

State of Idaho

License and Certificate of Water Right

Water License No. 21261Amount 1.57 second feet

Water District No. _____

Priority October 18, 1949

THIS IS TO CERTIFY that

KIRBY A. FOREMAN

of Oreana, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 18, 1949; that Permit No. 21261 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two second feet, was issued thereunder on August 22, 1951, showing that said works were completed on the 20th day of August, 1951; and that on the 20th day of September, 1951,

KIRBY A. FOREMAN

of Oreana, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~tributary of~~ (subterranean flow) for the purpose of irrigation and domestic use, under Use Permit No. 21261 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4951, on the 19th day of July, 1952;

The right hereby confirmed dates from October 18, 1949;

The Point of Diversion is located

in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, Twp. 5 S., R. 1 E., B.M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.57 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	1 E.	16	NE $\frac{1}{4}$ NE $\frac{1}{4}$	22	15
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	16	30
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	28	15
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	19	7
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	15	14
			Number of Acres Actually Irrigated		

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

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

19th day of July, 1952.

E. N. HUMPHREY

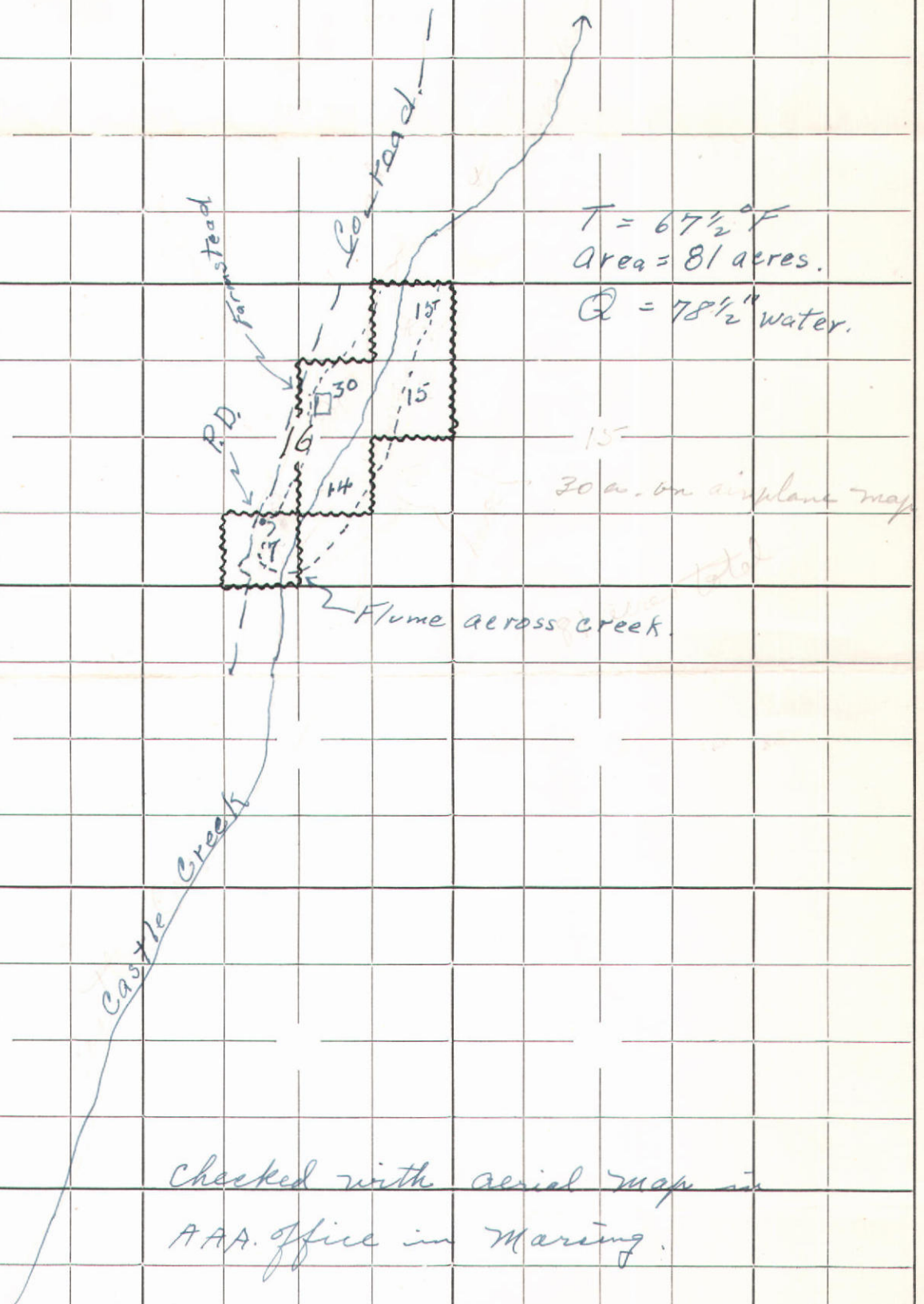
Deputy

State Reclamation Engineer

(SEAL)

57 2195

Twp 55 R 1 E B M.



ATTACH CLIPPING
HERE

NOTICE FOR PUBLICATION.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 11:00 A. M. on the 20th day of September, 1951, at Oreana, County of Owyhee, State of Idaho, before Lynn Bachman, Notary Public, proof will be submitted of the application to beneficial use of Two cubic feet per second of the waters of a well (subterranean flow) in accordance with the terms and conditions of Permit No. 21261 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Kirby A. Foreman, Oreana, Idaho.

The use to which said water has been applied is irrigation and domestic purposes.

The amount applied to beneficial use is Two (2) cubic feet per second.

The place where said water is used: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East, B. M.

The right to take water from such works is base upon Permit No. 21261.

The source of supply from which such water is diverted is subterranean flow from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Twp. 5S., R.1E., B. M.

The date of priority which said user is prepared to establish is October 18, 1949.

MARK R. KULP,
State Reclamation Engineer.
8-23-4

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice NOTICE FOR PUBLICATION

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in four (4) (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Aug. 23, 1951

Aug. 30, 1951

Sept. 6, 1951

Sept. 13, 1951

Signed

Everett A. Colley

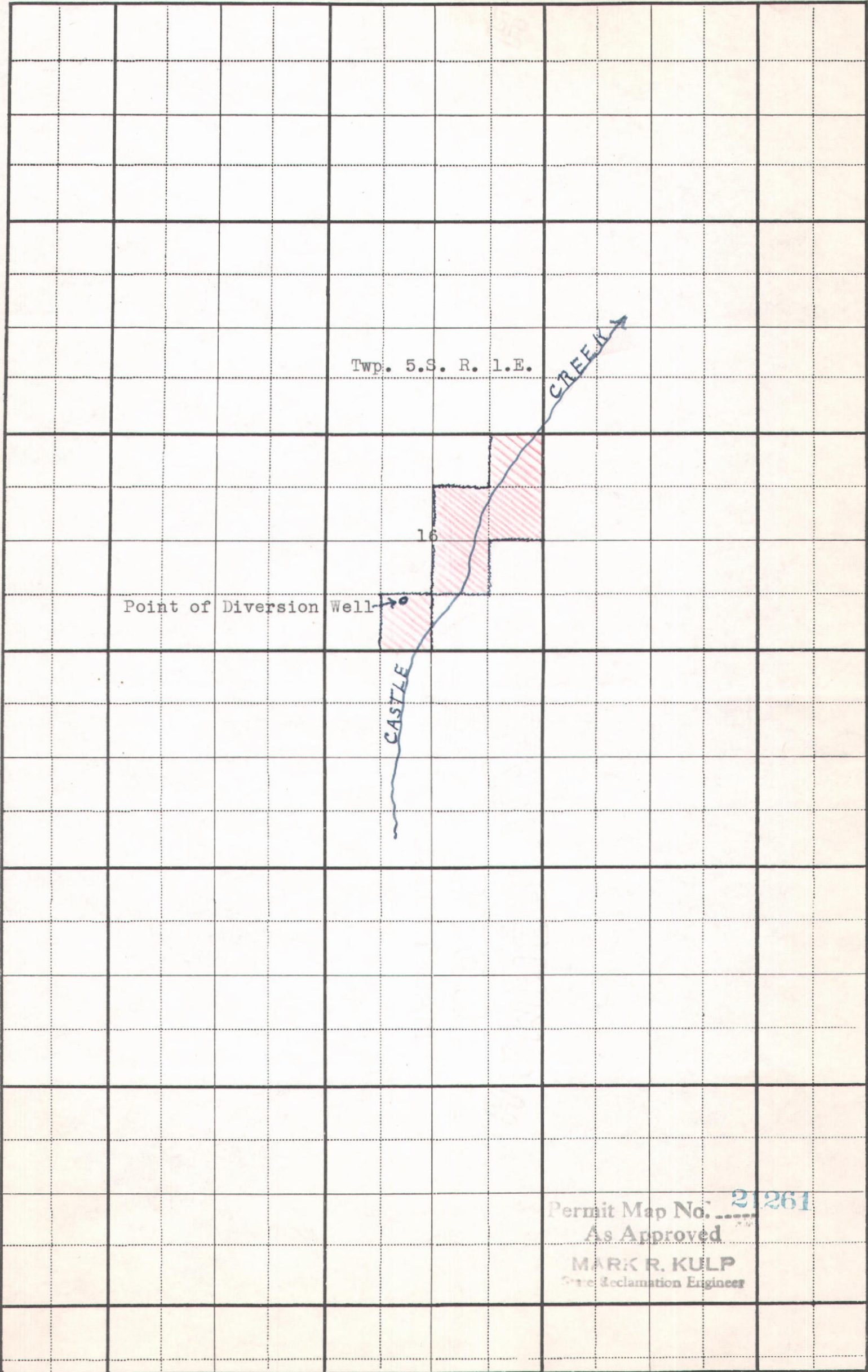
Subscribed and sworn to before me this 14th day of Sept.
A. D., 195 1.

M. H. Robinson
Notary Public in and for the State of Idaho.

Residing at Caldwell, Idaho.

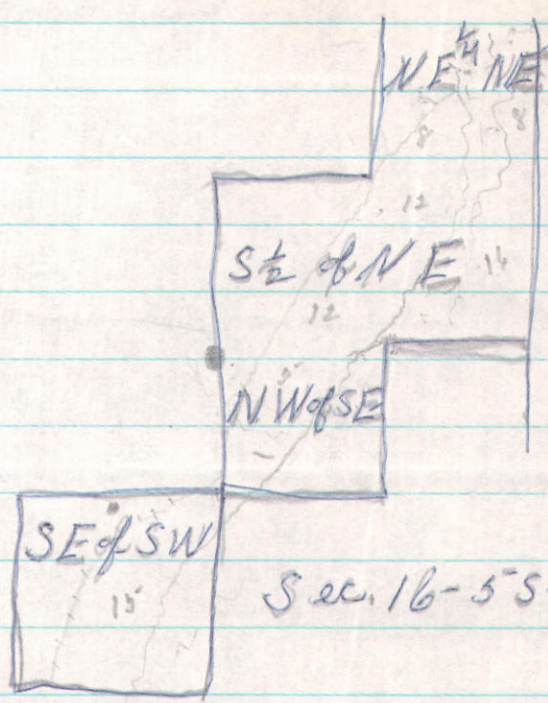
My commission expires Feb. 5, 195 5.

21261



Permit Map No. 21261
As Approved
MARK R. KULP
Professional Engineer

22
 15
 28
 13-
 13-
 13-
 96



Sec. 16-5S-1E

21261

29
 25
 23
 80

State of Idaho

License and Certificate of Water Right

Water License No. 21261 Amount 1.57 second feet
Water District No. _____ Priority October 18, 1949

THIS IS TO CERTIFY that KIRBY A. FOREMAN
of Oreana, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 18, 1949; that Permit No. 21261
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Two second feet, was issued thereunder on August 22, 19 51, showing that said works
were completed on the 20th day of August, 19 51; and that on the 20th
day of September, 19 51,

KIRBY A. FOREMAN
of Oreana, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
artificially (subterranean flow), for the purpose of irrigation and domes-
tic use, under Use Permit No. 21261 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4951, on the 19th day of July, 19 52;
The right hereby confirmed dates from October 18, 19 49;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 16, Tp. 5 S., R. 1 E., B.M. Owyhee Quarry
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.57 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	1 E.	16	NE 1/4	22	15
			SW 1/4	16	30
			SE 1/4	20	15
			NE 1/4	19	9
			SW 1/4	15	<u>10</u>
Number of Acres Actually Irrigated				-	82

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
19th day of July, 19 52.

(SEAL)

E. H. HENNINGSEN
Deputy State Reclamation Engineer

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28943

PERMIT No. 21261

DISTRICT No.

1. Name of Applicant: KIRBY A. FOREMAN

Postoffice address: Oreana

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 applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Two (2)

cubic feet per second.

3. Source of water supply: Subterranean flow (well)

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 16 , T. 5 S. , R. 1 E. , B.M., County of Owyhee

5. Water is to be used for Irrigation and domestic purposes.

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 , 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: \$ 3,500.00

8. Kind of works: Well, pump and ditches.

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

feet; material used in dam:

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

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is None 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: Decree water to the extent of
75 inches from Castle Creek.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 S.	1 E.	16	22		16	28							19				15	100	
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that KIRBY A. FOREMAN of Oregan, County of Owyhee, and State of Idaho, the holder of Permit No. 21261, issued upon Application No. 28943 bearing date of priority of October 18, 1949, authorizing the diversion of Two (2) second feet of the waters of subterrenean flow from a well, 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 the 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 Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the SE¼ SW¼ Section 16, Township 5 South, Range 1 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¼ NE¼, S½ NE¼, SE¼ SW¼ and NW¼ SE¼ Section 16, Township 5 South, Range 1 East, B.M.																			
Witness my hand this 22nd day of August, A. D. 1951.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made August 20, 1951 Certificate of completion of work issued August 22, 1951																			
LICENSE ISSUED FOR 1.57 SEC. FT. 28-4951																			

July 22, 1952

RE: Permit No. 81261

Mr. Kirby A. Foreman
Oreana
Idaho

Dear Mr. Foreman:

We enclose License and Certificate of Water Right issued under your Permit No. 81261, confirming your right to the use of 1.57 second feet of water from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East, B.M., with priority of October 18, 1949, for irrigation and domestic use on the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 24672 for the \$10.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg
Enc.

21261

✓
July 7, 1952

RE: Permit No. 81261

Mr. Kirby A. Foreman
Oreana
Idaho

Dear Mr. Foreman:

The report of our field engineer on examination for beneficial use under your Permit No. 81261 shows that your well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East, B.M., will deliver 78.5 inches of water and that you have irrigated approximately 81 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section.

Therefore, upon receipt of the statutory fee of \$10.00 which is at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a license will be issued for 78.5 inches or 1.57 second feet of water from said well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21261

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21261

REPORT ON PROOF OF Beneficial use

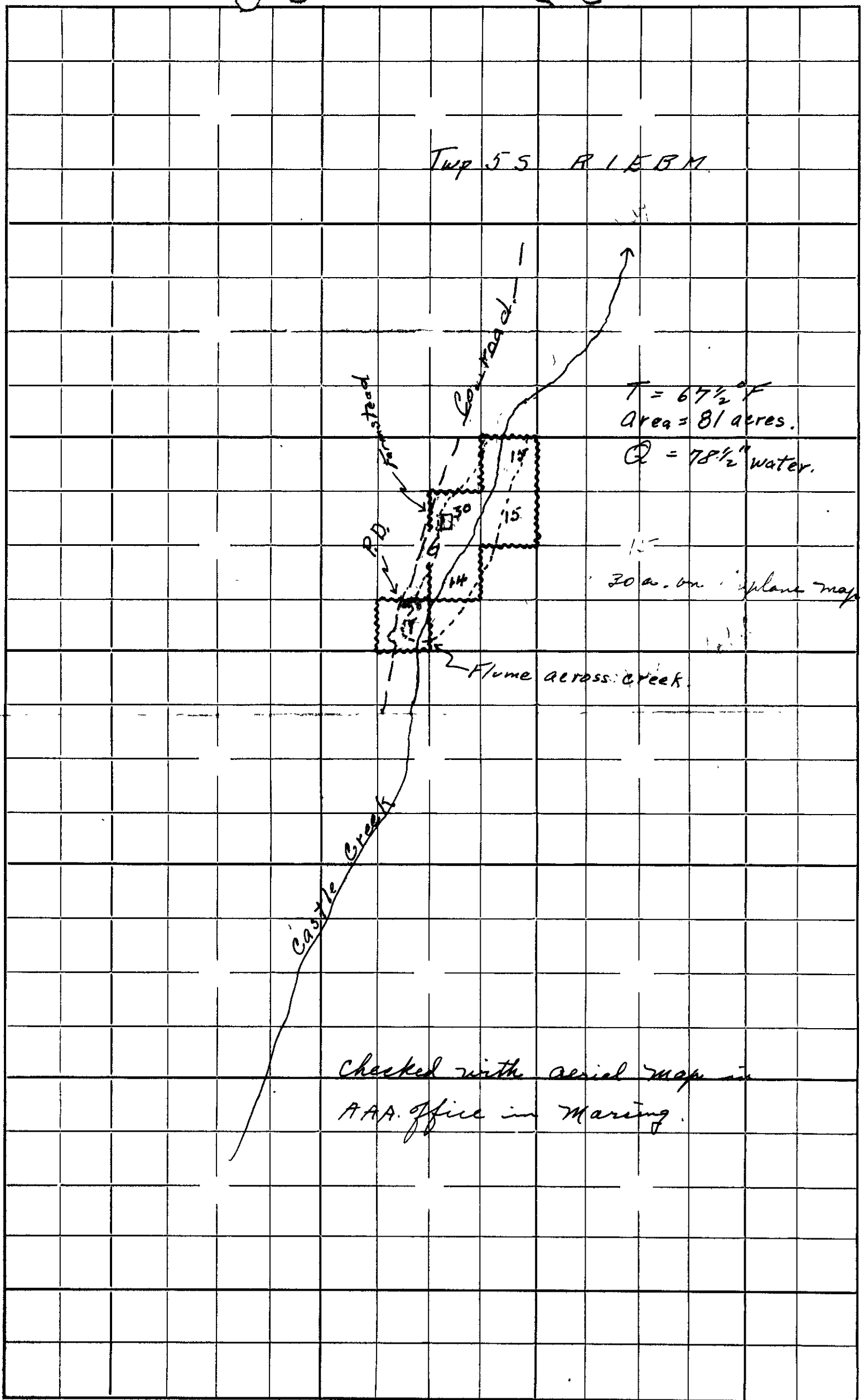
KIRBY A. FOREMAN, OREANA, IDAHO

app. 2 c.f.s

*1.57 cfs
smk*

81 acres

5-40's



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

Permit No. 21261

This proof is for Beneficial use In Water District No. _____1. Name of applicant Kirby A. Foreman, Oreana, Idaho2. Source of water supply: Subterranean from a well.3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16T. 5 S. R. 1 E. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Well is 300' deep, 12" diameter, 200', 8" diameter balance of depth. The first 100' is cased. Static H is 10'. Draws down 6' 2". Pump sets down 30' from surface. 8" bowls and 8" column. Enclosed in a wooden house 6' by 8' by 6' high. Shed type roof. Pump and motor are mounted on ties. Delivery is to the East through an 8" by 10' steel pipe into an open sump. Pump is a Deming, No. T 18061, $\frac{7}{8}$ h.p. G.M. motor, 1 phase, 35 amps, 230 V. 60 cycle, 1760 r.p.m. 240 V. Westinghouse meter No. B 36594. Switches and controls are Westinghouse. Meter and controls are mounted on a pole approximately 5' South of the pump house.

5. Water is used for: Irrigation and domestic purposes.6. State whether or not water has been turned into works of diversion: Yes

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East, B. M.
22a. (SW $\frac{1}{4}$ 76a 19a, 15a
(SE $\frac{1}{4}$ 228a
See Map

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

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

Remarks: H equals 38' over a 2' alipoletti weir. Q equals 1.57 c.f.s. or 78 $\frac{1}{2}$ inches.
Temp is 67 $\frac{1}{2}$ ° Fahrenheit.

This examination was made on the 26 day of June, 1952(Signed) E. H. Humphrey Examiner.

21261

INSTRUCTIONS TO EXAMINERS

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

Kirby A. Foreman
Oreana, Idaho

Permit No. 21261

Examination for Beneficial use

County Owyhee

SS - 1E

Q = 2 cfs.

P.D. = SE 1/4 SW 1/4 S 16.

Use = pump & down.

S. = well

Priority Oct 22-44

Use = Oct 22-51

SS. SE. of Oreana.

138 = 1.57
78.5°C

67 1/2 °F

RECEIVED
JUL 1 1952
Department of Reclamation

380' deep 12" x 200' dia. 8" del.

100' x 12' cap. in top.

Notes: 4 = 10' drawdown = 6 16' 9'

Pump down 30' fr. surface.

8" pump 8" column 8" del.

enclosed in house 6' x 7' x 6' h.
wood cont. with shed roof

Pump and motor with on top.

Leaving pump # 12061

7 1/2 hp 1 ph. G.E. motor.

33 amps 230 V. 60 cfs.

1760 - rpm

Whouse meter 240 V.

E 36594

Switches & Controls - Whouse.

with an pole 5' to S. of pump.

10' x 8" del to East into
open pit.

✓
September 26, 1951

RE: Permit No. 21261

Mr. Kirby A. Foreman
Oreana
Idaho

Dear Mr. Foreman:

We have received the affidavit of publication in the Owyhee Chronicle which, together with the depositions of yourself and two witnesses previously received, completes your proof of beneficial use under Permit No. 21261.

We shall make a note not to have the inspection by our field engineer made before June of 1952, as you requested. We shall appreciate having you advise us when you start your pumps.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21261

ATTACH CLIPPING
HERE

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 24 1951
Department of Reclamation

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice NOTICE FOR PUBLICATION

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in four (4) (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Aug. 23, 1951

Aug. 30, 1951

Sept. 6, 1951

Sept. 13, 1951

Signed

Everett A. Colley

Subscribed and sworn to before me this 14th day of Sept.
A. D. 195 1

M. H. Robinson
Notary Public in and for the State of Idaho.

Residing at Caldwell, Idaho

My commission expires Feb. 5, 195 5

21261

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21261

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Kirby A. Foreman, Castle Creek, Farmer
Oreana Idaho.

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

Ans. _____

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

Ans. Permit No. 21261 Date of Priority Oct. 18, 1949

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

Ans. Subterranean from well. Location SE 1/4 SW 1/4 Sec. 16 1
Township 5 S R. 1 East B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Ditch 3 feet wide at top 2 ft. at bottom 2 1/2 feet deep, Capable
of conveying 100 inches of water. Well 300 feet deep
100 feet of 12 inch casing. Electric pump is used, Capable
of discharging 2 cubic feet per second. Determined when
set to throw its full volume of water by the number
of revolutions per minute. Determined by the Saw Tooth Co. Pump man.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used for irrigation. NE 1/4 NE 1/4 30 acres been irrigated
5 1/2 NE 1/4 15 acres irrigated. SE 1/4 SW 1/4 10 acres irrigated
NW 1/4 SE 1/4 10 acres irrigated. 55 acres cultivated and
15 acres natural meadow. Well furnishes plenty of
late water after water from Castle Creek has dried up.

21261

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. None

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

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

Ans. Amounts ranging from 1 1/2 to 2 cubic feet per second were used for irrigation in June, July, August & Sept. in 1950 and June, July, August & Sept. in 1951

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. This place has an old decree of 5.8 inches of water from Castle Creek which is used in the early part of irrigation season. Water from well is supplemental water for use later in the season.

(Sign)

Kirby A. Foreman

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

County of Owyhee, State of Idaho, on this 20 day of Sept. 1951

A. D. 1951,

My commission expires

Feb 25 1953

Lynn Bachman

21261

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. *D. L. Foreman, Age 67, Residence Oreana, Ida.
Occupation Farmer & Stockman P.O. Oreana, Ida.*

Ques. 2. Are you acquainted with *Kirby A. Foreman*, the holder of Permit No. *Yes*? How long have you known him and where does he reside? *All his life. He resides at Castle Creek Ida*

Ans. _____

Ques. 3. Have you read or heard read said Permit No. *21261*, and are you familiar with its provisions and conditions?

Ans. *Yes*

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

Ans. *Subterranean flow well SE 1/4 of SW 1/4 S 16 - T 5 S 1 E
Is conveyed from well by two ditches*

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. *2 second feet*

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

Ans. *2 Cubic feet per second. Determined when set to throw its full volume of water by the number of revolutions per minute Determined by Saw Tooth is pump operator*

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. *Irrigation. NE 1/4 of NE 1/4 35 acres irrigated. S 1/2 NE 1/4 15 acres irrigated. SE 1/4 of SW 1/4 10 acres irrigated. NW 1/4 SE 1/4 10 acres irrigated. 55 acres cultivated and 15 acres natural meadow land. Improves land by growing more crops.*

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

Ans. *None*

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *Sandy loam requires about 1 inch per acre.*

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

Ans. *None*

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. *1950 and 1951 for about four months of the years. I have witness this well throwing water to irrigate above described land.*

(Signed) *D. J. Foreman*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in *Oreana*, County of *Owyhee*, State of Idaho, on this *20* day of *Sept*, A. D. 19 *51*.

Lynn Bachman
Notary Public.

My commission expires *Feb 25 1953.*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No.

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Virgil L. Droughton 30 yrs. age. Oreana Idaho
Farm Labourer. Oreana Idaho.

Ques. 2. Are you acquainted with Kirby A Foreman, the holder of Permit No. Yes? How long have you known him and where does he reside?

Ans. All my life He resides at Castle Creek Idaho.

Ques. 3. Have you read or heard read said Permit No. 21261, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean Flow Well SE 1/4 of SW 1/4 S16-5S 1E
is conveyed from well by two ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 2 Second feet.

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

Ans. 2 Cubic feet per second Determined when set
to throw the full volume of water by the
number of revolutions per minute Determined by
Saw tooth Co pump operator

21261

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation NE $\frac{1}{4}$ of NE $\frac{1}{4}$ 35 acres irrigated S $\frac{1}{2}$ NE $\frac{1}{4}$ 15 acres irrigated SE $\frac{1}{4}$ of SW $\frac{1}{4}$ 10 acres irrigated NW $\frac{1}{4}$ of SE $\frac{1}{4}$ 10 acres irrigated 55 acres cultivated & 15 acres natural meadow land improve land by grazing more crop.

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

Ans. None

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy loam requires about 1 inch per acre.

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

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. 1950 and 1951 I seen this well pumping water for about four months of each year, to irrigate above described land.

(Signed) Virgil L Wroughton

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Oreana, County of Owyhee, State of Idaho, on this 20 day of Sept, A. D. 1951.

Lynn Bachman,
Notary Public.

My commission expires Feb 25 1953.

August 29, 1951

Re: Permit No. 21261

Mr. Kirby A. Foreman
Oreana
Idaho

Dear Mr. Foreman:

We enclose certificate of completion of works issued on Permit No. 21261, for the diversion of two second feet of water from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East B.M., for irrigation and domestic use in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East, B.M.

We also enclose departmental receipt No. 23689 for the \$5.00 fee paid in connection with completion of works proof.

We have sent to the Owyhee Chronicle, notice of beneficial use proof to be made under this permit on September 20, 1951 with instructions to publish it once a week for four consecutive weeks prior to that date, and to send you the affidavit of publication together with statement of cost.

At the time set, you should appear before the Notary Public Lynn Beckman, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, for the purpose of executing the depositions which were handed you when you were at the office recently.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21261

The Owyhee Chronicle

Official Paper of Owyhee County

EVERETT A. COLLEY, Editor



DIAL 3581

Published Weekly in the Famous Gem District at

HOMEDALE, IDAHO

Aug. 23, 1951

Dept. of Reclamation
Mark R. Kulp, Engineer
Boise, Idaho

Dear Mr. Kulp,

This is to acknowledge receipt of notice for publication on Permit No. 21261, Kirby A. Foreman of Orsana, Idaho, which we shall publish four consecutive weeks according to your instructions. Upon completion of the publication, we shall furnish Mr. Foreman with an affidavit of publication and a bill for the expense of publishing prior to the date set for proof.

Sincerely,

THE OWYHEE CHRONICLE

By:

(Mrs. Everett A. Colley)

RECEIVED
AUG 24 1951
Department of Reclamation

21261

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21261

Date: August 22, 1951

Owyhee Chronicle

Homedale, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 20, 1951** the date set for proof, the expense of the publication to be paid by the applicant, **Kirby A. Foreman** of **Oreana Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

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NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 20th day of September, 1951,
at Oreana, County of Owyhee, State of Idaho, before
Lynn Bachman, Notary Public, proof will be submitted of the
application to beneficial use of Two cubic feet per second of the waters of a well (subterranean
flow in accordance with the terms and conditions of Permit No. 21261
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
Kirby A. Foreman, Oreana, Idaho.

The use to which said water has been applied is irrigation and domestic purposes.

The amount applied to beneficial use is Two(2) cubic feet per second.

The place where said water is used (~~For irrigation, give full and accurate description of the~~
~~land irrigated.~~ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Township 5 South,
Range 1 East, B. M.

~~The name of the canal, ditch or other works by which said water is conducted to such place of~~
~~use.~~

The right to take water from such works is based upon Permit No. 21261

The source of supply from which such water is diverted is subterranean flow from a well in
the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Twp. 5 S., R. 1 E., B.M.

The date of priority which said user is prepared to establish is October 18, 1949.

MARK R. KULP

State Reclamation Engineer.

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NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 20, 1951

(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Owyhee Chronicle of Homedale, Idaho published in
the county in which the works are situated.

Kirby A. Foreman

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

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

Engineer.

21261

Permit No. 21261

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of _____

Kirby A. Foreman

, 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. 21261, and that his postoffice address is ~~Ardena~~ _____

State of ~~Idaho~~ _____

Second: That the name of the stream ^{FROM} which said water is to be ^{DIVERTED} directed is _____
Subterranean flow from a well.

Third: That the point of diversion of said water is in the ~~SE 1/4 SW 1/4~~ Section 16, _____
Twp. 5 South, Range 1 East, B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by ~~October 22~~ _____, 1951.

Fifth: That the use for which said water is intended is ~~irrigation and domestic~~ _____.

Sixth: That on the date above mentioned, the works constructed under said permit were (~~completed~~) fully completed and consisted of the following:

I. Kind of works: ~~Well, pump and ditches~~ _____
(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 _____ width at bottom _____ feet, width at water line _____
(State whether ditch, flume or pipe)

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

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

Eighth: That water appropriated under said permit is available for ~~100~~ _____
acres of land described as follows: _____

~~SE 1/4 SW 1/4, NW 1/4 SE 1/4, NE 1/4 NE 1/4, S 1/2 NE 1/4~~ Section 16, Twp. 5 South, Range 1 East, B. M.

Ninth: Remarks: That ~~Well is about 300 feet deep, 12 inch casing, about 100 feet.~~
~~Equipped with a Deming electric pump, 7 1/2 H.P.~~

Kirby A. Foreman
(Sign Here)

Subscribed and sworn to before me this ~~20th~~ day of ~~August~~ _____, 1951.

My commission expires ~~Feb. 16, 1953~~ _____

Dillon W. Latta
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

POISE

August 1, 1951

Mr. Kirby A. Foreman

Oreana, Idaho

Dear Sir:

Under the terms of your permit No. 21261 you are required to complete your diversion works and make proof of beneficial use on or before October 22, 1951.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is October 22, 1951, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

WILLIAM B. FULL
State Reclamation Engineer

21261

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 21861

Date October 28, 1949

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Kirby A. Foreman
Greens, Idaho

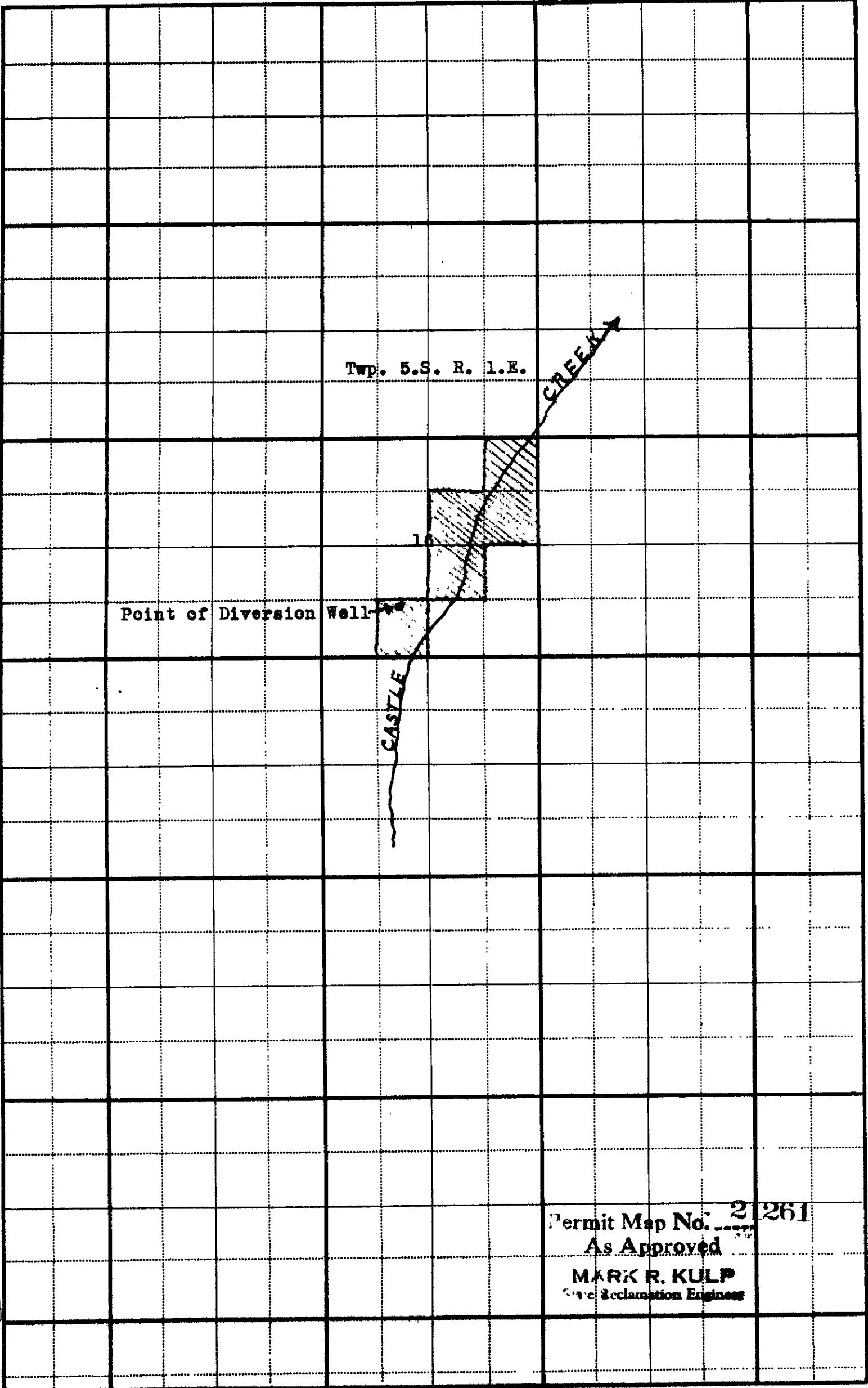
MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 21864

21261

NAME OF APPLICANT W. A. Foreman,

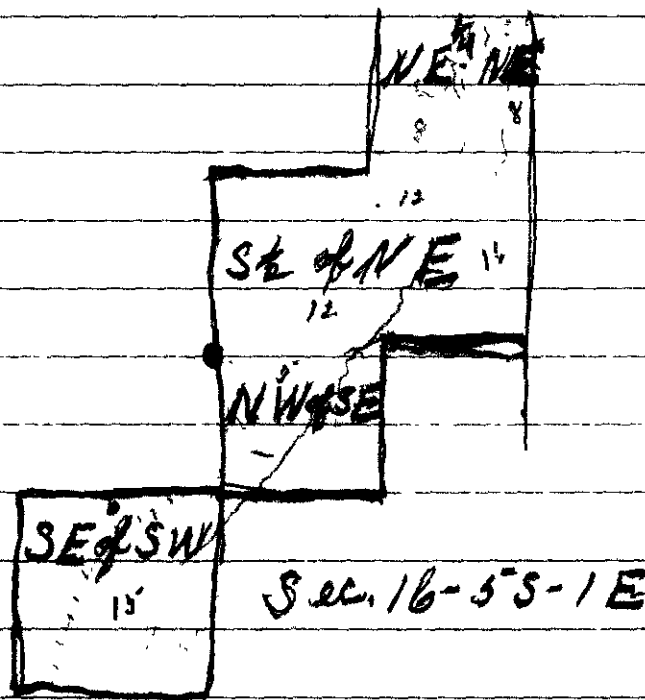
FORM No. 0



SCALE: 3 INCHES EQUAL 1 MILE. DRAW PLAN IN INCH.

21261

3
28
15
13
56



21261

29
25
23
80

NOTICE FOR PUBLICATION

NOTICE OF APPLICATION FOR BENEFICIAL USE OF WATER

Notice is hereby given that at 11:00 A. M. on the 20th day of September, 1951, at Oreana, County of Owyhee, State of Idaho, before Lynn Bachman, Notary Public, proof will be submitted of the application to beneficial use of Two cubic feet per second of the waters of a well (subterranean flow) in accordance with the terms and conditions of Permit No 21261 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Kirby A. Foreman, Oreana, Idaho.

The use to which said water has been applied is irrigation and domestic purposes.

The amount applied to beneficial use is Two (2) cubic feet per second

The place where said water is used: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Township 5 South, Range 1 East, B. M.

The right to take water from such works is base upon Permit No. 21261.

The source of supply from which such water is diverted is subterranean flow from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Twp. 5S., R.1E., B. M.

The date of priority which said user is prepared to establish is October 18, 1949

MARK R KULP

State Reclamation Engineer.

8-23-51

8-23-4