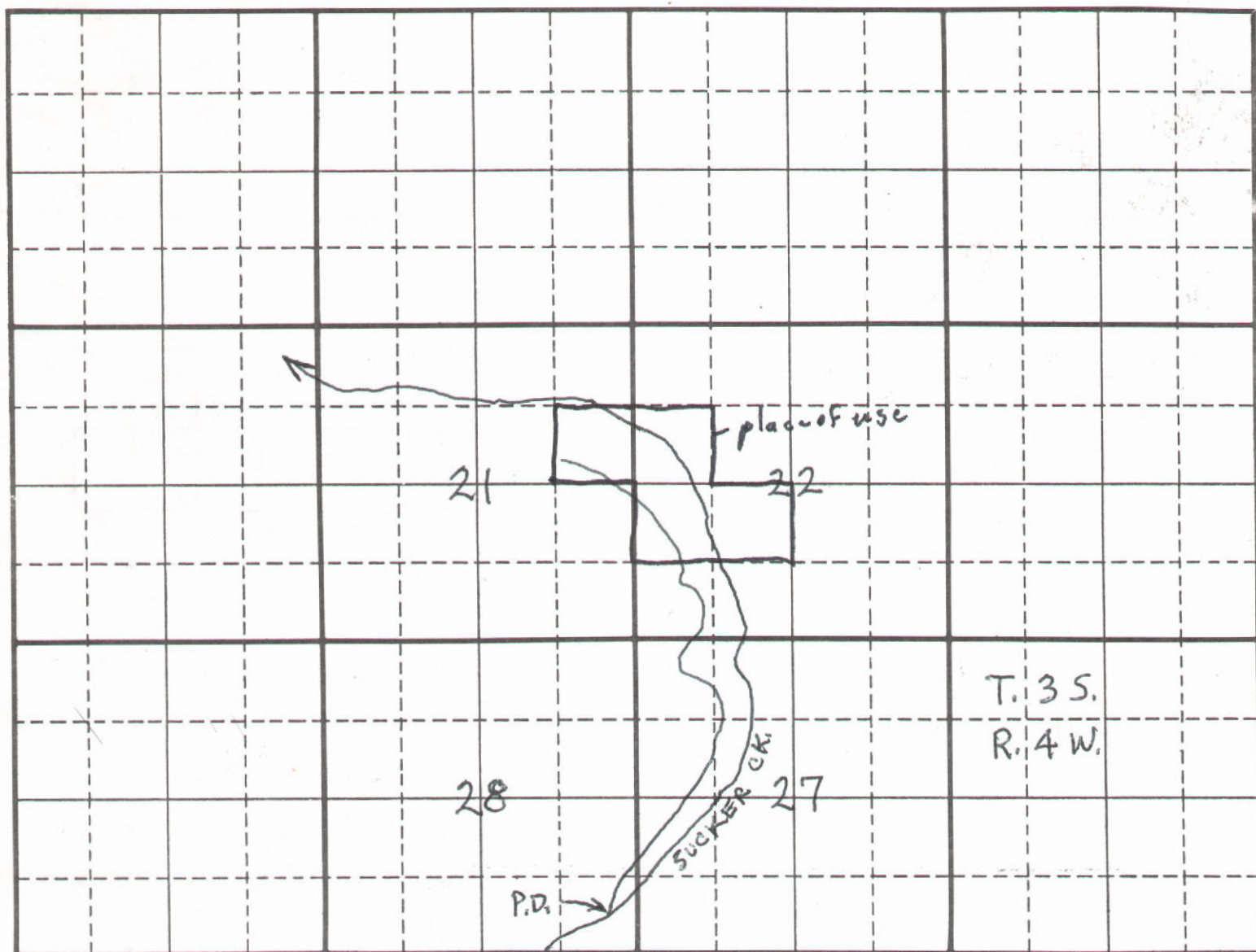


(8) Remarks This claim is for the same water covered by the 1909 Permit No. 5195;
see attached statement and documents.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Canyon) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, ~~she~~ subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 28th day of April, 19 80.

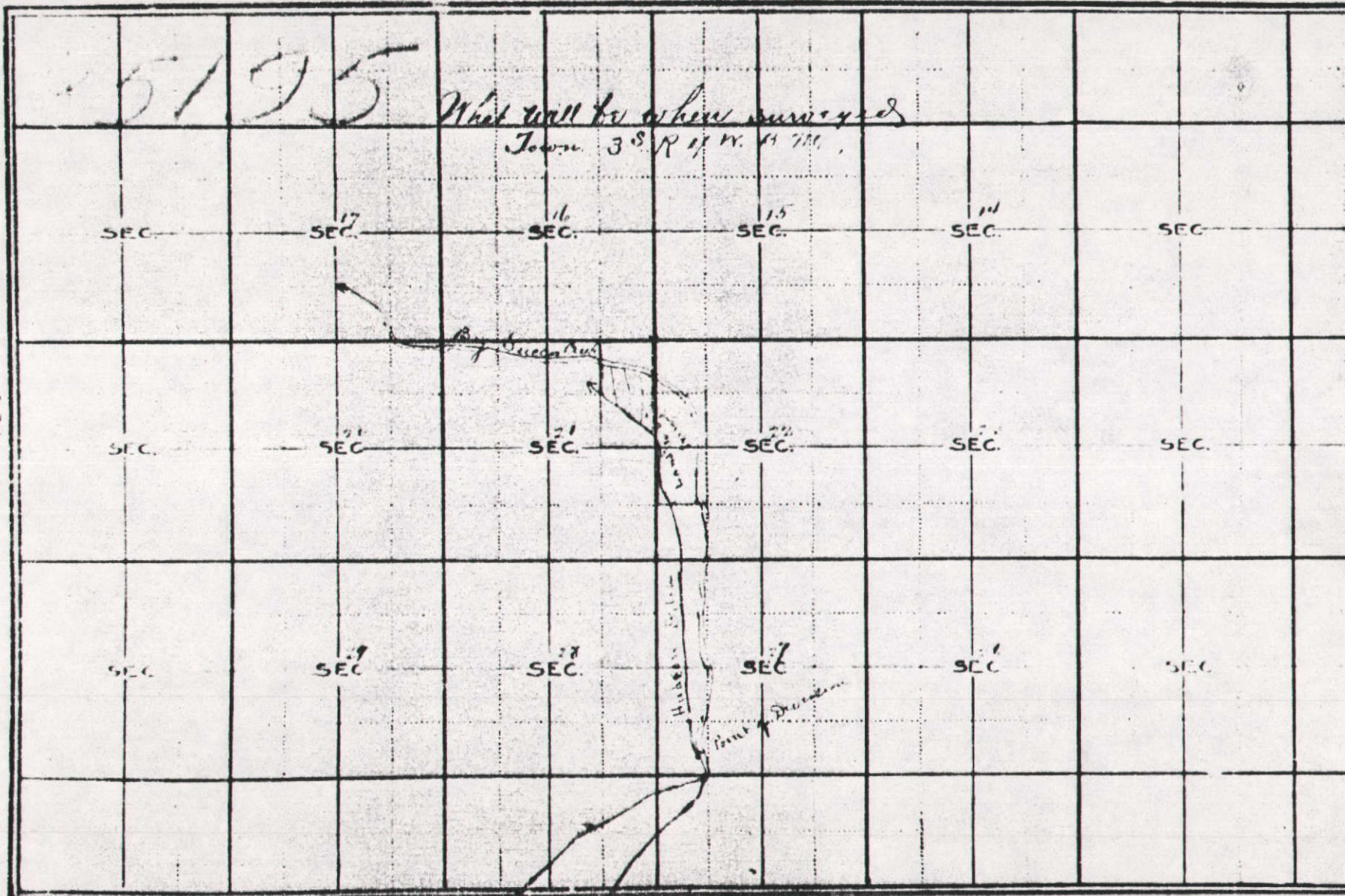
Richard Salvin
(Claimant)

Richard L. Linton
Notary Public
Residing at Nampa, Idaho.

My commission expires 'Lifetime'

FOR DEPARTMENT USE ONLY

Received by CHS Date 4/28/80 Exception filed by: _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by CHS Date 4/28/80 #16265
Published in Idaho Free Press _____
Dates 5/8-5/15/80 _____



This micrograph shows a cross-section of a polymer matrix with dispersed particles. The matrix appears as a dark, textured background, while the dispersed particles are lighter, irregularly shaped regions. The overall appearance is granular and heterogeneous.

1990-1991

1990

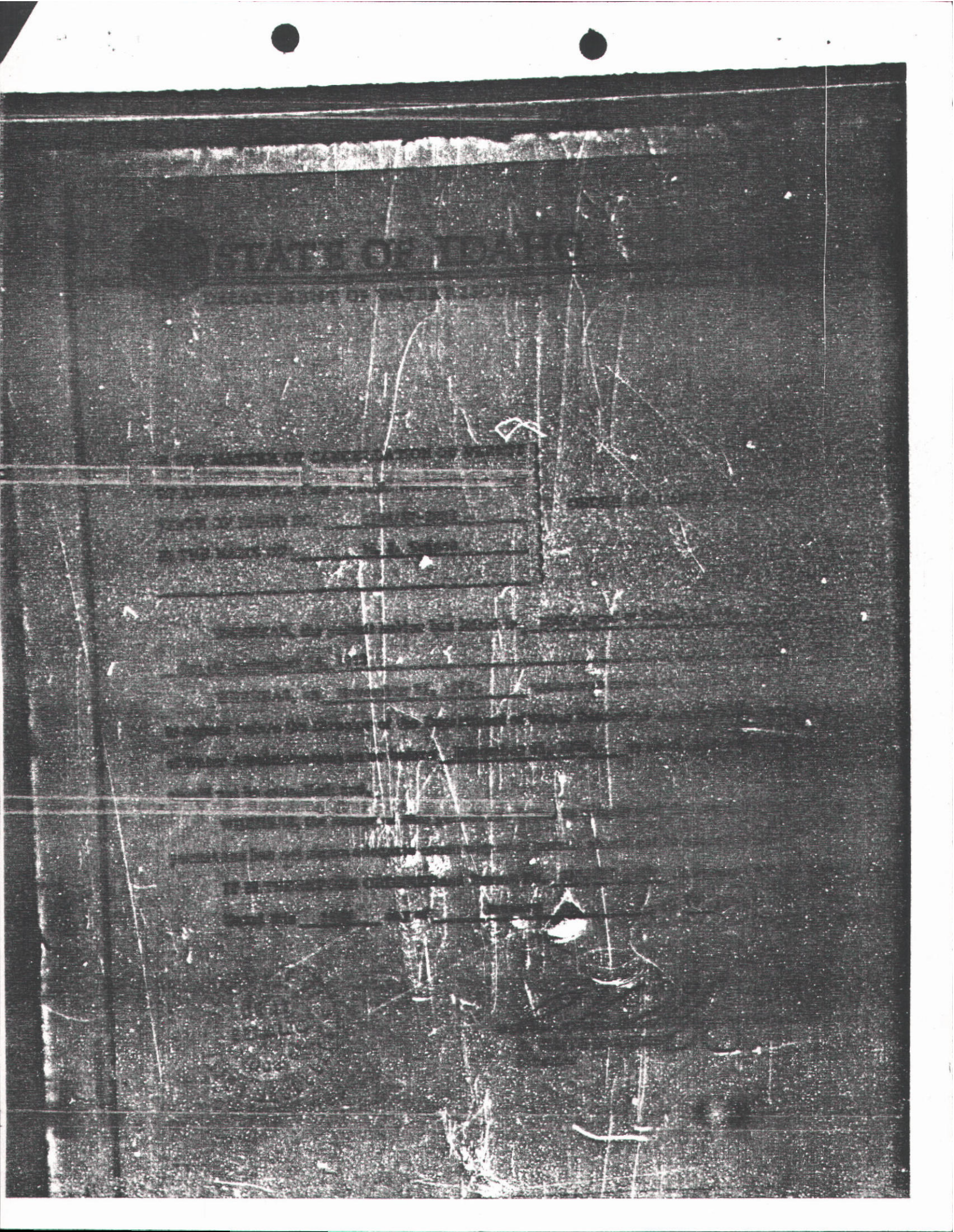
reporting to the Department of Water Resources (formerly the National
Administration) that the terms and conditions of Permit 1100-1 of 1952
the rights of the State of Idaho have not been complied with as in terms
of the permit of water use on September 14, 1952.

THE UNIVERSITY OF CHICAGO

1997

...with the ...

12/2/86



AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

) ss.
County of Canyon)

Suzanne Smith

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press and The News-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 8, 15, 1980

Suzanne Smith

Subscribed and sworn to before me this
15th day of May

19 80

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

RECEIVED

MAY 21 1980

MICROFILMED

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

57-4044

GABICA, RICHARD

403 W. LINCOLN AVENUE, NAMPA, Idaho 83651

Source: SUCCOR CREEK tributary to SNAKE RIVER

Priority Date: April 15, 1952

Amount: 10.00 CFS

Diversion Point: SESE Sec 28 T 03S R 04W NESW Sec 22 T 03S R 04W, OWYHEE County

Use: IRRIGATION (10.00 CFS) from April 1 to October 31

Place of Use: SENE Sec 21 T 03S R 04W SWNW NESW NWSW Sec 22 T 03S R 04W FOR 100 ACRES

Diversion Means: DAM AND DITCH

57-4043

GABICA, RICHARD

403 WEST LINCOLN AVENUE, NAMPA, Idaho 83651

Source: SUCCOR CREEK tributary to SNAKE RIVER

Priority Date: August 4, 1909

Amount: 3.20 CFS

Diversion Point: SESE Sec 28 T 03S R 04W, OWYHEE County

Use: IRRIGATION (3.20 CFS) from April 1 to October 31

STOCKWATER (0.05 CFS) from April 1 to December 15

Place of Use: SENE Sec 21 T 03S R 04W SWNW NESW NWSW Sec 22 T 03S R 04W FOR 85 ACRES

Diversion Means: DAM AND DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED
Director

May 8, 15, 1980

O.K.
H.H.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Richard Gabica
(Name of Claimant)
403 W. Lincoln Ave. Nampa, Idaho 83651 Telephone No. 466-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority (When was the water first applied to a beneficial use) August 4, 1909

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Snake River tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>3.2 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>October 31</u>
Quantity <u>up to 0.05 cfs</u>	Use <u>Stock</u>	Period of Use From <u>April 1</u>	To <u>December 15</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 3.2 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion (Location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 28 Twp. 3 S Rge. 4 W B.M., County of Owyhee
Additional points of diversion. _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dam and ditch approximately two miles long.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
3S	4W	21				34													34
3S	4W	22						18			3	30							51

No. of acres 85

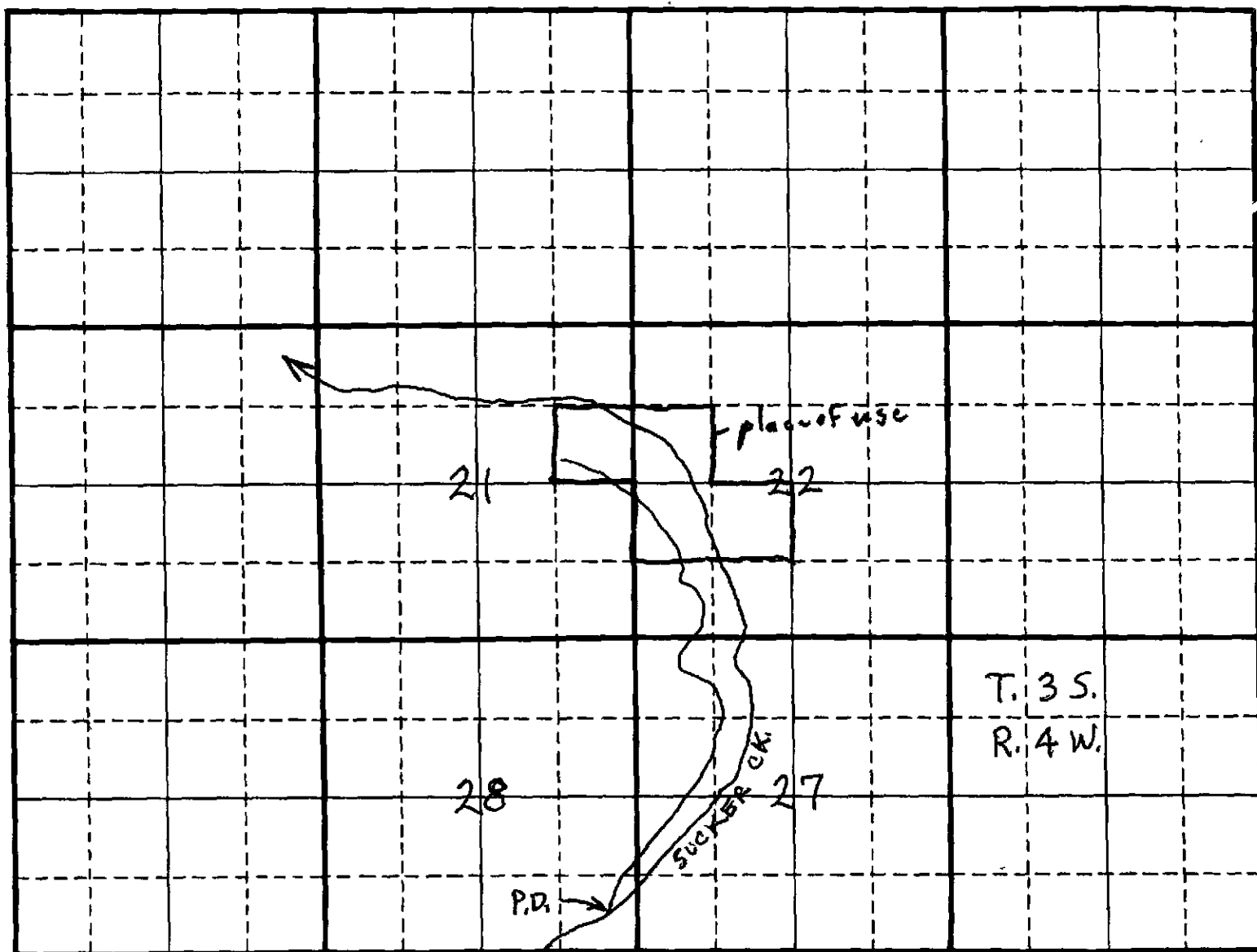
B) If water is used for other than irrigation, fully describe that use, being as specific as possible _____

NOTE Include here the type and number of stock watered. up to 800 head of cattle

(7) If you are claiming water as a member of an organization, list name of organization: N.A.

MICROFILMED

(8) Remarks This claim is for the same water covered by the 1909 Permit No. 5195;
see attached statement and documents.



Scale. 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Canyon) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he ~~has~~ subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x Richard L. Linton
(Claimant)

Sworn to before me this 28th day of April, 19 80.

Richard L. Linton
Notary Public
Residing at Nampa, Idaho.

My commission expires 'Lifetime'

FOR DEPARTMENT USE ONLY

Received by GLS Date 4/28/80 Exception filed by _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by GLS Date 4/28/80 # 16265
Published in Idaho Free Press
Dates 5/8 - 5/15/80

Remarks to Accompany Claim to a Water Right

This claim is for the 3.2 cfs for which H.J. Hudson made application in 1909. Although proof of completion of works was made, the proof of application to beneficial use was not made. The Department of Water Resources cancelled the permit on January 16, 1976. The chronological sequence of events on this water-right application is as follows (see also photo copies attached):

- A. Application no. 7233 filed by Hudson on August 4, 1909.
- B. Application returned to Hudson for correction on September 3, 1909.
- C. Corrected application returned by Hudson on September 4, 1909.
- D. Application approved by State Engineer on September 14, 1909 and Permit No. 5195 assigned. Proof of completion of Works due by September 14, 1911; Proof of Application to Beneficial Use due by September 14, 1913.
- E. Approved permit returned to Hudson's agent by State Engineer on October 3, 1909.
- F. State Engineer advises Hudson on June 1, 1911 that proof of completion of work will be due on or before September 14, 1911 and enclosed blank form for advising that Hudson is ready to submit such proof.
- G. Hudson, on July 12, 1911, files notice with State Engineer that proof of completion of work will be taken September 14, 1911 at Reynolds in Owyhee County.
- H. Notice of submittal of proof of completion of works was published.
- I. State Engineer on August 8, 1911 advises Water Commission, 3rd Division, that Hudson will make proof of completion of works on September 14, 1911 at Reynolds.
- J. State Engineer on August 8, 1911 sends Hudson the necessary forms to submit proof of completion of works (for permit holder and two witnesses).
- K. Hudson and two witnesses complete the depositions relative to completion of works on September 14, 1911, before a notary public, and return them to the State Engineer.
- L. State Engineer, on September 21, 1911, advises Hudson the depositions have been received and a certificate of completion of works will be issued when the Water Commissioner's report is received.
- M. State Engineer, on April 11, 1912, advises Hudson by letter that Water Commissioner cannot examine and report on the works because of heavy work load; Hudson is required to send the name of someone competent to do such examination. A notation on the State Engineer's copy of the letter indicates an examination and report are not required since it is for less than 6.4 cfs.

MICROFILMED

- N. State Engineer on October 29, 1914 transmits to Hudson the certificate of completion of works.
- O. No reference to proof of application to beneficial use, or date such proof was required, nor transmittal of forms for such proof, were made by the State Engineer at any time between September 14, 1911 and 1975.
- P. On November 21, 1975 the Director of Department of Water Resources sent a form letter to H.J. Hudson, by certified mail, advising that proof of beneficial use was due September 14, 1913, and that he should show cause, prior to December 31, 1975, why the permit should not be cancelled under the provisions of Sec. 42-311 Idaho Code. This is the section in the Idaho Code whereby the Department is allowed to cancel a permit in order to clear their records of old permits that were not fully completed.
- Q. This form letter (certified mail no. 32583) was addressed to H.J. Hudson at Reynolds, Idaho via Murphy, Idaho and postmarked November 25, 1975. There is no Reynolds post office any more. The envelope was returned to the Department by the Murphy post office on November 26, 1975 marked "addressee unknown".
- R. On January 16, 1976 the Director, Department of Water Resources, entered an Order of Cancellation, cancelling permit no. 5195 (37-2032).

I am filing this claim to maintain the original priority date, because attempting to reinstate the original permit would mean filing proof of beneficial use now and losing the 1909 priority.

Also attached is an affidavit of Thomas F. Johnston, a previous owner, with a statement as to the continuous use of water on this land.

The amount claimed, which has always been used, is slightly more than one inch per acre but this is necessary because of topography, soils, and the relatively short period in each year's growing season that water is available.

A F F I D A V I T

STATE OF IDAHO)
 : ss.
County of Owyhee)

THOMAS F. JOHNSTON, being first duly sworn, on oath, deposes and says:

That he is over the age of eighteen (18) years, a resident of Owyhee County, Idaho, a citizen of the United States of America, and fully competent to execute this instrument;

That this affiant has been a resident of Owyhee County for more than fifty (50) years, and at one time, was the owner of the following described tract of real property, to-wit: N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22; SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21; all in Township 3 South, Range 4, West of the Boise Meridian, Owyhee County, Idaho; that under date of April 11, 1956, this affiant and his wife, Dorothy M. Johnston, sold the aforementioned tract of real property to Richard Gabica, who is now the present owner thereof;

That the aforesaid tract was originally patented by Henry J. Hudson, said patent having been recorded in Owyhee County, Idaho, in Book 7 of Patents, page 139, October 11, 1915, records of Owyhee County; that said tract was subsequently purchased by Charles A. Johnston, father of this affiant, the Deed having been recorded in Book 11 of Deeds, page 442, September 11, 1917, and that this affiant subsequently acquired the interests of Charles A. Johnston in said tract of land;

That the affiant is fully familiar with the aforementioned tract of land, and knows of its prior use and management before the same was acquired by Richard Gabica; that in the cultivation and use of said tract, waters, both surface and from Succor Creek have been fully applied to cultivation and use of the lands since its acquisition by Charles A. Johnston and the subsequent ownership of Richard Gabica;

That such usage, application and appropriation of water has been continuous for agricultural purposes, and, according to the best information and observation of this affiant, such usage was never abandoned.

Thomas J. Johnston

SUBSCRIBED and sworn to before me this 28th day of
December, 1979.

Richard L. Gordon
Notary Public for the State of Idaho.

N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; Section 22,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21,
all in Twp. 3 South, R. 2,
W.B.M., Owyhee County, Ida.

No. 7235.

APPLICATION FOR PERMIT**To appropriate the Public Waters of the State of Idaho**

1. Name of applicant: E.J. Hudson

Postoffice address: Reynolds

County: Owyhee

State: Idaho

2. The quantity of water claimed is three & two tenths (3.2) cubic feet per second.

3. Source of water supply: Big Sugar Creek

County of Owyhee

4. Location of point of diversion: About one mile north of the northwest corner of section 3 T. 4 S.R. 4 W.B.M., and about 1000 feet northeasterly from the southwest corner of what will be when surveyed the S.W. Corner of section 27 T. 3 S.R. 4 W.B.M. in the SW4 Sec. 27, T. 3 S.R. 4 W.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 150 acres

(b) In the following legal subdivisions: What will be when surveyed SE NE4 Sec. 22, SW4 NE4 and NW4 NE4 Sec. 22, T. 3 S.R. 4 W.B.M. Owyhee County, Idaho

6. Estimated cost of works: \$500

7. Description of works for diversion:

I. Kind of work: Dam, ditch and flumes

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 20 feet, length of dam at bottom 15 feet. Material used in construction: Earth, wood and stone

(c) Size of headgate: Width 3 feet, height 2 feet.

(d) Conduit ditch, width at bottom 2 feet, width at water line $3\frac{1}{2}$ feet, depth of water 1 foot. Length of conduit is about one mile, and it crosses the following quarter section: of what will be when surveyed, as near as can be determined without actual survey, SE NE4, NE NE4 Sec. 27, and NW NE4 Sec. 22, T. 3 S.R. 4 W.B.M., to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is 2 additional years.

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

E.J. Hudson,

Applicant.

By Milton G. Cagle, Agent

Remarks: Ditch is now constructed to land to be irrigated, and a portion of the 160 acres to be irrigated from ditch has been irrigated.

APPROVAL OF STATE ENGINEER

The number of this permit is 5195.

Date of first receipt of application: 3.15 p.m. August 4, 1909

Returned to applicant for correction: September 3, 1909

Corrected application received: September 4, 1909

Recorded in Book 15. Page 5195. Approved September 14, 1909.

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

Work to begin on or before November 13, 1909, 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 September 14, 1910.

The whole of said work to be completed on or before September 14, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to September 14, 1913.

Witness my hand this fourteenth day of September, 1909.

Jan. Stephenson, Jr.

State Engineer.

Proof of Completion of Works made September 14, 1911.

Certificate withheld pending receipt of report of Engineer.

Certificate issued October 20, 1914.

PERMIT NO. 5195

CERTIFICATE OF COMPLETION OF WORKS

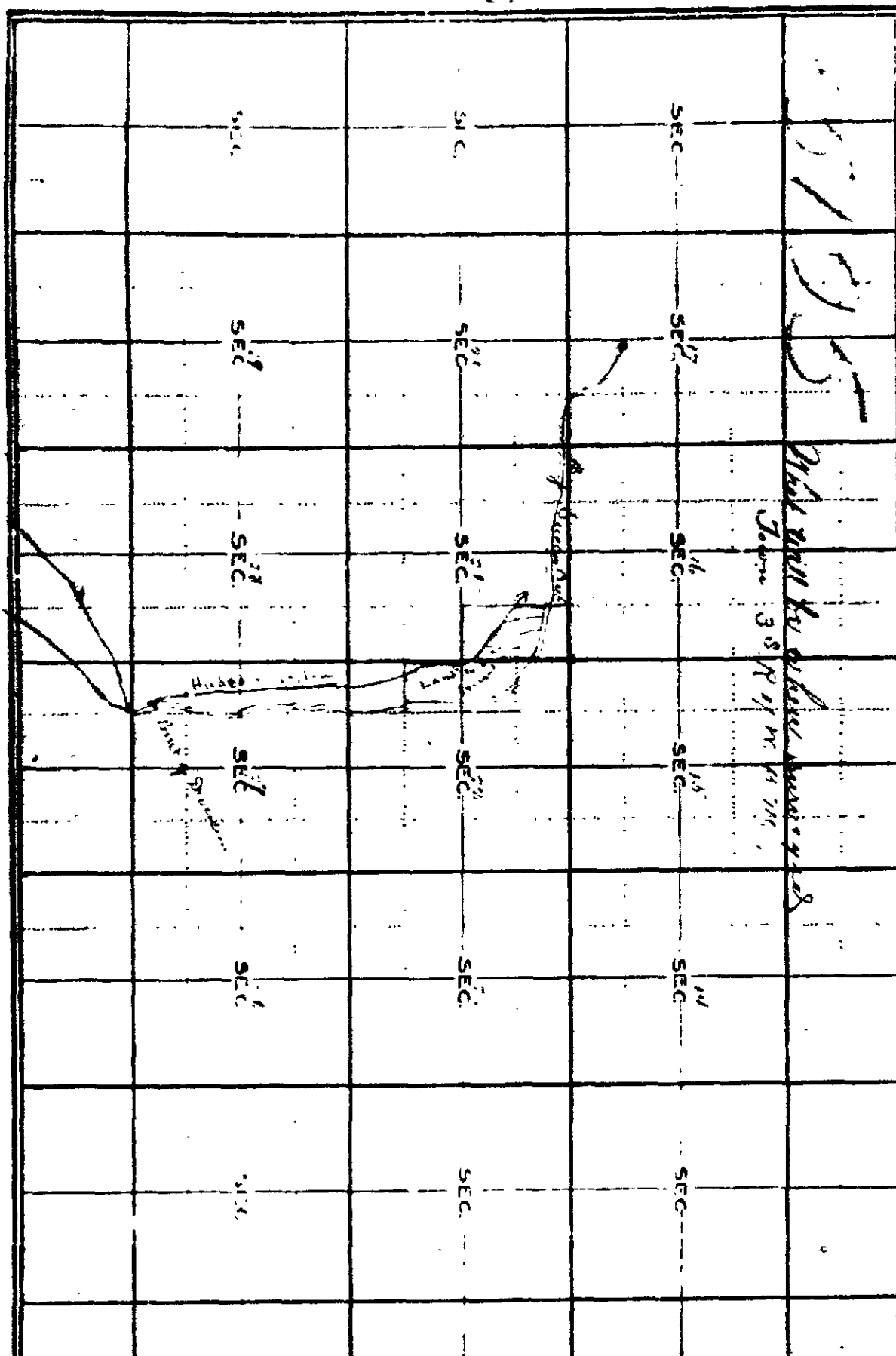
To All Whom It May Concern:

This is to certify that H. J. Hudson of Reynolds, County of Owyhee, and State of Idaho, the holder of Permit No. 5195, issued upon Application No. 7233, bearing date of priority of August 4, 1909, authorizing the diversion of 3.2 second feet of the waters of Big Sucker Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second-feet of the waters of Big Sucker Creek; that the point of diversion of said waters is about 1 mile north of northwest corner of section 1, Twp. 4 S., R. 4 W., S. 4 N., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ 1 $\frac{1}{2}$ Sec. 21; NW $\frac{1}{4}$ 14 $\frac{1}{2}$ & NW $\frac{1}{4}$ 24 $\frac{1}{2}$, Sec. 22, T. 3 S., R. 4 W., S. 4 N., containing 160 acres.

Witness my hand this 20th day of October, A. D. 1914.

Herbert Wing.

Acting State Engineer
of the State of Idaho.



Form No. 12

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Permit No. 1195

Edwin G. Gage,

Idaho,

Dear Sir:

Boise, Idaho, October 2, 1919

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, JR.,

State Engineer.

1195

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

R. J. Hudson,
Boise, Idaho.
Dear Sir:

Boise, Idaho, June 1st, 1911.

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 5195.

This form should be filled out and mailed to the State Engineer at least 20 days before the date upon which it is to be submitted, which proof MUST be in or before September 14 1911.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you 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 user must submit another proof be submitted when the water has been fully applied to the intended 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,

D. J. MARTIN,
State Engineer
5195

Notice of Proof of Completion of Works

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

(P.O.)

(Date)

Reynolds Idaho

July 12 1911

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 11 A. M. on the 4th day of September 1911 at Reynolds County of Cuyler State of Idaho, before C. A. Brumell, Notary Public proof will be submitted of the completion of works for the diversion of 160 inches cubic feet per second of the waters of Snake Creek, Cuyler County Idaho in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

H. J. Hudson

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

Reynolds, County of Cuyler, State of Idaho.

3. The number of such permit is 5195, and the date set for the completion of such work is

September 14-1911

4. Said water to be used for Agricultural purposes.

5. Said works of diversion will be fully completed on the day set for such completion, and the amount of water which said works are capable of conducting to the place of intended use in accordance with the plans accompanying the application for such permit is 160 inches cubic feet per second.

6. The amount of lands for which said water is available is 160 acres, particularly described as follows: Unsurveyed land situated about five miles in a South Westerly direction from Reynolds Post Office, Cuyler Co. Idaho. which will be when sec. 22 NE 4 1/2 1/4 Sec 22 NW 4 1/2 1/4 Sec 22 - 28 - 4 W 1/4

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the above notice are true.

Engineer.

I desire that the above notice be published according to law, in the Cuyler Times at Silver City, Mo. published in the county in which said works are situated, the expense of which publication will be borne by myself

(Signature)

H. J. Hudson

195

C. A. Brumell

Notary Public

and have had at my H. J. Hudson, Sec 22 NE 4 1/2 1/4 Sec 22 NW 4 1/2 1/4 Sec 22 - 28 - 4 W 1/4

NOTICE OF PUBLICATION

Notice is hereby given that at **11 A.M.** on the **14th** day of **Sept.** **1911** at **Reynolds** County of **Owyhee** State of **Idaho** before **A.O. Brunsell, H.E.** proof will be submitted of the completion of works for the diversion of **3.2** cubic feet per second of the waters of **Snake creek** in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person ~~corporation~~ holding said permit is **H.J. Robinson.**
2. The postoffice address of such person ~~in the State of Idaho~~ is **Reynolds** County of **Owyhee** State of **Idaho.**
3. The number of such permit is **5195**, and the date set for the completion of such work is **Sept. 14, 1911.**
4. Said water to be used for **irrigation and domestic** purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is **3.2** cubic feet per second.
6. The amount of lands for which said water is available is **160** acres, particularly described as follows: **One land situated about five miles in a south-westerly direction from Reynolds P.O., what will be when surveyed the E2 NE4 Sec. 21, SW4 NW4 & NW4 SW4 Sec. 22, T. 3 S., R. 4 W.**

A.E. Robinson
State Engineer

August 8, 1911

5126

John W. Clegg,
Water Comm. Div.,
Boise, Idaho

Sir:-

On September 14th, H. J. Enderson, of Reynolds,
Owyhee county, desires to make proof of completion
of the works of diversion for 3.2 second feet of
the waters of Snake creek.

Very truly yours,

State Engineer.

Encl.

By...

5126

Form No. 100

State of Idaho

ENGINEERING DEPARTMENT

BOISE

W. G. MARTIN,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works

E. J. Robinson,
Superintendent

Boise, Idaho, Aug. 8, 1911

Reynolds, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 5198.

Deposition of Permit Holder,

Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On Sept. 14th..... the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Reynolds.....

before G. A. Brunelli, N.P......

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

Yours truly,

W. G. MARTIN,
A. E. Robinson, State Engineer

PERMIT NO. 5195

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Henry J. Hudson, Esq., Residence, 1000 1st St.,
Cape Girardeau, Mo. Occupation, Attorney at Law.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. No Corporation. Am acting entirely for myself.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 5195, 12 inches - from Carter Park
bank of diversion 1 1/2 miles from my residence on river bank.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation, 160 acres, known as the
Hudson place, about 1 1/2 miles on E. side of
river. River at about 1 1/2 miles on N.W. direction from land of Hudson.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes - for the past two years, and sufficient to
irrigate 160 acres.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Fully completed.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. They comply fully with terms of permit.

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

Ans. Ditch 3 feet wide on top, 2 feet wide at bottom, 200 feet long.
Cost about \$300.00

(Sign here) Henry J. Hudson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents, and that said testimony was subscribed and sworn to before me.

State of Idaho, or
A. P. 191

Courty of
day of
Notary Public.

The Department of Fish and Game, Idaho, requires the following to be completed in each case

PERMIT NO. 5125

Proof of Completion of Works.

DEPOSITION OF WITNESS

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

Ans. *Wm. H. Reynolds, age 42, Reynolds, Ida*
Occupation Farmer P.O. Adams Reynolds Ida

Ques. 2. Are you acquainted with *Henry J. Hudson* the holder of Permit No. 5125, authorizing the diversion of *160* second-feet of the waters of

Sucker Creek at *_____* for *irrigating* purposes? How long have you known him, and where does he reside?

Ans. *About twelve years - his address is Reynolds Ida*

Ques. 3. Have you read or heard read said Permit No. 5125, and are you familiar with its terms and conditions?

Ans. *Yes*

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *Yes. Sage Brush Land and I believe 160 acres of water will irrigate said land profitably*

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. *Yes*

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

Ans. *A ditch taken out of Sucker Creek about 1 1/2 miles from the residence of Henry J. Hudson and large enough to carry 160 inches of water*

(Sign here) *A. J. McQuinn*

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

Reynolds
Idaho

State of Idaho on this

Twentieth

County

day of

A. D. 1917

Chas. H. Brown

Henry J. Hudson

PERMIT NO. 5795

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Ben Thomas Age 30. Residence Reynolds Sta.
irrigation Farmer. 99 Adams, Reynolds Idaho.

Ques. 2. Are you acquainted with Henry J. Hudson the

holder of Permit No. 5795, authorizing the diversion of 160 second feet of the waters of Jackson Creek

for irrigating purposes? How long have you known him, and where does he reside?
Ans. Over a half year - his P.O. address is Reynolds Sta.

Ques. 3. Have you read or heard read said Permit No. 5795, and are you familiar with its terms and conditions?
Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its probable irrigation.

Ans. Yes, sage brush land, and I believe an under
ground water will irrigate said land, profitably.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?
Ans. Yes.

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

Ans. A ditch, taken out of Jackson Creek about 1/2
mile from residence of Henry J. Hudson, and large enough
to carry 160 inches of water

(Sign here.) Ben Thomas

I declare that the foregoing testimony was read to the above subscriber before its signing and that I believe him to be the person so representing himself, and that said testimony was subscribed and sworn to before me at my office on this

10th day of Sept.

State of Idaho on this
A. D. 1916.

Reynolds County
Idaho day of

C. H. Marshall
Notary Public

September 21, 1911

Permit 5132

Henry J. Hudson,
Reynolds, Idaho

Sir:-

I am today in receipt of the depositions,
affidavit of publication and fee for proof of a
conveyance of water under above permit. Am in-
closing herewith receipt for fee.

As soon as the report of the water commissioner
is received the matter of issuing the certificate
will be taken up.

Very truly yours,

State Engineer.

23679

W. I.

1195

April 11th, 1915.

Re: Permit #5135.

E. J. Hudson,
Reynolds, Idaho,
Owyhee County.

Sir:

Owing to the increased amount of work required of the water commissioners, they will not be able to make the examination and report under the small water rights. If you will, therefore, send us the name of some one whom you know to be competent to do such work, instructions and blanks will be furnished him. A licensed surveyor is preferred.

Very truly yours,

State Engineer.

By _____

Defect in permit - has been corrected

5135

October 20, 1914.

Permit 5195.

H. J. Hudson,
Payroll, Idaho.

Sir:
am enclosing you herewith certificate of completion
of work issued under above permit.

Very truly yours,

Herbert King,

Acting State Engineer.

CCV

By _____

5195

State of Idaho
Department of Water Resources

W. L. Rogers
Director

November 22, 1975 CIRCULATED MAIL

Re: Richard M. Egan Case No. 87-3023

By my Special Agent
Bryant D. Egan
Merger, Idaho 83426

Dear Mr. Egan:

It appears to the Department of Water Resources (formerly the Department of Administration) that the terms and conditions of Permit 8155/24-1000, which was issued to you on September 14, 1972, have not been complied with as to the public waters of the State of Idaho.

Under the provisions of Section 43-371, Idaho Code, as amended, you are required to file a report of the results of the investigation and the results of the investigation of the Department of Water Resources on or before December 31, 1975.

Under the provisions of Section 43-371, Idaho Code, as amended, you are required to file a report of the results of the investigation and the results of the investigation of the Department of Water Resources on or before December 31, 1975.


W. L. Rogers
Director

2025-10-10 10:10:10
2025-10-10 10:10:10

1. The first step is to identify the problem.
 2. The second step is to define the problem.
 3. The third step is to analyze the problem.
 4. The fourth step is to develop a solution.
 5. The fifth step is to implement the solution.
 6. The sixth step is to evaluate the solution.
 7. The seventh step is to monitor the solution.
 8. The eighth step is to maintain the solution.
 9. The ninth step is to improve the solution.
 10. The tenth step is to document the solution.

CERTIFIED MAIL
NO. 2761
RETURN RECEIPT REQUESTED

Mr. W. B. Bingham
Birmingham, MD - via
Birmingham, Alabama

12

UNITED STATES

DEPARTMENT OF JUSTICE

INVESTIGATION

REPORT OF THE

ATTORNEY GENERAL

IN RESPONSE TO

RESOLUTION OF THE HOUSE OF REPRESENTATIVES

PASSED JULY 1, 1954

AND SENATE RESOLUTION

NUMBER 100

PASSED JULY 1, 1954

RELATIVE TO

THE ALLEGED VIOLATION

OF THE SMITH ACT

BY THE

UNITED STATES

ATTORNEY GENERAL

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press and The News-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 8, 15, 1980

Suzanne Smith

Subscribed and sworn to before me this
15th day of May

19 80

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

MICROFILMED

Department of Resources
Water and Land Office

NOTICE OF WATER RIGHTS
Nampa is hereby given that the following claim(s) to water rights have been established by diversion and application to beneficial use:
57-4044
GARCIA, RICHARD
40 WEST LINCOLN AVENUE, NAMPA, Idaho 83651
Source: SUCCOR CREEK tributary to SNAKE RIVER
Priority Date: April 15, 1952
Amount: 10.00 CFS
Diversion Point: SESE Sec 28 T 03S R 04W NESW Sec 22 T 03S R 04W, OWYHEE County
Use: IRRIGATION (10.00 CFS) from April 1 to October 31
Place of Use: SENE Sec 21 T 03S R 04W SWNW NESW NWSW Sec 22 T 03S R 04W FOR 100 ACRES
Diversion Means: DAM AND DITCH
57-4043
GARCIA, RICHARD
40 WEST LINCOLN AVENUE, NAMPA, Idaho 83651
Source: SUCCOR CREEK tributary to SNAKE RIVER
Priority Date: August 4, 1909
Amount: 3.20 CFS
Diversion Point: SESE Sec 28 T 03S R 04W, OWYHEE County
Use: IRRIGATION (3.20 CFS) from April 1 to October 31
Stock Water: 10.05 CFS from April 1 to December 15
Place of Use: SENE Sec 21 T 03S R 04W SWNW NESW NWSW Sec 22 T 03S R 04W FOR 85 ACRES
Diversion Means: DAM AND DITCH
Not excepted to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 925 Cole Road, Boise, Idaho 83709.
C. STEPHEN ALLRED
Director
May 15, 1980

o k
HJH

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 57-4043

Applicant Richard Gabica

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By DRS Date 5/27/80

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By M. S. Moore Date 5/29/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MAY 1, 1980

Idaho Free Press
Box 88
Nampa, Idaho 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 26, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

57-4043_

GABICA, RICHARD

403 WEST LINCOLN AVENUE, NAMPA, ID 83651

Source: SUCCOR CREEK tributary to SNAKE RIVER

Priority Date: 08/04/1909

Amount: 3.20 CFS

Diversion Point: SESE Sec 28 T 03S R 04W, ONYHEE Co.

Use: IRRIGATION	(3.20 CFS)	from 04/01 to 10/31
STOCKWATER	(0.05 CFS)	from 04/01 to 12/15

Place of Use: SENE Sec 21 T 03S R 04W SWNW NESW NWSW Sec 22 T 03S R 04W
FOR 85 ACRES

Diversion Means: DAM AND DITCH

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 5/8 & 5/15/80.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MAY 28, 1980

RICHARD GABICA
403 WEST LINCOLN AVENUE
Nampa ID 83651

RE: Claim No. 57-4043

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

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