amendment. We need clarification of the following issues before we can process your request.

Several years ago, the Departments' policy changed in connection with descriptions on permits that are approved by this Department. All points of diversion must be identified to a particular 40 acre tract in order to enter our records systems. Therefore, we would suggest that the point of diversion be described as the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 41 N, Range 3 W, B.M. It is also noted that you have requested the lands to be irrigated to be changed to a total of 240 acres. The maximum that the Department can consider under this amendment would be 215 acres. Otherwise, any enlargement would tend to expand the water right, which is prevented under Idaho's existing law.

If you want a water right for additional acres, we would suggest that you file a new application for permit for the additional acres. You may, with the amendment form, rearrange the 215 acres under this permit if you so desire.

We are enclosing the additional forms necessary for your use in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

Enc: application for permit form, with instructions
original application for amendment
new amendment form
copy of above referenced permit
check for \$5.00 (98-87)

87 2020

February 22, 1971

Re: Permit No. 31201/87-2020

Mr. Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

Your letter of February 11, 1971 indicated that your place of use is different than shown on your permit. This change requires an amendment of the place of use be submitted by you. We have partially completed an amendment form to match the description set forth by your letter. This amendment should be completed and returned with the required \$5.00 fee.

We will delay having the legal notice of your water right published until you return the amendment of your permit.

If you have any questions concerning this matter, please let us know.

Very truly yours,

Bobby D. Fleenor
Assistant Director

BDF/dg

Enc: partially completed amendment

87 2020

Harvard, Idaho 83834
February 11, 1971

R. Keith Higginson
Idaho Department of
Water Administration
Statehouse
Boise, Idaho

Dear Sirs:

This is to inform you of an error in the legal description of said area being irrigated under Permit 31201/87-2020.

In the original application for permit the legal description stated: $W\frac{1}{2}NE\frac{1}{4}$; $NW\frac{1}{4}$ of Section 10 and the $NE\frac{1}{4}NE\frac{1}{4}$ of Section 9, Township 41 North, Range 3 W.B.M.

The description should read:

$NW\frac{1}{4}$ of Section 10 and the $E\frac{1}{2}NE\frac{1}{4}$ of
Section 9, Township 41 North,
Range 3 W.B.M.

The error was due to taking the legal description from an improperly inked aerial photo.

As I am ready to advertise notice of existing permit, the legal description should be changed.

Yours truly,

J. C. Oylear

J0:or

The point of diversion could more accurately be described as 195 feet due west of the center of $NW\frac{1}{4}$ Sec 10, T. 41 N, R 3 W. B.M., Latah Co.

87 2020

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Jesse C. Oylear, Harvard, Idaho, ^{Deputy}

_____ has received an approved Permit No. 31201/87-2020 issued by the Idaho Department of Water Administration authorizing the diversion storage of 4.3 cubic feet per second ~~acres/feet~~ ~~PPF/PPPP~~ of water from Palouse River, tributary to the Snake River. The priority to be established under this permit is June 10, 1963, and the permit was approved June 18, 1963.

Water is to be diverted by pump and pipe
from a point within the NW 1/4, Sec. 10, T. 41N, R. 3W, B.M., Latah
County, 195 feet due West of Center of NW 1/4 Sec. 10
to be used for irrigation
in the NE 1/4, Sec. 9; ~~1/4 NW 1/4~~ NW 1/4, Sec. 10; T. 41N, R. 3W, B.M.
(E 1/2 NE 1/4)

Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 18, 1974. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Daily Idahonian, Moscow, Idaho,
on Sept. 12 & Sept. 19, 1924

Permit No. 31201/87-2020

Director:

You are hereby authorized to have the above notice published at my expense in the Daily Idahonian of Moscow, Idaho; published in the county in which the works are situated.

(Signature)

(Address)

(Date)

February 1, 1971

Re: Permit No. 31201 (New No. 87-2020)

Jesse C. Oylear
Harvard,
Idaho 83834

Dear Mr. Oylear:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof of beneficial use of water.

The enclosed order modifies the above referenced permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department.

If you will complete the enclosed form, we will cause the notice to be published. Should you require additional information or have any questions regarding this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Order
Advertising package

87 2020

10

1

County,

in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 10; T. 41N, R. 3W, B.M.

mitted to the Department on or before June 18, 1974

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

on _____

87 2020

July 25, 1968

Re: Permit No. 31201

Jesse C. Cylear
Harvard,
Idaho

Dear Mr. Cylear:

Enclosed is your Certificate of Completion of Works on
the above numbered permit.

Very truly yours,

C. Stephen Ailred, Assistant
State Reclamation Engineer

CSA:kh

Enclosure: Certificate

31201

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that JESSE C. OYLEAR
of Harvard, County of Latah, and State of
Idaho, the holder of Permit No. 31201, issued upon
Application No. 39293 bearing date of priority of June 10, 1963, authorizing the
diversion of 4.3 second feet of waters of Palouse River
County of Latah, 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 1.33 second feet of the waters of Palouse River a tributary of
Snake River
that the point of diversion of said waters 2250 ft. from N $\frac{1}{4}$ corner of Sec. 10, Twp. 41 N., Rge. 3 W., B.M. and near center NW $\frac{1}{4}$ Sec. 10, Twp. 41 N., Rge. 3 W., B.M.
and that the lands proposed to be irrigated by the use or place of use of said water are
described as follows, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 10 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp. 41 N.,
Rge. 3 W., B.M.

Proof of completion of works made: June 26, 1968,

Witness my hand this 25 day of July, A. D. 1968.

R. Kirk Higgins
State Reclamation Engineer

31201

Permit No. 31201STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of LATAH

ss.

JESSE C. O'NEAR

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 31201, and that his postoffice address is HARVARD State of IDAHO.

Second: That the name of the stream from which said water is to be diverted is

PALOUSE RIVER

Third: That the point of diversion of said water is 2250 ft from NW 1/4 CORNER of Sec 10 Twp 41 N Rge 3 W, BM T NEAR CENTER NW 1/4 S10 T41 N

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 18 JUNE, 1968.

Fifth: That the use for which said water is intended is IRRIGATION, SPRINKLER

Sixth: That on the date above mentioned, the works constructed under said permit ~~were~~ (or were not) fully completed and consisted of the following:

I. Kind of Works: PIPE 1200' of 6" MAIN, 2760' of 4" LATERAL

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

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

(d) Conduit PIPE width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe 4" 6" inches, average grade per mile is PUMP feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use 1.33 second feet of water. or 600 gal/min

Eighth: That water appropriated under said permit is available for 215 acres of land described as follows: 200 A. in T41N, R3W, Sec 10

15 A. in T41N, R3W, Sec 9

Ninth: Remarks:—That I plan to double the size of present setup when Clearwater Power Co puts in three phase line. Until such time, I would like, either, an extension of time on the whole project, or proof on what is completed and a permit to finish the rest.

(SIGN HERE)

Subscribed and sworn to before me this 26th day of June, 1968

NOTARY PUBLIC

My commission expires 8-3-70

D31201

June 28, 1968

Re: Permit No. 31201

Jesse C. Oylear
Harvard, Idaho 83834

Dear Mr. Oylear:

We have received your affidavit of completion of works; however, we are returning it as unacceptable as Item 7 has not been answered.

The Certificate of Completion of Works can be issued only for the amount of water that your system can produce at this time; therefore, we are enclosing an application for permit and instructions so that you can apply for the remainder of the water your system produces.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Returning affidavit
App. for Permit & Inst.

531201

Permit No. 31201STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of LATAH

ss.

JESSE C. OYLEAR

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 31201, and that his postoffice address is HARVARD State of IDAHO.

Second: That the name of the stream from which said water is to be diverted is PALOUSE RIVER

Third: That the point of diversion of said water is 3250 ft from NW 1/4 CORNER of Sec 10 Twp 41 N Rge 3 W BM Y NEAR CENTER NW 1/4 S10 T41 N

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 18 JUNE, 1968.

Fifth: That the use for which said water is intended is IRRIGATION, SPRINKLER

Sixth: That on the date above mentioned, the works constructed under said permit ~~were~~ (or were not) fully completed and consisted of the following:

I. Kind of Works: PIPE 1200' of 6" MAIN, 2760' of 4" LATERAL
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

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

(d) Conduit PIPE width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe 4" x 6" inches, average grade per mile is Pump feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use _____ second feet of water.

Eighth: That water appropriated under said permit is available for 315 acres of land described as follows: 200 A. in T41N, R3W, Sec 10

15 A in T41N, R3W, Sec 9

Ninth: Remarks:—That I plan to double the size of present setup when CLEARWATER POWER Co puts in THREE PHASE LINE. Until such time, I would like, either, an extension of time on the whole project, or proof on what is completed and a permit to finish the rest.

(SIGN HERE)

Subscribed and sworn to before me this 26th day of June, 1968

NOTARY PUBLIC

My commission expires 8-3-70

D 31201

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

Boise, Idaho

April 1, 1968

Re: Permit No. 31201

Jesse C. Oylear
Harvard, Idaho

Dear Mr. Oylear:

Under the terms of your Permit No. 31201 you are required to complete your diversion works on or before June 18, 1968. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

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

Very truly yours,

State Reclamation Engineer

Enc. Form 6

B31201

June 27, 1963

Re: Permit No. 31201

Mr. Jesse C. Oylear,
Harvard, Idaho.

Dear Mr. Oylear:

We enclose Permit No. 31201 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 31586 which was issued covering payment in the amount of \$ 6.00 for the filing fee of the above mentioned permit.

Very truly yours,

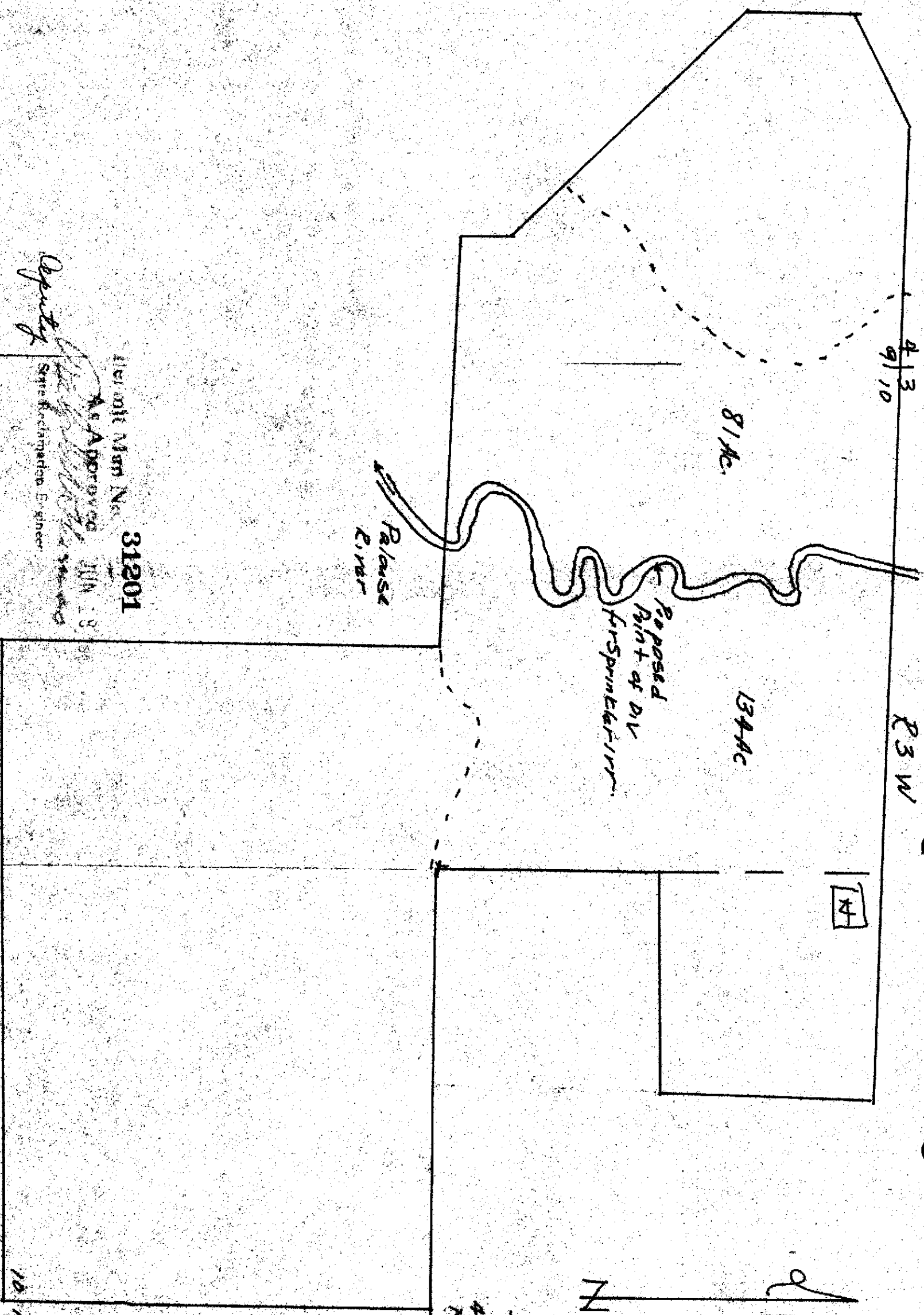
~~STATE RECLAMATION ENGINEER~~

State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. --

B 31201



Hermit Map No. **31201**
 As Approved JUN 18
 Deputy State Reclamation Engineer

REFERENCE	U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE ASSISTING SOIL CONSERVATION DISTRICT		DRAWING NUMBER Photo 2144-33 & 2144-33 SHEET 1 OF 1 DATE 8/22/65
Jesse C. Orsinger		31201	SCALE 8" = 1 mile