

RECEIVED
DEC 6 1974
Department of Water Resources

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 7 day of November, 1974, and the last publication being on the 14 day of November, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 14 day of Nov, 1974.

Lena S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Ora E. Walker, P. O. Box 152, Marsing, Idaho, has received an approved Permit No. R-1094/57-2320 issued by the Idaho Department of Water Resources authorizing the storage of 35 acre feet per annum of water from unnamed springs in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 1 S., Rge. 5 W., B. M. Owyhee County. The priority to be established under this permit is October 9, 1972 and the permit was approved September 11, 1961.

Water is to be stored in a reservoir in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 1 S., Rge. 5 W., B. M., Owyhee County, and used for irrigation purposes in the NE $\frac{1}{4}$, Sec. 12; E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, all in Twp. 1 S., Rge. 5 W., B. M.

Proof of the application of the water to beneficial use was submitted to the Department on October 15, 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 ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON,
Director.

Published in the Owyhee Nugget, Marsing, Idaho on November 7, and November 14, 1974.

MICROFILMED

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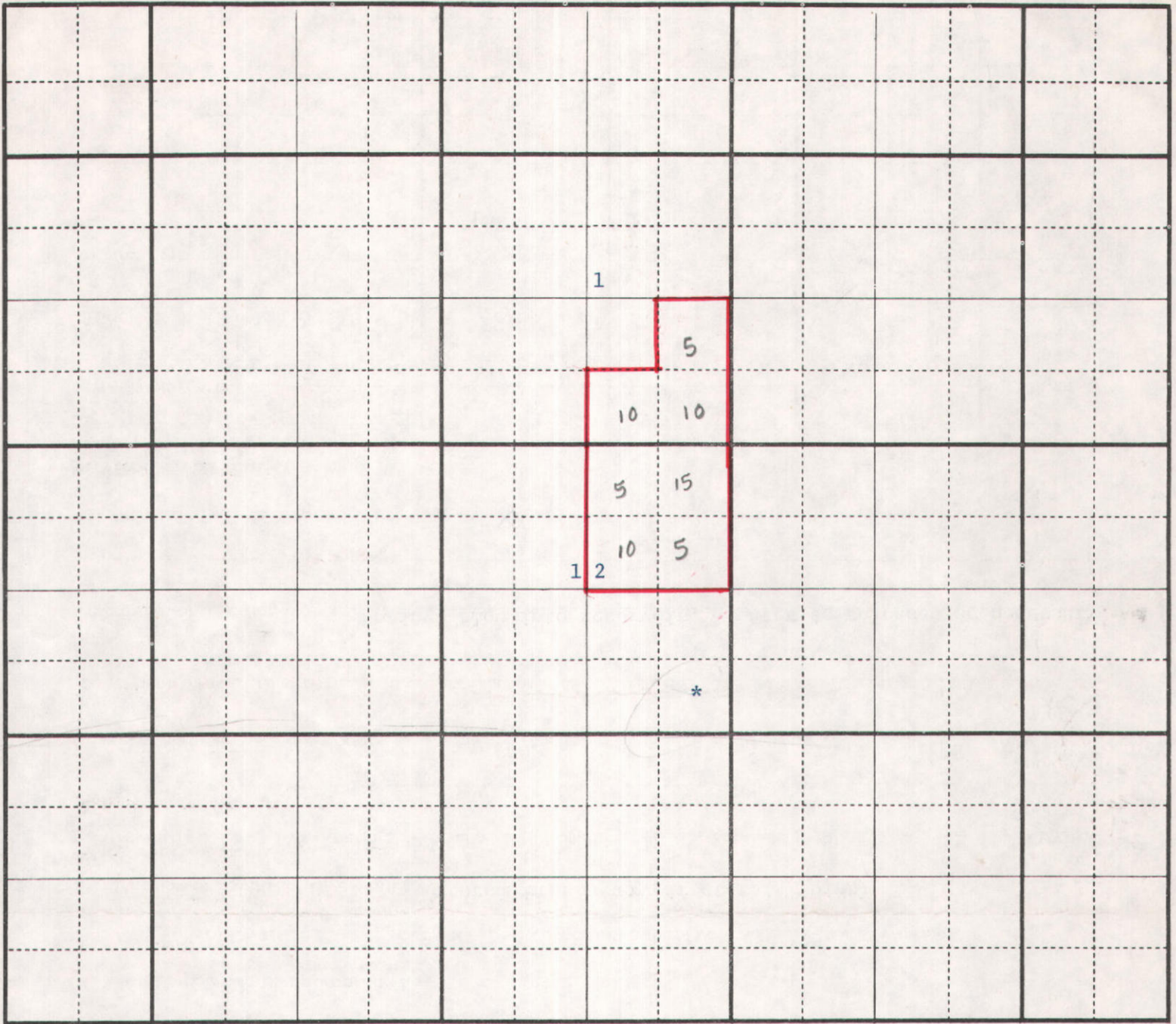
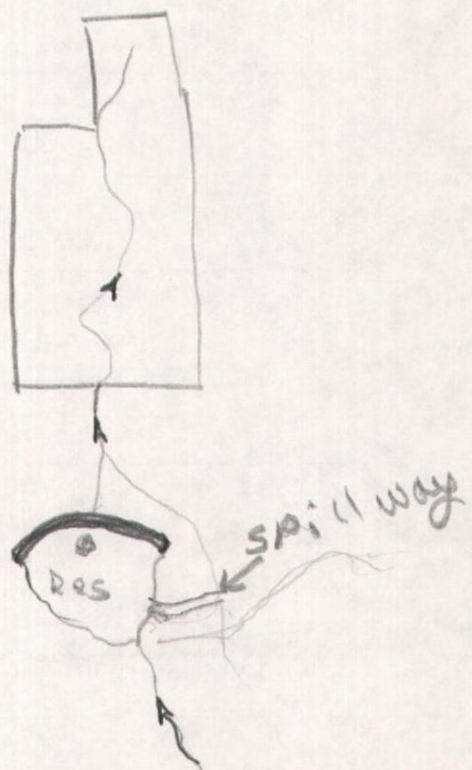


Diagram of System





Joseph W. Walp

Twp 1 N

5 W

Twp 1 N 4 W

35

36

Twp 18

5 W

Twp 18 4 W

2

1

11

12

14

13

Sec. 1
SE 1/4
S 1/2 - SE 1/4 - NE 1/4
NE 1/4 - Sec 12

Ditch to place of use

Reservoir is on
SE 1/4 - SE 1/4 Sec 12

Unnamed Springs
NE 1/4 - NE 1/4 - Sec 13

Permit Map No. R-1094

As Approved SEP 11 1961

GEO. N. CARTER
State Reclamation Engineer

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. R-1094/57-2320 Priority Oct. 9, 1972 Amount 35 acre feet

THIS IS TO CERTIFY, that ORA E. WALKER
of Marsing, Idaho, has complied with the terms and conditions of Permit
No R-1094/57-2320 issued pursuant to Application for Permit dated September 5, 1961,
and has submitted proof to the Department of Water Resources on October 15, 1974 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the storage of 35 acre feet of water from unnamed springs,
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
Storage for Irrigation	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>-</u> cfs and <u>35 acre feet</u>		
Irrigation	from <u>April 1</u> to <u>Oct. 31</u> at <u>2</u> cfs and <u>210 acre feet or 3.5 af per acre</u> (both dates inclusive)		

Subject, however, to the condition that no more than 35 af of water be stored at any one time, and
that the amount of water so stored and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* 3.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13,
Twp. 1 S, Rge. 5 W, B.M. in the County of Owyhee

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 $\frac{1}{4}$	
1 S	5 W	1													10	10			25
		12	15	5	10	5													35

Total number of acres irrigated 60

* Subject to the condition that the maximum volume per year shall not exceed 3.5
acre feet per acre when combined with Licenses No. 15455/57-2140 and 16329/
57-2333.

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 24 day of
January, 19 76.

Director

APPLICATION FOR PERMIT

57-2320

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of IdahoASSIGNED TO: ORA E. WALKER
10/15/74 P. O. Box 152Application No. R 38197
Permit No. R 1094LICENSE ISSUED FOR 35 AC. AF
PAGE NO. 1Marsing ID 83639
1. Name of Applicant: Joseph W. WalkerPost office address: Marsing *Idaho*

County Owyhee

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 corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 35 acre feet per annum.

3. Source of water supply is Unnamed Springs (Creek) (River) (Spring), a tributary of Snake River River.

4 The outlet of the proposed reservoir is located (bearing) feet, distant from the corner of Section , Township ,
Range , B.M. and is in the SE 1/4 of SE 1/4 of Section 12 , Township 1 S. , Range 5 W , B.M. County of Owyhee

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of no (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located Unnamed Springs feet distant from
the corner of Section , Township , Range , B.M., and is in the NE 1/4 of NE 1/4 of
Section 13 , Township 1 S , Range 5 W , B.M.; width at bottom feet, width at top
feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is 2 1/2 acres.

(b) The reservoir capacity is 35 acre feet.

7. Height of reservoir dam 20 feet, length at top feet, length at bottom feet, size of outlet feet
by feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

Squaw (Creek) (River)? No

(b) Water stored in reservoir will be carried in the channel of (Creek) (River) a distance
of miles to point of diversion located (bearing) feet, distant from the corner of Section
Township , Range , B.M., and in the 1/4 of 1/4 of Section Township , Range
, B.M.9. (a) Area of watershed above dam site 40 acre ~~square miles~~

(b) Estimated maximum flow of stream 0.6 cubic feet per second.

10. Water is to be used for irrigation purposes.

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

(a) Point of use of water feet, distant from Corner of Section , Township , Range
(bearing) , B.M., and is in the 1/4 of 1/4 of Section , Township , Range , B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet
distant from the corner of Section , Township , Range (bearing) , B.M. in
the 1/4 of 1/4 of Section , Township , Range , B.M.12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. 16329 ,
which is hereby referred to and made a part hereof. 4 in pipe with shut off valve to ditch 3/8 mi. long

13. Kind of diversion works:

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed
of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

(Give Irrigable acreage in each 40-acre subdivision.)

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are License No. 16329

Corrected application received:

(SEAL)

Permit No. R-1094
CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that JOSEPH W. WALKER of Marsing, County of Owyhee, and State of Idaho, the holder of Permit No. R-1094, issued upon Application No. R-38197, bearing date of priority of September 5, 1961, authorizing the construction of a reservoir, with the right to appropriate and store 35 acre feet per annum of the waters of Unnamed Springs, a tributary of Snake River, in the County of Owyhee, 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 set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 35 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 1 S., Range 5 W., B. M., and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit:

50 acres in NE $\frac{1}{4}$, Sec. 12, T. 1 S., R. 5 W., B. M.; NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 1, T. 1 S., R. 5 W., B. M.

Witness my hand this 5th day of September, 1962.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Proof of Completion of Works Made: September 4, 1962

PROOF OF PUBLICATION

Department of Water Resources

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 7 day of November, 1974, and the last publication being on the 14 day of November, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

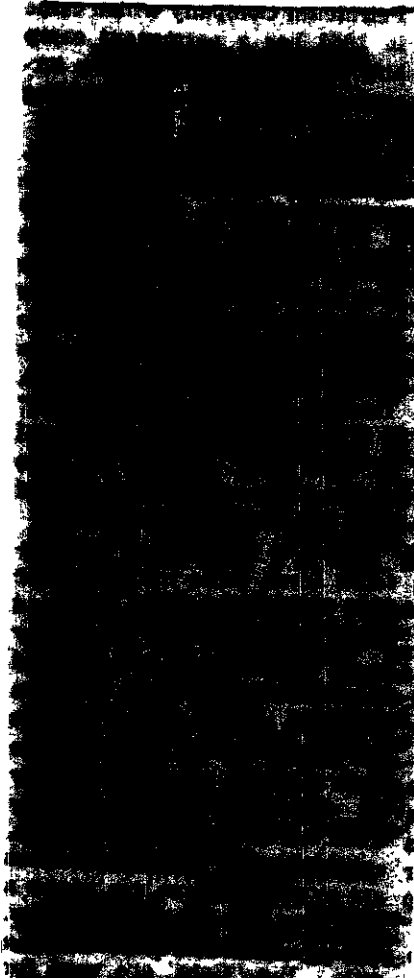
Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 14 day of Nov, 1974.

James L. Hawes
NOTARY PUBLIC

My commission expires 4-10-76

(SEAL)



FILED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1094/57-2320)
)
in the name of ORA E. WALKER)
_____)

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,

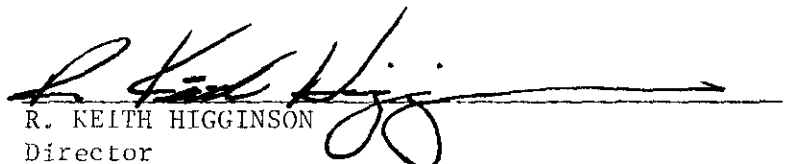
WHEREAS, on August 1, 1968, the Department of Water Resources (formerly the Department of Water Administration) adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1094/57-2320 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 a newspaper of general circulation in the county in which the point of diversion lies.

Dated this 21 day of October, 1974.


R. KEITH HIGGINSON
Director

JG

100

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1094/57-2320)
)
in the name of ORA E. WALKER)
_____)

ORDER

WHEREAS, on September 5, 1961, Joseph W. Walker applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 35 acre feet per annum from unnamed springs, tributary to the Snake River, within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 1S, Rge. 5W, B.M., Owyhee County, to be used for irrigation purposes; and,

WHEREAS, on September 11, 1961, the Department approved said application and issued Permit No. R-1094/57-2320 with the condition that one-fifth of the work be completed on or before March 11, 1962, that the whole of said work be completed on or before September 11, 1962, and that proof of beneficial use be made on or before September 11, 1963; and,

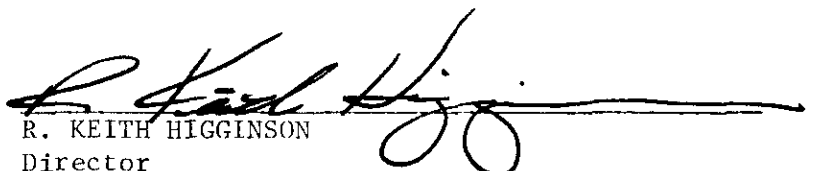
WHEREAS, on September 4, 1962, proof of completion of works was made; and,

WHEREAS, on October 15, 1974, the Department received an assignment whereby Ora E. Walker, administratrix of the estate of Joseph W. Walker assigned all right, title, and interest in and to Permit No. R-1094/57-2320 to Ora E. Walker, along with the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. R-1094/57-2320 be advanced to October 9, 1972.

Dated this 21 day of October, 1974.


R. KEITH HIGGINSON
Director

JG

RECEIVED

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, ORA E. WALKER, Administrative hereby assign to ORA E. WALKER
(see document in file)
of P. O. Box 152, Marsin, Idaho 83639
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. R-1094/57-2320
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 11th day of October, 19 74.

Ora E. Walker
Permit Holder JOSEPH W. WALKER, deceased,
by Ora E. Walker, Personal Representative
of the Estate of Joseph W. Walker

Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 11th day of October, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) ~~(they)~~ executed the same.

seal

William R. Bottick
Notary Public residing at Caldwell, Idaho

My commission expires:

9/25/76

FILED

January 27, 1976

Re: Permit No. R-1094/57-2320

Ora E. Walker
67 N. W. 3rd Ave. #1
Ontario, OR 97914

Dear Mrs. Walker:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

DEC 1957
354

Hurricane Health
Community Center

1. Name of permit holder Ora E. Walker
 Post office address 67 N. W. 3rd Ave., Apt. #1, Ontario, OR (Winter)
 (Summer)
 Person to contact (Address) P. O. Box 512, Marsing, ID Phone _____

2 Source of water supply Groundwater ☐ Surface water ☒ Unnamed springs
 Tributary to Snake River (name spring, stream, etc)

3 Water will be used for the following purposes.

Amount 35 c.f.s. for irrigation
 AF/Annum (nature of use)
 Period of Use from Apr. 1 to Nov. 1
 (mo -day) inclusive (mo -day)
 Amount _____ c.f.s. for _____
 AF/Annum (nature of use)
 Period of Use. from _____ to _____
 (mo -day) inclusive (mo -day)
 Amount _____ c.f.s. for _____
 AF/Annum (nature of use)
 Period of Use from _____ to _____
 (mo -day) inclusive (mo -day)
 Other uses. _____

Permit No. 1094/57-2320
 Examination for _____ b/u

4 Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume 35 AF/Annum.

5. Location of Point(s) of Diversion (Stored in a reservoir at this point)

Township 1S N/S, Range 5W E/W, B.M., Section 12, Subdivision SE 1/4 SE 1/4, Owyhee County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
 Other Points of Diversions _____

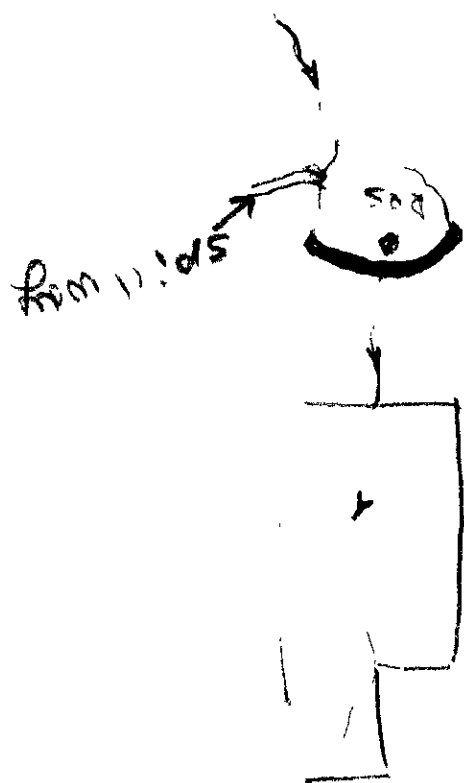
Description of diverting works Springs flow into reservoir, & water is released as necessary.

Measuring device required yes ☐ no ☒

6 Lands to be irrigated or place of use

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	5W	12	15	5	10	5													35
		1													5		10	10	25

TOTAL ACREAGE 60

[illegible]



DATE OF EXAM 29 July 75

ACREAGE
Found 60
Recommended 60

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q= - c.f.s. V= 35 limited by permit, 70 AF/Ann. from Apr. 1 to Nov 1
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 ☐

Name source unnamed stream
twp 1 N/S Rge 5 E/W B.M., Sec. 12, Sub. SE 1/4 SE 1/4 Owyhee County

Exchange? yes ☐ no ☒

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 35 HF Method of measurement Rec cap.

Total Q recommended - Meter No. - Type - Condition -

Total V recommended 35 AF/Ann (limited by permit)

Recommended Amendments

P.D. -
Place of Use -
Other -
None ☒

MEASUREMENT CALCULATION

Res fill 2 times per year when water is available

SYSTEM DESCRIPTION:

with dam w/ diversion works

REMARKS:

system operated at time of inspection H. Heath
has property leased and is farming

Examiner's Signature Erwin F. Ballan Date 29 July 75

Checked by JS Date 10-27-75

Approved by - Date -

December 11, 1974

Re: Permit No. R-1094/57-2320

Ora E. Walker
67 N. W. 3rd Ave.
Apartment #1
Ontario, OR 97914

Dear Mrs. Walker:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam, so that you may show him the system.

If you have any questions concerning this field exam, please contact our Western District Office at 506 N. 5th St., Room 154, Boise, Idaho.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 29, 1974

Re: Permit No. R-1094/57-2320

Ora E. Walker
P. O. Box 152
Marsing, ID 83639

Dear Mrs. Walker:

We have caused the legal notice for the above referenced permit to be published in the Owyhee Nugget, Marsing, on November 7 and November 14, 1974.

You will be required to submit an affidavit of publication 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, we will then schedule a field examination.

Sincerely,

D. Darlene Reich

D. Darlene Reich
Water Rights Supervisor

DDR:JG

*Since I have moved to Ontario there will be no one at the ranch this winter. My address is: Ora E. Walker
67 N. H. 3rd Ave. Apt. 1
Ontario, Oregon
97924
Telephone no. 503 889-7158*

WATER RESOURCE BOARD:

John F. Streiff
Chairman
Franklin Jones
Member

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

Donna E. Bremer
Secretary
Scott W. Reed
Member

Edwin C. Schlender
Member
Joseph H. Nettleton
Member

October 29, 1974

Re: Permit No. R-1094/57-2320

Owyhee Nugget
Marsing,
Idaho 83639

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:

Ora E. Walker
P. O. Box 152
Marsing, ID 83639

to whom you should furnish an affidavit of publication.

Very truly yours,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

October 29, 1974

Re: Permit No. R-1094/57-2320

Ora E. Walker
P. O. Box 152
Marsing, ID 83639

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Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

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Water is to be ~~diverted~~ stored in a reservoir in the SE 1/4, Sec. 12, Twp. 1S, Rge. 5W, B.M., Owyhee County, and
~~the reservoir is to be located in the SE 1/4, Sec. 12, Twp. 1S, Rge. 5W, B.M., Owyhee County, and~~

~~water~~ used for irrigation purposes in the NE 1/4, Sec. 12; E 1/4, SW 1/4, Sec. 1, all in Twp. 1S, Rge. 5W, B.M.

Proof of the application of the water to beneficial use was ~~submitted~~ submitted to the Department on ~~October 15, 1974~~ October 15, 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 ten (10) days of the last date of publication of this notice ~~xx~~
~~Protest to the Department of Water Resources, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.~~
~~Protest to the Department of Water Resources, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.~~

R. KEITH HIGGINSON

Director

Owyhee Nugget, Marsing, Idaho

Published in the _____ on November 7 and November 14.

Permit No. R-1094/57-2320

Director:

You are hereby authorized to have the above notice published at my expense in the Owyhee Nugget of Marsing, Idaho; published in the county in which the works are situated.

Ora E. Walker Box 152, Marsing, Idaho
(Signature) (Address)

11-26-74
(Date)

October 22, 1974

Re: Permit No. R-1094/57-2320

Ora E. Walker
P. O. Box 152
Marsing, ID 83639

Dear Mrs. Walker:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed. We also acknowledge receipt of the affidavit submitted as proof of beneficial use for this permit. Enclosed is an Order advancing the priority for this permit to October 9, 1972.

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 your 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 sign and return the enclosed advertisement authorization, we will cause the notice to be published.

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosures

Michael

cc: Reese E. Verner
Attorney at Law

Identification No. _____

Permit No. R-1094/57-2320

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

late
8/29

1. a) Name of Permit Holder Joseph W. Walker, deceased
b) Post Office Address _____
2. Permit Number R-1094/57-2320
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated unnamed springs
b) Location of the point of diversion: SE ¼ SE ¼, Section 12
Township 1S, Range 5W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 35 for irrigation purposes from Apr. 1 to Oct. 31 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 35 acre feet per annum 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: Reservoir 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) Springs flow into reservoir. Water is released as needed.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use. _____

Exam typed 12/11/24 by JB

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	5W	12	15	5	10	5													35
		1													5		10	10	25

Total number of acres irrigated 60

10. Remarks: License No.'s 57-2333 & 57-2140 are used on this land.

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

9/25/74
(Date)

Cia E. Walker
(Signature)

State of IDAHO)
) ss.
County of Canyon)

On this 11th day of October, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

(SEAL)

Shaun R. Pettick
Notary Public residing at Caldwell, Idaho

My commission expires 9/25/76

REESE E. VERNER
ATTORNEY AT LAW
1025 12TH AVENUE SOUTH
NAMPA, IDAHO 83651

PHONE 467-2144
(AREA CODE 208)

RECEIVED

MAIL ADDRESS:
P. O. BOX 1129

Department of Water Resources

October 11, 1974

State of Idaho
Department of Water Resources
1365 North Orchard
Boise, Idaho

RE: Permit No. R-1094/57-2320

Gentlemen:

This office represents Ora E. Walker and in connection with the above matter, we are enclosing herewith the Assignment of Permit, together with the Proof of Application. The Assignment has been signed by Ora E. Walker, Personal Representative of the estate of Joseph W. Walker, deceased, assigning to herself the permit in question. Also enclosed for your information is a conformed copy of the Letters of Administration and Oath showing that Mrs. Walker is the qualified and acting Personal Representative of her husband's estate. We trust that the Application can now be processed.

Should there be any problem, please call.

Very truly yours,


Reese E. Verner

REV:sb

Enclosures: 3

RECEIVED

REESE E. VERNER
Attorney at Law
1025 12th Avenue So.
P. O. Box 1129
Nampa, Idaho 83651
467-2144

7/40
Peg Cliven

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE
MAGISTRATE DIVISION

In the Matter of the Estate }
of }
JOSEPH W. WALKER, }
Deceased. }

File No. _____

LETTERS OF ADMINISTRATION
AND OATH

ORA E. WALKER is hereby appointed Personal Representative
of the estate of Joseph W. Walker, deceased.

WITNESS: SLR, Magistrate of the
above-entitled Court, with the seal thereof affixed the 9th day of
August, 1974.

SLR
MAGISTRATE

STATE OF IDAHO }
County of Canyon } ss.

I hereby accept the duties of the Personal Representative of
the estate of JOSEPH W. WALKER, deceased, and do solemnly swear that I
will perform, according to law, the duties of Personal Representative.

SL ORA E. WALKER
ORA E. WALKER

SUBSCRIBED and SWORN to before me, this 9th day of August, 1974.

SLR
MAGISTRATE

FILED

September 23, 1974

Re: Permit No. R-1094/57-2320

Mrs. Joseph W. Walker
Box 52
Marsing, ID 83639

Dear Mrs. Walker:

Enclosed is a partially completed proof of beneficial use form in connection with the above referenced permit.

In order for you to sign this proof affidavit, this permit must be assigned to you by the administrator of your husband's estate. We are enclosing an assignment form for your use in this matter.

If the administrator of the estate assigns the permit to you, and you sign the proof affidavit, please enter your name on line 1 of the proof affidavit. If the administrator signs the proof affidavit, his name should be entered on line 1.

Please return this proof affidavit soon, so that we may begin processing procedures.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enclosures

NOT RECORDED
FILMED

Re: Application for Permit No. 57-2320

August 26, 1974

Mrs. Joe Walker
Box 152
Marsing, ID 83639

Dear Mrs. Walker:

I have checked your permit and found that Proof of Beneficial Use was due September 11, 1963. If this proof is not made, your permit will be cancelled. Since the proof will be late, the priority date will be advanced the amount of time the proof is late.

I am enclosing proof forms and instructions for use in making beneficial use proof.

Information on the permit shows storage of 35 acre feet of water in a reservoir with the outlet located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 1 S, R. 5 W, B.M. with 50 acres of land being irrigated in the NE $\frac{1}{4}$, Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 1, T. 1 S, R. 5 W, B.M.

If we can be of further assistance to you, please do not hesitate to contact this department.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosure

RECORDED

Re: Application for Permit No. 57-2320

August 26, 1974

Mrs. Joe Walker
Box 152
Marsing, ID 83639

Dear Mrs. Walker:

I have checked your permit and found that Proof of Beneficial Use was due September 11, 1963. If this proof is not made, your permit will be cancelled. Since the proof will be late, the priority date will be advanced the amount of time the proof is late.

I am enclosing proof forms and instructions for use in making beneficial use proof.

Information on the permit shows storage of 35 acre feet of water in a reservoir with the outlet located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 1 S, R. 5 W, B.M. with 50 acres of land being irrigated in the NE $\frac{1}{4}$, Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 1, T. 1 S, R. 5 W, B.M.

If we can be of further assistance to you, please do not hesitate to contact this department.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosure

RECEIVED

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

Re: Permit No. 1094

Date:

June 28, 1963

**Joseph W. Walker
Box 52
Marsing, Idaho**

Dear **Mr. Walker:**

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. R-1094 is due not later than September 11, 1963. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,



**GEO. N. CARTER
CARL E. TAPPAN, Acting
State Reclamation Engineer**

Enc. Form 10 - 11

R-1094

September 5, 1962

Re: Permit No. R-1094

Joseph W. Walker
Box 52
Marsing, Idaho

Dear Mr. Walker:

Enclosed is the Certificate of Completion of Works
issued on Permit No. R-1094.

Also enclosed is departmental receipt No. 31222,
in the amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ENR:ew

Enc. certificate
receipt

21222

Permit No. R-1094STATE OF IDAHO
Department of Reclamation

SEP 1962

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Owyhee

SS.

Joseph W. Walker, 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. R-1094, and that his postoffice address is Box. 52 Marsing State of Idaho

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

Third: That the point of diversion of said water is unnamed spring's SESE 12-15-SW

See 1927, William S. Walker transferred to Joseph W. Walker

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 9/11, 1962

Fifth: That the use for which said water is intended is Irrigation

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: Reservoir & Canal

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

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 590 feet, length of dam at bottom 590 feet. Material used in construction earth fill

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir 6.7 acre feet.

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

(d) Conduit canal width at bottom 2 feet, width at water line 3

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 8 feet; diameter of pipe 8 inches, average grade per mile is 20 feet. Length of conduit is 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use 50 in. 1 second feet of water.

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: N.E. 4 Sec. 12 T1S R5W; NE 4 SE 4; S2 SE 4 Sec. 1 T1S R5W

Ninth: Remarks:—That _____

Joseph W. Walker
(SIGN HERE)

Subscribed and sworn to before me this 4th day of Sept, 1962

D. A. L. L.
NOTARY PUBLIC

My commission expires 4/3/63

R-1094

21

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

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

Boise, Idaho

Re: Permit No. R-1094

July 2, 1962

Joseph W. Walker
Marsing, Idaho

Dear Mr. Walker:

Under the terms of your Permit No. R-1094 you are required to complete your diversion works on or before Sept. 11, 1962. 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 permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Very truly yours,

GEO. N. CARTER

Enc. Form 6

State Reclamation Engineer

R-1094

September 26, 1961

Re: Permit No. R-1094

Mr. Joseph W. Walker,
Marsing, Idaho.

Dear Mr. Walker:

We enclose Permit No. R-1094 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. 30748 which was issued to J. M. Seneca Walker covering payment in the amount of \$10.00 for the filing fee of the above mentioned permit, and also Permit No. R-1095 in the name of William S. Walker.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

2-1004

Joseph W. Walp

