

15. 1944

Amount 0.01 second foot

Priority January 23, 1948

THIS IS TO CERTIFY that W. G. BURGHARDT
of Grandview, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 8, 1947; that Permit No. 20168
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.14 second feet, was issued thereunder on August 11, 1948, showing that said works
were completed on the 20th day of July, 1948; and that on the 30th
day of January, 1951,

W. G. BURGHARDT
Grandview, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well
underground (subterranean flow), for the purpose of domestic and stock
watering uses, under Use Permit No. 20168 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 4731, on the 9th day of April, 1951;
The right hereby confirmed dates from January 23, 1948;
The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 20, Tp. 5 S., R. 3 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 0.01 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	3 E.	20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	-	-

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

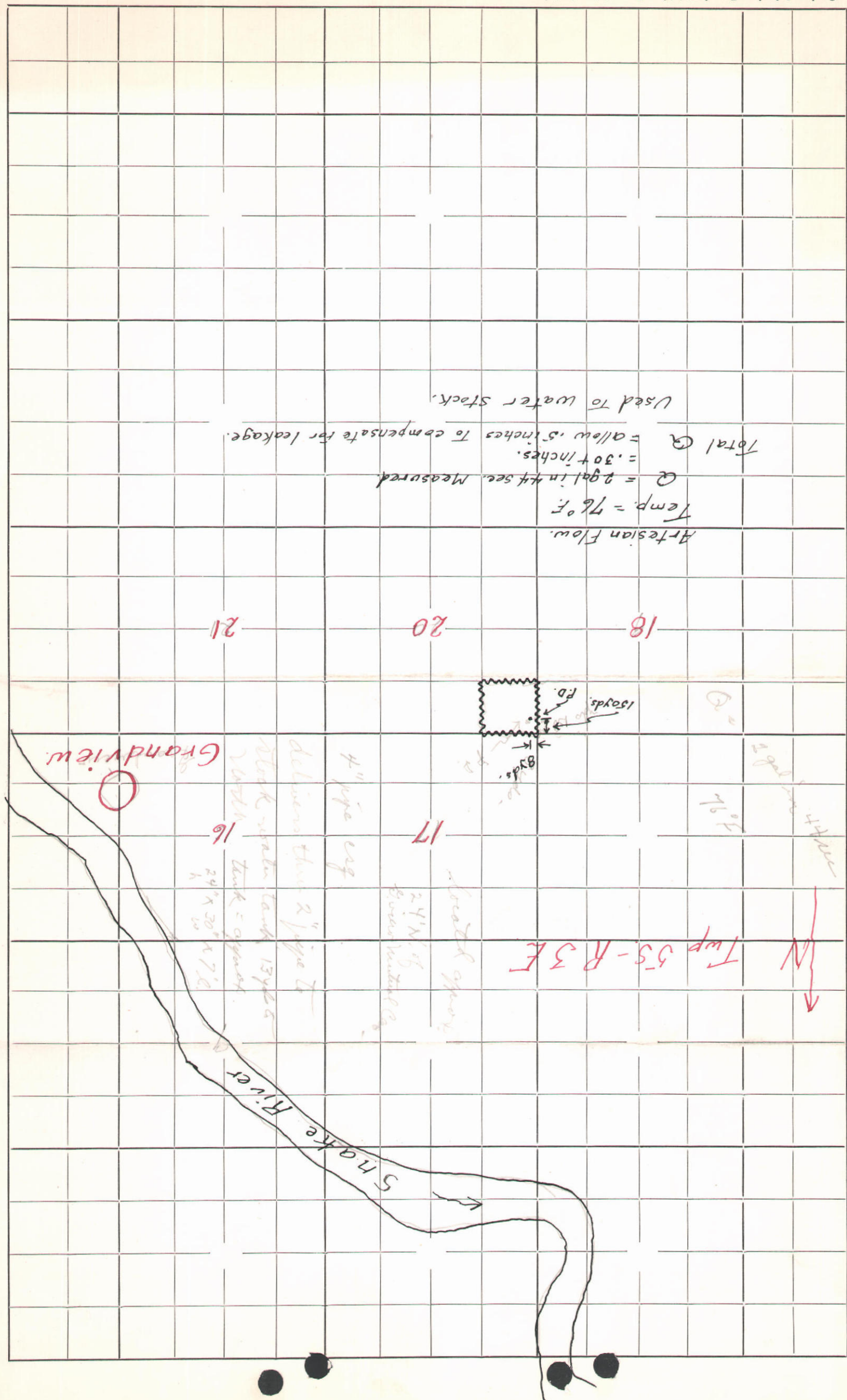
9th day of April, 19 51.

MARK R. KULP

State Reclamation Engineer

(SEAL)

1-7 2189



PROOF OF PUBLICATION

State of Idaho, }
County of Owyhee, } ss.

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 and every week for 4 consecutive weeks, the first publication being on the 4 day of Jan. 19 51, and the last publication being on the 25 day of Jan., 19 51;

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 27 day of Jan., 19 51.

Liana D. Hawes
Notary Public

My commission expires 9-10-52

(SEAL)

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

NOTICE IS HEREBY GIVEN That at 2:00 P. M. on the 30th day of January, 1951, at Grand View, County of Owyhee, State of Idaho, before Clara Jenkins, Notary Public, proof will be submitted of the application to beneficial use of 0.14 cubic foot per second of the waters of an artesian well in accordance with the terms and conditions of Permit No. 20168, 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 W. G. Burghardt, Grand View, Idaho.

The use to which said water has been applied is Domestic and stock watering.

The amount applied to beneficial use is 0.14 cubic foot per second.

The place where said water is used NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Twp. 5 South, Range 3 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 20168.

The source of supply from which such water is diverted is an artesian well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Twp. 5S., Range 3 E., B. M.

The date of priority which said user is prepared to establish is January 23, 1948.

MARK R. KULP
State Reclamation
Engineer.
(Jan. 4 — 25)

20168

NAME OF APPLICANT

W. G. Burghardt.

FORM No. 0

Twp. 5S. R 3E.B.M.

X ← * well.
20

↑
N.

NAME OF APPLICANT W.G. Burghardt

FORM No. O

Township 5 S Range 3 E B.M.

x  Well

20

 N

Permit Map No. **20168**
As Approved
SEP 15 1947
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 20168

Amount 0.01 second foot

Water District No. 1

Priority January 23, 1948

THIS IS TO CERTIFY that **W. G. BURGHARDT**
of **Grandview, Idaho**, made application for a permit to appropriate the
waters of the State of Idaho, dated **September 8, 1947**; that Permit No. **20168**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.01 second foot, was issued thereunder on **August 11, 1948**, showing that said works
were completed on the **20th** day of **July**, **1948**; and that on the **30th**
day of **January**, **1951**,

W. G. BURGHARDT

Grandview, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well
~~underlying~~ (subterranean flow) for the purpose of **domestic and stock**
watering uses, under Use Permit No. **20168** 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
9 of Licenses at page **4731**, on the **9th** day of **April**, **1951**.
The right hereby confirmed dates from **January 23, 1948**;

The Point of Diversion is located
in the **NW 1/4 NW 1/4, Sec. 20, Twp. 5 S., R. 3 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 **0.01** 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.	3 E.	20	NW 1/4 NW 1/4	-	-

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

9th day of **April**, **1951**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

17 2189

N^o 20168
57-2189

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. 27773
Permit No. 20168
District No.

1. Name of Applicant: W. G. BURGHARDT

Postoffice address: Grandview

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: Seven inches, or 0.14 cubic feet per second.

3. Source of water supply: Subterranean (artesian 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 20 , T. 5 S. , R. 3 E. , B.M., County of Owyhee

5. Water is to be used for Domestic 1/10 inch balance for stock watering

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: \$ 2,500.00

8. Kind of works: Well, approximately 1500 ft. deep- 4 " casing- (artesian)

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 feet; width at water line feet; depth of water 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 Completed years.

13. The time required for the complete application of the water to the proposed use is Three (3) additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

W. G. BURGHARDT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 2:30 P. M. September 8, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20168

Recorded in Book 72 Page 20168 Approved September 15, 1947

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

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

Work to begin on or before _____ Completed _____ 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

The whole of said work to be completed on or before December 15, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before September 15, 1950

Witness my hand this 15th day of September, 1947

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th
day of September, 1947.
STATE OF IDAHO

STATE OF IDAHO

Countersigned :

(SEAL)

By J. D. "CY" PRICE

Secretary of State.

By C. A. ROBINS

Governor.

Remarks: This filing is to protect the rights of water in an artesian well on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 5 South, Range 3 East, P.M.

14.

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	
			STATE OF IDAHO Department of Reclamation ORDER REINSTATING PERMIT																
			In the Matter of the Reinstatement of Permit No. 20168 Under the Provisions of Section 41 - 311, Idaho Code Annotated.																
			WHEREAS, Permit No. 20168 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: December 15, 1947; and,																
			WHEREAS, On the 12th day of June, 1948, notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,																
			WHEREAS, ON the 15th day of June, 1948, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,																
			WHEREAS, On the 20th day of July, 1948, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,																
			WHEREAS, After examination of the said depositions, the State Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 20168, and that the holder has acted in good faith;																
			IT IS, THEREFORE, Hereby Ordered that said Permit No. 20168 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.																
			IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 11th day of August, 1948.																
			MARK R. KULP State Reclamation Engineer																
			(SEAL)																

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. G. BURGHARDT of Grandview, County of Owyhee, and State of Idaho, the holder of Permit No. 20168, issued upon Application No. 27773 bearing date of priority of September 8, 1947, authorizing the diversion of seven (7) inches, or 0.14 second feet of the waters of subterranean flow from an artesian well, County of Owyhee, State of Idaho, for domestic and stock watering 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 0.14 second feet of the waters of said artesian well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 5 South, Range 3 East, B.M. and that the place of use of said water is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 5 South, Range 3 East, B.M.

Witness my hand this 11th day of August, A.D. 1948.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made July 20, 1948
Certificate of Completion of Works issued August 11, 1948

LICENSE ISSUED FOR 0.01 SEC. FT.
Page 4731

April 17, 1951

Re: Permit No. 20168

Mr. W. G. Burghardt
Grandview, Idaho

Dear Mr. Burghardt:

We enclose License and Certificate of Water Right issued under Permit No. 20168, confirming your right to the use of 0.01 of a second foot of water from an artesian well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 5 South, Range 3 East, B.M., with priority of January 23, 1948, for domestic and stock watering purposes.

We also enclose Departmental Receipt No. 23253 for the \$5.00 fee paid in connection with this final proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20168

2

April 3, 1951

Re: Permit No. 20168

Mr. W. G. Burghardt
Grandview, Idaho

Dear Mr. Burghardt:

We now have on file the report of our Field Engineer on examination for beneficial use under Permit No. 20168.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for .01 second foot (or $\frac{1}{2}$ inch) of water from your artesian well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 5 South, Range 3 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20168

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

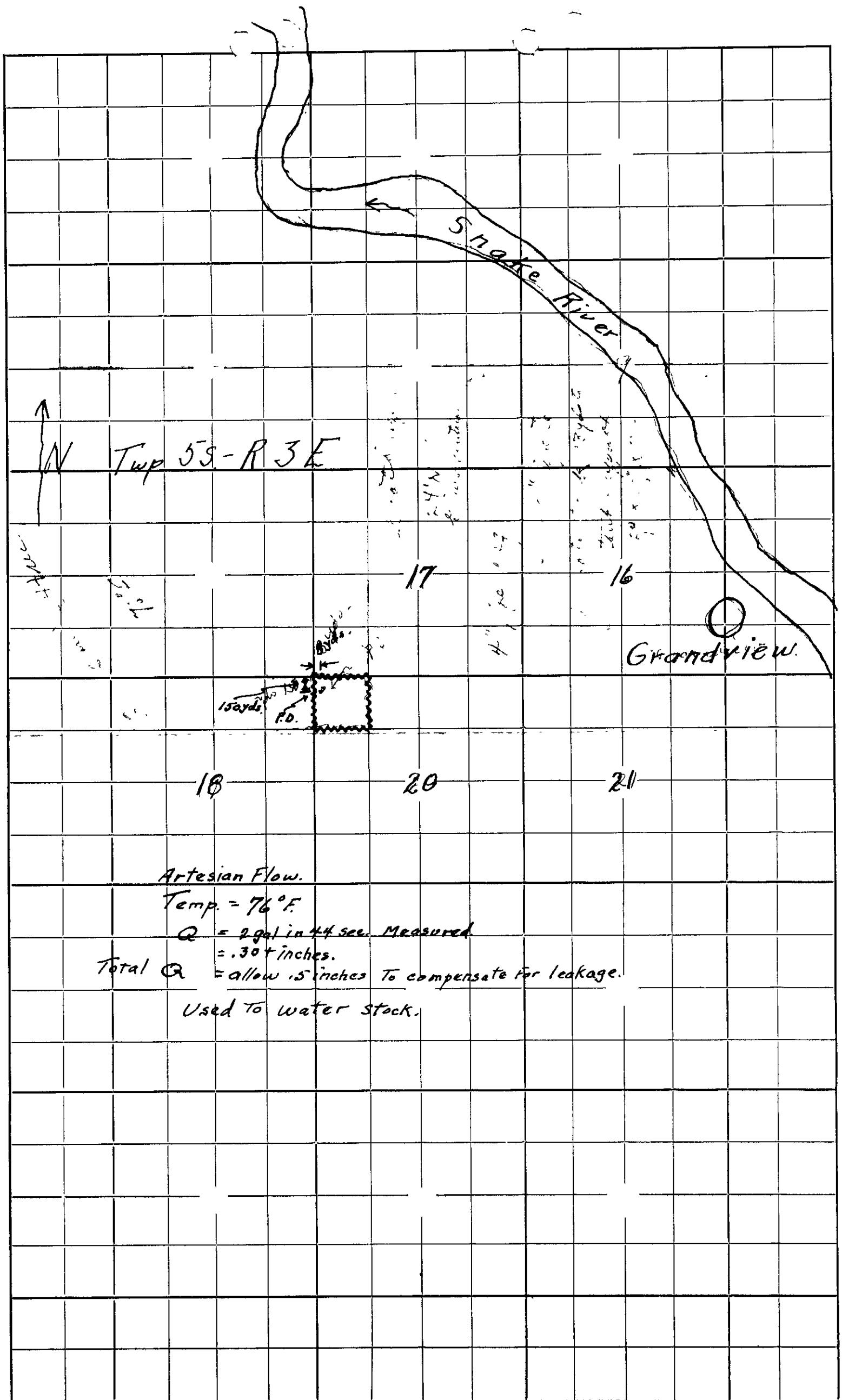
PERMIT NO. 20168

REPORT ON PROOF OF Beneficial use

W. G. Burghardt, Grandview, Idaho

.01 cfs
max

slp - 0.14 c.f.s



Artesian Flow.

Temp. = 76°F

Q = 2 gal in 44 sec. Measured

= .30+ inches.

Total Q = allow .5 inches To compensate for leakage.

Used To water stock.

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

Permit No. 20168

This proof is for Beneficial use In Water District No. _____

1. Name of applicant W. G. Burghardt, Grandview, Idaho
2. Source of water supply: Subterranean flow from an artesian well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20
T. 5 S. R. 3 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: This is a small artesian well in a clump of four cottonwood trees, setting just under the bank of the Grandview Mutual Canal, approximately $\frac{1}{4}$ mile South and 2 miles West of Grandview. Depth of the well is unknown, cased with a 4" pipe, reduced to 2", and carried 13 yards to the North, delivery being into a metal stock water tank. Tank size is approximately 24" deep by 30" wide by 7' long.
5. Water is used for: Domestic and stock watering.
6. State whether or not water has been turned into works of diversion: _____
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):
Place of use- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Twp. 5 South, Range 3 East, B. M.

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

8. What large stream would the water here appropriated finally reach? Flow is too small to reach any large stream.
- Remarks: The sole use of this water at present is stock watering. The owner has quite a sizable herd of cattle.

This examination was made on the 30th day of March, 1951

(Signed) E. M. Humphrey Examiner.

20168

W. G. Burghardt
Grandview, Idaho
Permit No. 20168

Examination for Beneficial use

County Owyhee

S20

55-38.

Q = 14 cfs or 7"

A = Art. Well.

P.D. = in NW NW S20
55-38.

for div. & stock water
in NW NW,

RECEIVED
APR 3 1951

Department of Reclamation

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.

February 1, 1951

Re: Permit No. 20168

Mr. W. G. Burghardt
Grandview, Idaho

Dear Mr. Burghardt:

We acknowledge receipt of the depositions of yourself and two witnesses, also Affidavit of Publication in the Owyhee Nugget, all submitted in Proof of Beneficial Use under Permit No. 20168.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We cannot say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20168

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 1 1951
Department of Reclamation

Permit No. 20168

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. W.G. Burghardt, Farming & stockraising,
Grand View, 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. #20168, Sept. 8, 1947, Jan. 23, 1948 Sept 17 - 1947

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

Ans. Subterranean flow from an artesian well.

NW¹ NW¹ of Section 20, T5S, R3E.

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. Through a pipe to the water trough then on out onto the field.

Well is approximately 1500 feet deep, 4 inch casing.

Artesian well, flowing.

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. domestic and stock watering; in NE¹ NW¹, section 20, T5S, R3East,
B.M.

20168

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

Ans. domestic and stockwatering.

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

Ans. 0.14 second feet of the waters of said artesian well.

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. Started to use in 1948 for watering stock, continuing to 1949 and 1950. Using the overflow for irrigating about 7 acres of land.

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. none.

(Sign)

W. B. Bingham

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 Grand View, County of Owyhee, State of Idaho, on this 30th day of January, A. D. 1951,

Blair Jenkins

My commission expires Nov. 23, 1951

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20168

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. Kenneth G. Anderson, 37, Grand View, Idaho, Farmer,
Grand View, Idaho

Ques. 2. Are you acquainted with W. C. Burghardt, the holder of Permit No. 20168? How long have you known him and where does he reside?

Ans. Yes. 15 years. Grand View, Idaho

Ques. 3. Have you read or heard read said Permit No. 20168, 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. Artesian well, NW 1/4, NE 1/4 of section 20, T5S, R3E.
Conveyed by pipe to water trough, then a ditch to carry to
land.

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. 0.14 second feet. Have seen this amount conveyed to the land.

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. no pumps

20168

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. Used for domestic use and watering livestock, and flows on through trough to land, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of sec. 20, T5S, R3E. About 7 acres land.

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. loam, and uses about 0.14 second feet or 1 inch to acre of land.

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

Ans. no

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. 1948, 1949 and 1950, irrigate about 7 acres land.

(Signed) Kenneth G. Anderson

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 Grand View, County of Owyhee, State of Idaho, on this 30th day of January, A. D. 1951.

Clara Jenkins

Notary Public.

My commission expires Nov. 23, 1951

20168

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20168

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. Galord D. Lambeth, 32, Grand View, Idaho, farmer,
Grand View, Idaho

Ques. 2. Are you acquainted with W.G. Burghardt, the holder of Permit No. 20168? How long have you known him and where does he reside?

Ans. yes. Three years, Grand View, Idaho

Ques. 3. Have you read or heard read said Permit No. 20168, 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. Artesian well, place of diversion NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 20, T5S, R3E.
Pipe line to trough for watering stock, then on out on
the land.

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. 0.14 second feet Have seen this amount conveyed to land

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. No pumps

20168

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. Water is used for domestic use, watering livestock, Flows from well to water trough, then on out to land. NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 20, T5S, R3E. Approx. 7 acres land watered.

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. Loam. Will require 1 inch to acre to water.

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

Ans. no

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. 1948, 1949, 1950. To irrigate about 7 acres land.

(Signed)

Salvador J. Lambeth

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 Grand View County of Owyhee, State of Idaho, on this 30th day of January, A. D. 1951.

Clara Jenkins

Notary Public.

My commission expires Nov. 23, 1951.

20168

PROOF OF PUBLICATION

State of Idaho,
County of Owyhee,

ss.

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 and every week for . . . 4 . . . consecutive weeks, the first publication being on the . . . 4 . . . day of . . . Jan . . . 19 51, and the last publication being on the . . . 25 . . . day of . . . Jan . . . 19 51;

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 . . . 27 . . . day of

. . . Jan . . . 19 51.

Liana J. Hawes
Notary Public

My commission expires . . . 9-10-52 . . .

(SEAL)

NOTICE FOR BENEFICIAL USE
NOTICE OF APPLICATION FOR PERMIT
TO BENEFICIAL USE
NOTICE IS HEREBY GIVEN
That at 2:00 P. M. on the
day of January, 1951, at
View, County of Owyhee,
of Idaho, before me, Notary Public, presented and
submitted of the
official use of 0.14 cubic feet per second

second of the waters of an artesian well in accordance with the terms and conditions of Permit No. 20168, 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 W. G. Burghardt, Grand View, Idaho.

The use to which said water has been applied is Domestic and stock watering.

The amount applied to beneficial use is 0.14 cubic foot per second.

The place where said water is used NW 1/4 Section 20, Twp. 5 South, Range 3 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 20168.

The source of supply from which such water is diverted is an artesian well in the NW 1/4 NW 1/4 Section 20, Twp. 5S., Range 3 E., B. M.

The date of priority which said user is prepared to establish is January 23, 1944.

W. R. KULP
State Reclamation
Engineer.
(Jan. 25)

20168

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, January 20, 1951

Re: Permit No. 20168
W. G. Burghardt

Clara Jenkins
Notary Public
Grandview, Idaho

DEAR ~~SIR~~ Madam:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20168

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 rights:

1. On January 30, 1951, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Grandview, Idaho before Clara Jenkins, Notary Public,

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK R. KULP

Commissioner of Reclamation
State Reclamation Engineer

20168

✓
December 29, 1950

Re: Permit No. 20168

Mr. W. G. Burghardt
Granview, Idaho

Dear Mr. Burghardt:

We have sent to the Owyhee Nugget, copy of Notice of Beneficial Use Proof to be made under your Permit No. 20168 on January 30, 1951, before Clara Jenkins, Notary Public.

We have instructed the newspaper to publish this notice once a week for four consecutive weeks prior to that date and to send you the Affidavit of Publication, together with statement of costs.

At the time set, you should appear before Mrs. Jenkins, together with two disinterested witnesses who are familiar with the terms of your Permit and the work done thereunder, for the purpose of executing the depositions, forms for which were handed you when in the office yesterday.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

mbh

20168

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **December 29, 1950**

Re: Permit No. 20168

Owyhee Nugget

Marsing, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 30, 1951**, the date set for proof, the expense of the publication to be paid by the applicant, **W. G. Burghardt** of **Grandview, 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

20168

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

Notice is hereby given that at 2:00 P. M. on the 30th day of January, 1951,
at Grandview, County of Owyhee, State of Idaho, before
Clara Jenkins, Notary Public, proof will be submitted of the
application to beneficial use of 0.14 ^{foot} cubic ~~foot~~ per second of the waters of an artesian well
in accordance with the terms and conditions of Permit No. 20168
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
W. G. Burghardt, Grandview, Idaho.

The use to which said water has been applied is Domestic and stock watering.

The amount applied to beneficial use is 0.14 cubic feet per second.

The place where said water is used ~~to be irrigated, give full and accurate description of the~~
lands irrigated) NW 1/4 NW 1/4 Section 20, Twp. 5 South, Range 3 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is none.

The right to take water from such works is based upon Permit No. 20168

The source of supply from which such water is diverted is an artesian well in the NW 1/4 NW 1/4
Section 20, Twp. 5 S., Range 3 E., B.M.

The date of priority which said user is prepared to establish is January 23, 1948.

MARK R. KULP

State Reclamation Engineer.

20168

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Dec. 28, 1950

(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 Nugget of Marsing, Idaho published in
the county in which the ~~works~~ are situated.

W. B. Bingham

(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.

20168

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

July 1, 1950

Mr. W. G. Burghardt

Grandview, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. ~~20168~~. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This 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 not later than ~~September 15, 1950~~, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

20168

✓
August 13, 1948

Re: Permit No. 20168

Mr. W. G. Burghardt
Grandview, Idaho

Dear Mr. Burghardt:

We enclose Certificate of Completion of Works issued under Permit No. 20168 authorizing the diversion of seven (7) inches or 0.14 second foot of water from an artesian well located in the N.W. 1/4 of Section 20, Township 5 S., Range 3 E., B.M. for domestic and stock watering uses in the same subdivision.

We also enclose Departmental Receipt No. 20808 for the \$5.00 fee in connection with completion of works proof.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc. 2

20168

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement
of Permit No. 20168 Under the
Provisions of Section ~~5594~~, ~~Idaho~~
~~Compiled Statutes~~, 41-311, Idaho
Code Annotated.

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 20168 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: December 15, 1947 ... ; and,

WHEREAS, On the 12th day of June, 1948 , ~~192~~ notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 15th day of June, 1948 , ~~192~~ the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 20th day of July, 1948 , ~~192~~ depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of~~
Engineer Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 20168 ... , and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 20168 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 11th day of August, 1948

Mark R. Kulp
~~Commissioner of Reclamation~~
State Reclamation Engineer
By _____
Assistant

20168

✓

July 26, 1948

RE: Permit No. 20168

Mr. William G. Burghardt
Grandview, Idaho

Dear Mr. Burghardt:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of completion of works under Permit No. 20168.

Since this proof was due on or before December 15, 1947, and we understand that the works were so completed prior to that time, the depositions should so state under Question 6 of your own deposition and under Question 5 of your witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

20168

PERMIT NO. 20168

RECEIVED

JUL 22 1948

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. William G. Burghardt - Grand View, Idaho - ranch 1/2 mile west of town - farmer and stockman

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.

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

Ans. Permit No. 20168, dated Sept. 15, 1948, for seven inches of artesian well water for domestic use and stock water

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. Domestic 1/10 inch - balance for stock watering on NW 1/4 NW 1/4 Sec. 20 T. 5 S. R. 5 S

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. into irrigation ditch

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. Yes - They were completed before Dec. 15, 1947

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. Will probably add better piping, water troughs etc. later on

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

Ans. Artesian well - 1500 ft. deep - 4 inch casing

(Sign here.) W. G. Burghardt

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 Grand View, County of Owyhee, State of Idaho, on this 20th day of July, A. D. 1948

Clara Jenkins
Notary Public.

My Commission expires Nov. 23, 1951

20168

RAB

Permit No. 20168**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. James A Moser, ranch 1/2 mile west Grand View, farmer,
Grand View, IdahoQues. 2. Are you acquainted with W. G. Burghardt, the
holder of Permit No. 20168, authorizing the diversion of 0.14 second-feet of the
waters of artesian well, at NW 1/4 NW 1/4 Sec 20
T 5 S. R 3 E for domestic & stock watering purposes? How long have you known him, and where does he reside?Ans. Eight months - he resides at Grand View, IdahoQues. 3. Have you read or heard read said Permit No. 20168, 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 - seventy acres of farmland, irrigated by water
supplied by Grand View Mutual Canal Co. - Well water is run
into private ditch with other water during irrigation season,
used to water stock when canal water is off

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 - They were completed before Dec. 15, 1947

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

Ans. Casing, ditch, etc. to carry water
away from well(Sign here.) James A. Moser

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 Grand View
County of Owyhee, State of Idaho, on this 20th
day of July, A. D. 1948

20168

Clara Jenkins
Notary Public

Permit No. 20168**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Kenneth Anderson, ranch 1/2 mile up Snake River, southside, rancher, Grand View, IdahoQues. 2. Are you acquainted with W. G. Burghardt, the holder of Permit No. 20168, authorizing the diversion of 0.14 second-feet of the waters of artesian well, at _____ for ~~domestic~~ ^{stocking} purposes? How long have you known him, and where does he reside?Ans. at least five years - he resides at Grand View, IdahoQues. 3. Have you read or heard read said Permit No. 20168, 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 - seventy acres of farm land, major portion thereof is watered by water from Grand View Nat'l Canal Co. ditch - well water is run into private ditch with other water during irrigation season - used to water stock when canal water is off

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, they were completed before Dec. 15, 1947

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

Ans. casing, ditch etc. to carry water away from well

(Sign here.)

Kenneth Anderson

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 Grand View County of Owyhee, State of Idaho, on this 20th day of July, A. D. 1948

Edw. J. Jenkins
Notary Public

20168

NOTICE OF APPEARANCE

To. Commissioner of Reclamation

Boise, Idaho

Dear Sir:

Receipt of notice that Permit No. 20168
is held for cancellation, under the provisions of Section
41-311 Idaho Code Annotated, is acknowledged.

I hereby enter an appearance and will offer proof
to show that the works required thereunder were fully completed
on the date proof of completion of works was due.

Dated at Boise, Ida., this 15th
day of June, 1948.

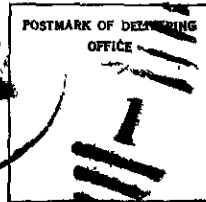
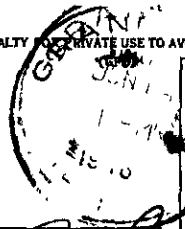
W. B. Burghardt
Applicant.

By Luke M. Burghardt

20168

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to

Street and Number,
or Post Office Box,

Dept of Reclamation
State House
(NAME OF SENDER)

REGISTERED ARTICLE

No. *87663*

IN RED PARCEL

BOISE,

No. _____

IDAHO.

20168

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1

W. H. Burghardt
(Signature or name of addressee)

2

Lulu Burghardt
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery **JUN 14 1948**, 194

20168

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

June 12

, 1948

Re: Permit No. 20168

To Mr. W. G. Burghardt

Grandview, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 20168
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works December 15, 1947

you are hereby notified in compliance with Sec. 41-311, Idaho Code annotated that said Permit No. 20168
is hereby held for cancellation,

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 20168 claims the use of 7 inches or 0.14 cubic feet per second of the
waters of an artesian well (subterranean) with point of diversion located
in the NW¹ NW¹ Section 20, Twp. 5 S., Range 3 E., B. M., and
was approved September 15, 1947

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

12th day June, 1948

Mark R. Kulp.
State Reclamation Engineer.

By

Assistant

20168

September 15, 1947

Re: Permit No. 20168

Mr. J. G. Burghardt
Grandview, Idaho

Dear Mr. Burghardt:

We enclose herewith Permit No. 20168, and direct your attention to the limitations and conditions of same as given on the fourth page, under approval of the State Reclamation Engineer. We also enclose Departmental Receipt No. 20136 for the \$5.00 filing fee.

Since your application states that the works are already completed, we have allowed three months, or until December 15th, 1947, for making the proof of completion of works.

This is made by executing Form 6 before a Notary Public and returning to this Department, with the statutory fee of \$5.00. Upon approval a certificate of completion of works will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
encls.

20168

NAME OF APPLICANT W. G. Burghardt.

FORM No. 0

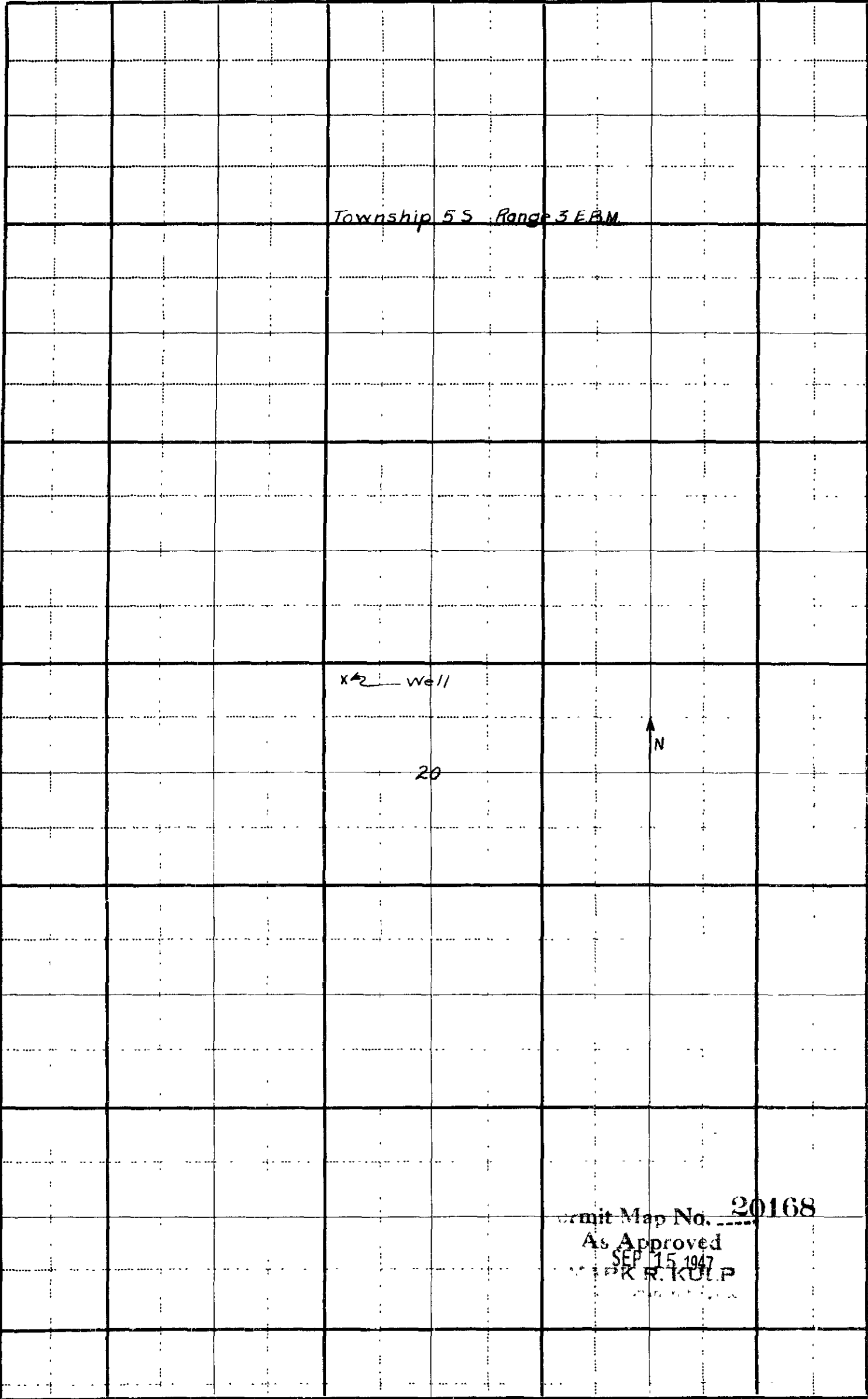
Twp. 5S. R 3E. B.M.

X ← * → we N.
20

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N.

NAME OF APPLICANT W.G. Burghardt

FORM No 0



Permit Map No. 20168
As Approved
SEP 15 1947
W. R. KULP

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

NOTICE IS HEREBY GIVEN
That at 2 00 P. M. on the 30th
day of January, 1951, at Grand
View, County of Owyhee, State
of Idaho, before Clara Jenkins,
Notary Public, proof will be sub-
mitted of the application to bene-
ficial use of 0.14 cubic foot per

second of the waters of an ar-
tesian well in accordance with
the terms and conditions of Per-
mit No. 20168 heretofore issued
by the Department of Reclama-
tion of the State of Idaho.

The name and postoffice ad-
dress of the person or corpora-
tion holding said permit are W.
G. Burghardt, Grand View, Ida-
ho.

The use to which said water
has been applied is Domestic and
stock watering.

The amount applied to bene-
ficial use is 0.14 cubic foot per
second.

The place where said water is
used NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20,
Twp. 5 South, Range 3 East, B.
M.

The name of the canal or ditch
or other works by which said
water is conducted to such place
of use is none

The right to take water from
such works is based upon Permit
No. 20168

The source of supply from
which such water is diverted is
an artesian well in the NW $\frac{1}{4}$
NW $\frac{1}{4}$ Section 20, Twp. 5S.,
Range 3 E., B M

The date of priority which said
user is prepared to establish is
January 23, 1948.

MARK R KULP
State Reclamation
Engineer.

(Jan 4 - 25)