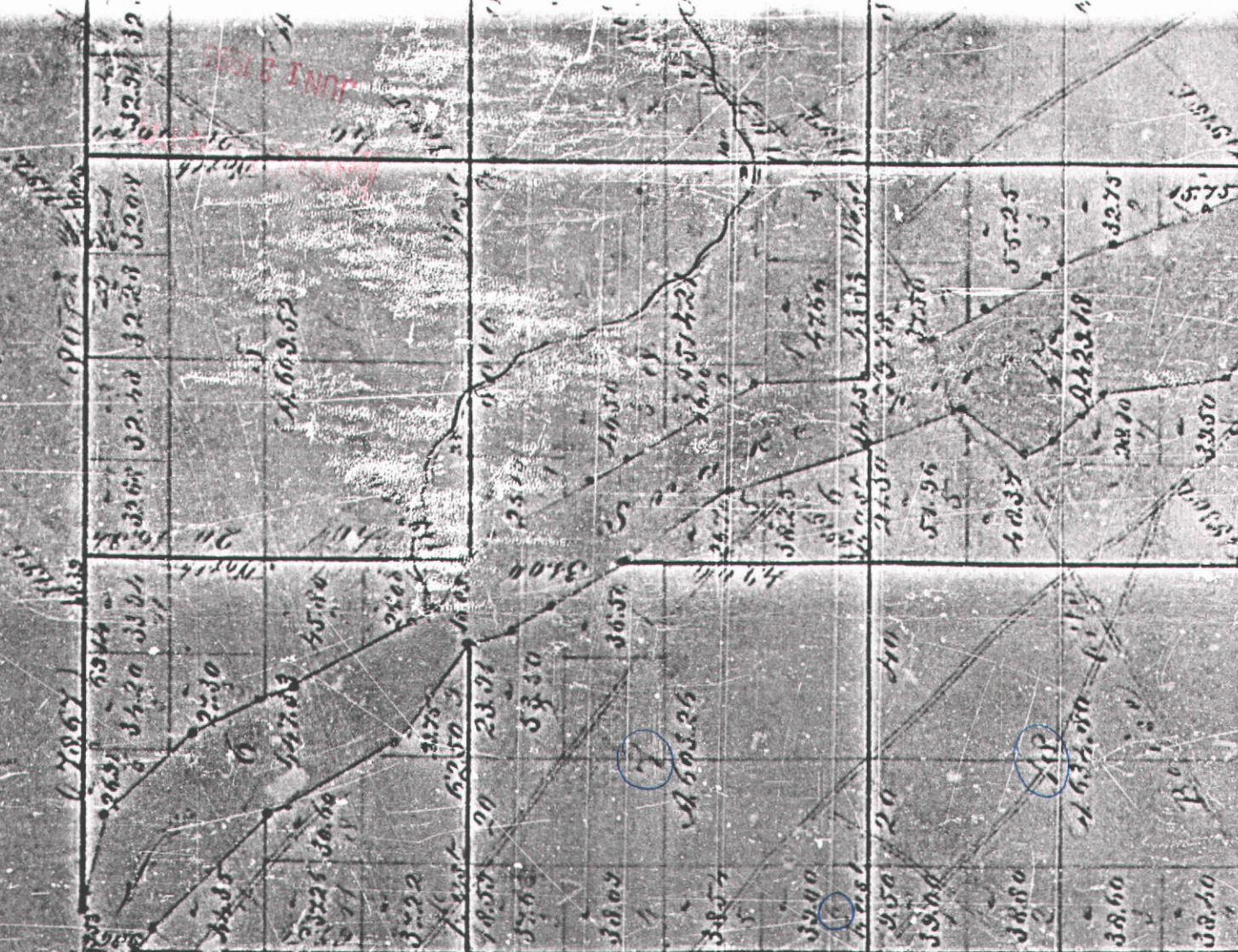


5018 INDI



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, 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 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 publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

March 1 & 8, 1995

Signed Joe E. Aman

Subscribed and sworn to me this 8th day of March A.D., 1995

Celine Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 7, 1997

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.

57-02169 ✓

Notice is hereby given that Earle & Patricia Foote of Melba ID have applied to the Department of Water Resources to add points of diversion to the following described water right pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS
RECORDED

Water Right No. 57-02169
Basis License
Date of Priority
12/20/1939

Source Ground Water
Amount 1.00 cfs
Use Irrigation
Point of Div SWSW, Sec 7,
T01S R02W

Place of Use S1/2SW, Sec
7, N1/2NE, Sec 18, T01S.
R02W, 105 acres total

P/D's WILL BE
DESCRIBED ON WATER
RIGHT 57-02169 AS
FOLLOWS:

Water Right No. 57-02169
Point of Div NESWSW
(existing cold well)

NWSWSW (existing hot
well)

NWSWSW (new cold well)
SWSWSW (existing cold
well)

SESWSW (existing cold
well)

Lot 6, Sec 7, T01S, R02W
Place of Use no change

Any protest against
approval of the proposed
change of water right
application must be filed
with the Department of
Water Resources, Western
Region, 2735 Airport Way,
Boise, ID 83705, together
with a protest fee of \$25 on

or before March 20, 1995.
The protestant must also
send a copy of the protest to
the applicant.

R. Keith Higginson
Director

Publish March 1 & 8, 1995

RECEIVED

APR 03 1995

WATER RESOURCES
WESTERN REGION

JUN 13 1995

BOISE TRUST BRANCH

THE IDAHO FIRST NATIONAL BANK

BOISE, IDAHO

December 24, 1947

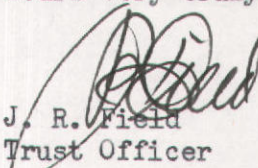
State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

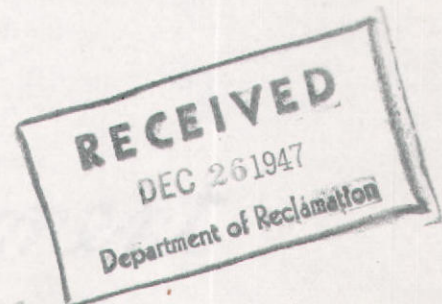
We received your letter of December 19 regarding Permit No. 18922 and we realize that question No. 6 was not completely answered but we attempted to explain that the water was used with other water on several hundred acres of land.

However, we have supplied this information on the depositions of holder and witnesses and we had the consent of the witnesses to make these additions.

Yours very truly,


J. R. Field
Trust Officer

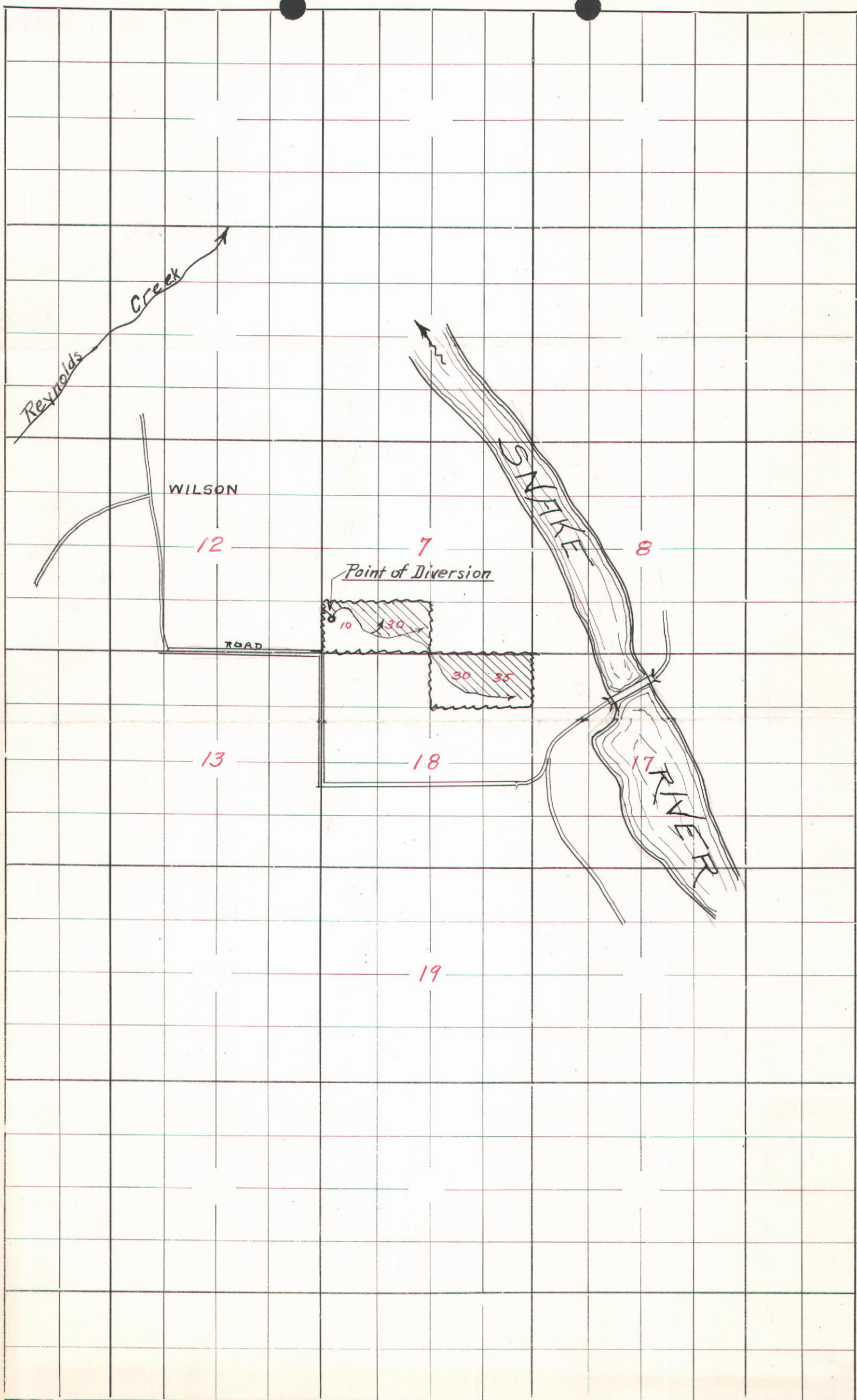
JRF:lc
Encl.



18922

41-1401

2-66010041-401



AL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 A. M. on the 10th day of December, 1947, at 815 Idaho St., Boise, County of Ada, State of Idaho, before Frances McKenna, Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of artesian well in accordance with the terms and conditions of Permit No. 18922 heretofore issued by the State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Edith Musser and Dorothy Musser, by Boise Trust Co., Agent, 815 Idaho St., Boise.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 6, Section 7, T. 1 S., R. 2 W. and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, T. 1 S., R. 2 W.

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

of use is private ditch.

The right to take water from such works is based upon Permit No. 18922.

The source of supply from which such water is diverted is artesian wells.

The date of priority which said user is prepared to establish is December 20, 1939.

MARK R. KULP,
State Reclamation Engineer.

10-16-4.

AFFIDAVIT OF PUBLICATION

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 Village 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 OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

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 issues of said newspaper, on the following dates:

Oct. 16, 1947

Oct. 23, 1947

Oct. 30, 1947

Nov. 6, 1947

Signed

Everett A. Colley

Subscribed and sworn to before me this 15th day of Dec.,
A. D., 1947.

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

residing at Caldwell, Idaho

My commission expires Feb. 5, 1951.

18922

NOTICE FOR PUBLICATION.

Notice is hereby given that at 10 A. M. on the 26th day of December, 1944, at Boise, County of Ada, State of Idaho, before Frances McKenna, a Notary Public, proof will be submitted of the completion of works for the diversion of one cubic foot per second of the waters of artesian wells-subterranean in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Edith Musser and Dorothy Musser.

2. The postoffice address of such person or principal place of business of such corporation is c/o Boise Trust Company, Boise, county of Ada, State of Idaho.

3. The number of such permit is 18922, and the date set for the completion of such work is December 26, 1944.

4. Said water is to be used for irrigation purposes.

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

6. The amount of lands for which said water is available is 159 acres, particularly described as follows: SE¼ SW¼ and Lot 6, Section 7, Twp. 1 S., Rge. 2 W., and the N½ NE¼, Section 18, Twp. 1 S., Rge. 2 W.

MARK R. KULP,
State Reclamation Engineer.
11-30-4

AFFIDAVIT OF PUBLICATION

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 published weekly, on Thursday of each and every week, in the Village of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Chronicle has been 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 OF 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 issues of said newspaper, on the following dates:

Nov. 30, 1944

Dec. 7, "

" 14, "

" 21, "

Signed -----

Everett A. Colley

Subscribed and sworn to before me this 22nd day of Dec.,
A. D., 1944.

Geo. DeSaulniers
Notary Public in and for the State of Idaho.

residing at Boise, Idaho

My commission expires 3/6, 1947.

18922

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4495
WATER RIGHT NO. 57-02169

This is to certify that: EARLE G FOOTE
PATRICIA B FOOTE
HC 79 BOX 52
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.00 CFS	472.5 AF

SOURCE

GROUNDWATER

Priority: 12/20/1939

LOCATION OF POINT(S) OF DIVERSION: Lot 6(SWSW), Sec. 7, Township 01S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	7	Lot 6(SWSW) 10	SESW 30		40
		18	NENE 35	NWNE 30		65
Total number of acres irrigated:						105

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MINNEN

JUN 13 1995

TRANSFER NO. 4495
WATER RIGHT NO. 57-02169

CONDITIONS/REMARKS:

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4495 shall not exceed 1.00 cfs, nor total combined annual volume of 472.5 af.
8. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
9. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
10. Use of this right with Right Nos. 57-00277, 02-07091, 02-02399, and 02-02439 is limited to a total combined diversion rate of 17.84 cfs, a total combined annual consumptive use volume of 3122.0 af, and to the irrigation of a combined total of 892.0 acres in a single irrigation season.
11. Five points of diversion are located within Lot 6 (SWSW), S07, T01S, R02W.

Dated this 7th day of

June

, 1995.

[Signature]
Chief, Water Alloc. Bureau

RECEIVED
JUN 13 1995

PART 1**6. General Information:**

a. Description of diversion system One existing hot well to cooling pond & relief.
4 interconnected cold wells to underground sprinklers within
SWSN Section 07

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change.

d. Remarks:

Drilling Permit #57-94-W-0068-000

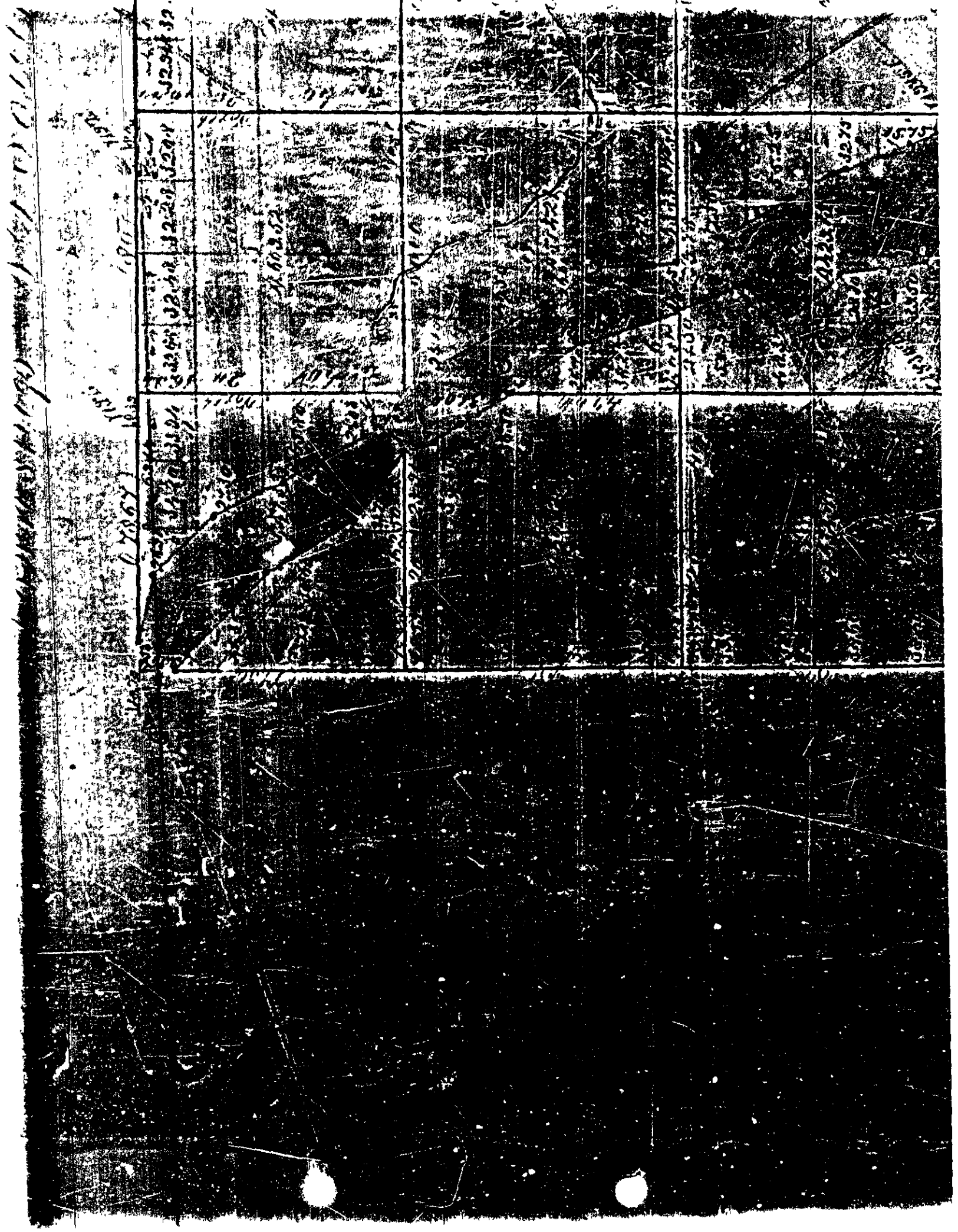
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____

JUN 13 1995



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE***N/A*

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Earle Foots

(Signature of Applicant)

Subscribed and sworn to before me this 9 day of Dec., 1997.*Linda Werner*LINDA WERNER
RESIDING AT EAGLE, IDAHO

(Notary Public)

My commission expires MY COMMISSION EXPIRES DEC. 8, 1994**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by CJH Date 12/9/94 Protest filed by _____Prelim. check by 1/2 Fee 100-Receipted by CJH W018423 Date 12/9/94Published in Owyhee Avalanche Copies of protest forwarded by _____Pub. dates 3-1 + 8, 1995 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by DBS

Copy of transfer sent to lien holder _____

JAN 3 1995

State of Idaho
License and Certificate of Water Right

Water License No. 18922

Amount One second foot

Water District No. _____

Priority December 20, 1939

THIS IS TO CERTIFY that **EDITH AND DOROTHY MUSSER, By Boise Trust Company,**
of **Boise, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **December 20**, 19 **39**; that Permit No. 18922
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
One second foot, was issued thereunder on **June 28**, 19 **45**, showing that said works
were completed on the **26th** day of **December**, 19 **44**; and that on the **17th**
day of **December**, 19 **47**,

EDITH AND DOROTHY MUSSER, By Boise Trust Company

of **Boise**, 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, a tributary of _____, for the purpose of **irrigation**

, under Use Permit No. **18922** 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 **4444**, on the **23rd** day of **February**, 19 **49**;

The right hereby confirmed dates from **December 20**, 19 **39**;

The Point of Diversion is located

in the **SW 1/4 SW 1/4**, Sec. **7**, Tp. **1 South**, R. **2 West**, 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 **One** cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	2 W.	7	SW 1/4 SW 1/4	39	10
			SE 1/4 SW 1/4	40	30
			NE 1/4 NE 1/4	40	35
			NW 1/4 NE 1/4	40	30
			Number of Acres actually Irrigated - - -		105

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
23rd day of **February**, 19 **49**.

MARK H. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26328
Permit No. 18922
District No.

1. Name of Applicant: EDITH MUSSEY AND DOROTHY MUSSEY BY BOISE TRUST CO., AGENT
Postoffice address: Boise County: Ada State: Idaho

- I. If applicant is a corporation, give:
- (a) Date and place of incorporation:
 - (b) Amount of capital stock:
 - (c) Amount paid in:
 - (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand: \$10,000.00
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources: 900 acres in this property free and clear of encumbrance

2. Quantity of water claimed: 15 cubic feet per second.

3. Source of water supply: subterranean (4 artesian wells) which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section 1, T. 1 S., R. 3 W., B. M., and is the SE 1/4 & Lot 6 Sec. 7, T. 1 S., R. 2 W.
and SW 1/4 & NE 1/4 Sec. 12
of Section 1, T. 1 S., R. 3 W., B. M., County of Owyhee

5. Water is to be used for: Irrigation

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

- (a) Point of use of water: feet distant from corner of Section
T. 1 S., R. 3 W., B. M., in the of Section 1, T. 1 S., R. 3 W., 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 1, T. 1 S., R. 3 W., B. M., in the
of Section 1, T. 1 S., R. 3 W., B. M.

7. Estimated cost of works: \$15,000.00

8. Kind of works: Artesian wells and ditch

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 3 feet; width at water line 4 feet; depth of water 3
feet; dimensions of flume: No
Diameter of pipe No inches; length of conduit 2 miles.
Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

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

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

15. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

EDITH MUSSEY AND DOROTHY MUSSEY
By BOISE TRUST COMPANY, Agent

Applicant.

By **W. W. Howell**

Agent.

Date of first receipt at Department of Reclamation: 3:30 P. M. Dec. 20, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **18922**
Recorded in Book **69** Page **18922** Approved **December 26, 1939**
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 **February 24, 1940** 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 **June 26, 1942**
The whole of said work to be completed on or before **December 26, 1944**
Beneficial use of water appropriated in accordance herewith, to be made on or before **December 26, 1947**

Witness my hand this 26th day of December, 1939

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. BOTTOLFSEN Governor of the State of Idaho, and GEO. H. CURTIS
Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have
caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of December 19 39

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLESEN

Governor.

Remarks: At the moment we are installing a 4-inch test well, marked Well No. 3, and if this develops the proper supply of water, it is expected other wells will be developed during the period of five years.

14.

[illegible]

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 18922

Comes now Edith and Dorothy Musser, By Boise Trust ~~Company~~ Agent, and represents to the State Reclamation Engineer of the State of Idaho:

That they are the owners and holders of Permit to appropriate the Public waters of the State of Idaho, No. 18922, and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6, of Section 7, Twp. 1 S., Rge. 2 W., and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, Twp. 1 S., Rge. 2 W.
making a total of 159 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 6th day of October, 1944.

EDITH MUSSER and DOROTHY MUSSER, By
BOISE TRUST COMPANY, Agent
By W. W. Howell

Date of receipt at Office of Department of Reclamation Oct. 7, 1944. Vice President

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark A. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18922. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK I. KULP
State Reclamation Engineer

P E R M I T N O . 18922

Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that EDITH MUSSEY AND DOROTHY MUSSEY, BY BOISE TRUST CO., AGENT, of Boise, County of Ada, and State of Idaho, the holders of Permit No. 18922, issued upon Application No. 26328, bearing date of priority of December 20, 1939, authorizing the diversion of Fifteen (15) second feet of the waters of Four artesian wells (subterranean), County of Owyhee, State of Idaho, for irrigation purposes, have fully completed 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 One (1) second foot of the waters of one well; that the point of diversion is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Township 1 South, Range 2 West, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 7; and NE $\frac{1}{2}$ NE $\frac{1}{2}$ Section 18; Township 1 South, Range 2 West, B.M.

Witness my hand this 28th day of June, A. D. 1945.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 26, 1944
Certificate of completion of works issued June 28, 1945.

1501 OF 1501 FEET 1.02 SEC. FT.

p. 4444

1. DRILLING PERMIT NO. 57-94-W-0068 - 000
Other IDWR No. 57-2169 XFER 4495

2. OWNER:

2. OWNER: **EARL FOOTE**
Name _____
Address **HC 79 BOX 52**
City **MELBA** State _____ ID# **83641**

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

HWY 78

Address of Well Site _____
City **MELBA**

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
 Thermal ☐ Injection ☐ Other ☐

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	18	18	OVERBORE

Was drive shoe used? Y ☐ N ☒

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	3	42	250	STEEL	☒	☐	☒	☐
8"	82	102	250	STEEL	☒	☐	☐	☐
8"	142	147	250	STEEL	☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Screen Type **HOUSTON**

From	To	Slot Size	Number	Diameter	Material	Casing	Lines
42	02	12.5		8	SS	☒	☐
02	82	20	8	8	SS	☒	☐
102	142	.16		8.95	SS	☒	☐

40. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

40 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min	Drawdown	Pumping Level	Time
200'	40	80'	32 hrs

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments:_____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
18	0	2	BROWN TOPSOIL	NO	
18	2	16	BOULDERS/BROWN CLAY	NO	
18	16	24	BROWN CLAY/BOULDERS	NO	
18	24	39	LIGHT BROWN CLAY	NO	
18	39	50	BRWN GRAVL/BOLDERS	YES	
18	50	52	BROWN CLAY	NO	
18	52	58	BLACK SAND	YES	
18	58	94	BLACK PACKED SAND	YES	
18	94	96	HARD BLCK SANDSTONE	YES	
18	96	103	CRACKED SANDSTONE	YES	
18	103	110	HARD BLCK SANDSTONE	YES	
18	110	123	BLK SOFT/PACKED SANDY	YES	
18	123	130	BLK CRAKED PAKD SANDY	YES	
18	130	135	BLACK HARD SAND	YES	
18	135	140	CRACKS IN BLK SAND	YES	
18	140	162	PKD BLCK SANDW/CRKS	YES	

GRAVEL PACKED FROM
20' TO 162'

RECEIVED

MAR 9 1995

~~RECEIVED~~

Department of Water Resources MAR 01 1995

~~WATER RESOURCES~~
WESTERN REGION

Completed Depth **147'** (Measurable)
Date: Started **12/24/94** Completed **2/16/95**

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name **S.O.S.WELLDILLING** Firm No. **212**

Firm Official Frank Skerine Date 2-27-95

and
Supervisor or Operator Tony Barbetta Date 2-23-95
(Sign date if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 7, 1995

EARLE G FOOTE
PATRICIA B FOOTE
HC 79 BOX 52
MELBA ID 83641

Transfer of Water Right No. 57-02169

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4495). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED

JUN 13 1995

MEMORANDUM

TO: FILE NO. 57-02169
FROM: PAM SKAGGS/^{CS}STATE OFFICE
SUBJECT: TRANSFER NO. 4495
DATE: June 7, 1995

=====

Transfer No. 4495 is filed to add points of diversion to Right No. 57-02169. The original license was developed with an artesian geothermal well and the transfer will add 4 interconnected cold water wells to the right. A portion of the land will be irrigated using the cold water wells.

The Snake River Basin Adjudication recommendation included a combined rights limitation with surface water rights and the original license exam notes the groundwater use is supplemental to surface rights. Groundwater supplemental conditions are recommended requiring full use be made of surface rights that are appurtenant to the same lands and limiting the use of groundwater should any appurtenant surface rights be removed.

Other recommended conditions include multiple points of diversion/measuring devices, drilling permit requirements, irrigation overlap and standard transfer conditions.

MEMORANDUM

JUN 13 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4495

Date Reviewed 06-07-95

Right(s) 57-02169 Per SRBA Directors Report Basin 57 28

☒ Print Split Summary ☒ Run POU Comparison Report

B:Change P/D ☒ Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership NA/ P/D add only.

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Right

Season/Vol. D/4.5

- (1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☒ Volume
(6) ☒ Source (7) ☐ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) ☒ NO Water District (12) ☒ Pertinent Conditions Combined Limits (13) ☒ NO Expansion

(7) Add new P/D - Note multiple P/Ds on right

Supplemental GW per POU comparison + Combined condition - Rate < .01 per acre

Transfer Remarks 5 P/Ds / SW 34 (More Description in Comments) WB4
Conditions 0416, 0417, R32, T07, T08, T09, T17 WB3, WB8
Multiple P/Ds

Database/Processing Notes T file (SRBA Blank Record)

Copy to an X prefix on WR database pending conclusion of SRBA
Add comment to base (Neak) WR - T#, based on SRBA rec., See X57-02169

WR Reports File _____

Transfer Memo Complete ☒

Basin
57 →

6/8/95

WR0749NP
No. T57-02169

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/07/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EARLE G FOOTE	12/20/1939	IRRIGATION	03-15 11-15	1.000 CFS	472.50 AFA
C	PATRICIA B FOOTE					
	HC 79 BOX 52					
	MELBA ID 83641			TOTAL DIVERSION:	1.000 CFS	472.50 AFA
	(208) 495-1121					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01S R02W S07 Lot 06(SWSW)

OWYHEE County

Point of Diversion Name(s):

	Name	Rate	Number
T01S R02W S07 Lot 06 (SW SW)	1 HOT & 4 COLD WELLS		

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
01S	02W	7	:																													
01S	02W	18	:	35		30																										
																												TOTAL ACRES	105.0			

Pou County. OWYHEE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:
57-02169

Other Water Rights Listing Overlapping Place(s) of use:
02-02399 02-02439 02-07091 57-00277 57-02169

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder

Conditions of Approval:

- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Remarks. The total instantaneous diversion of water from all points of diversion under Transfer No. 4495 shall not exceed 1.00 cfs, nor total combined annual volume of 472.5 af. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department. Use of this right with Right Nos. 57-00277, 02-07091, 02-02399, and 02-02439 is limited to a total combined diversion rate of 17.84 cfs, a total combined annual consumptive use volume of 3122.0 af, and to the irrigation of a combined total of 892.0 acres in a single irrigation season. Five points of diversion are located within Lot 6 (SWSW), S07, T01S, R02W.

Dates: App. Received: Priority Date: 12/20/1939
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 12/09/1994 User-ID: CHODGES Subject: **TRANSFER NO. 4495**
Trans. #4495 was filed to add points of diversion under this right (changing from geothermal well to cold water wells). The transfer is based on the right as recommended in the SRBA Basin 57 Director's Report and the approved version will be stored under an X prefix on the WR database pending conclusion of the adjudication.

Date: 06/07/1995 User-ID: PSKAGGS Subject: **POINTS OF DIVERSION LOCATIONS**
Use of a total of 5 wells is authorized under Transfer No. 4495.
1 in NESWSW-existing cold well.
2 in NWSWSW-existing hot well and new cold well.
1 in SWSWSW-existing cold well.
1 in SESWSW-existing cold well.

All in Government Lot 6.

~~prefix pending the conclusion of the adjudication. (08-03-94 Not There/Ghost Line Skaggs)~~

Audit: 12/09/94 CHODGES 06/02/95 SCURTIS 06/06/95 SCURTIS 06/07/95 PSKAGGS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM			
		NE		NW		SW		SE		NE		NW		SW		SE					
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
T01S R02W S 7																					
0202399	SNAKE RIVE :	4		39		:	39	38	38	40	:	39	34		:				271		
A0202399	SNAKE RIVE :		02-38	21	01-12	:	39	03-38	04-38	39	:	39	05-35	06-2	24	:	4	38	36	26	429
0202439	SNAKE RIVE :					:		10	38	20	:	40	39		20	:	40	40			247
A0202439	SNAKE RIVE :			21		:		03-38	04-38	39	:	39	05-35	06-2	24	:	4	38	36	26	340
0207091	SNAKE RIVE :			18		:					:			06-14		:					32
A0207091	SNAKE RIVE :			18		:					:			06-14		:					32
5700277	REYNOLDS C :			20		:	29	03-36	04-38	28	:	40	05-29	06-12	23	:		29	39	9	332
*5700277	REYNOLDS C :			20		:	29	03-36	04-38	28	:	40	05-29	06-12	23	:		29	39	9	332
A5700277	REYNOLDS C :			20		:	29	03-36	04-38	28	:	40	05-29	06-12	23	:		29	39	9	332
5702169	GROUNDWATE :					:					:			10	30	:					40
*5702169	GROUNDWATE :					:					:			10	30	:					40
A5702169	GROUNDWATE :					:					:			10	30	:					40
T5702169	GROUNDWATE :					:					:			10	30	:					40
--86 MAP--	C73Q-Y 56 :			38		:	42			39	:	43			36	:	38	41	38	41	356
NO QTRS	MAPPING	Lot01	27	Lot02-48	Lot03-36	Lot04-36	Lot05-35	Lot05-35													
--86 MAP--	COQ-Y 56 :			39		:	38			43	:	39			35	:	37	37	40	45	353
NO QTRS	MAPPING	Lot02	28	Lot02-50	Lot03-37	Lot04-39	Lot05-36	Lot05-36													

T01S R02W S 18

A0200054	SNAKE RIVE :			I	I	I	I	I	I	I	I	I	I	I	I	I	I	
0202027	SNAKE RIVE :			34	34					24			25	30	29	29	29	234
A0202027B	SNAKE RIVE :			I	I	I	I	I	I	I	I	I	I	I	I	I	I	
0202399	SNAKE RIVE :	33	19															52
A0202399	SNAKE RIVE :	33	24	5	18	2												82
0202439	SNAKE RIVE :	40	20															60
A0202439	SNAKE RIVE :	33	24															57
5700277	REYNOLDS C :	20	20															40
*5700277	REYNOLDS C :	20	20															40
A5700277	REYNOLDS C :	20	20															40
5701002	REYNOLDS C :									35			36		3			74
*5701002	REYNOLDS C :									35			36		3			74
A5701002	REYNOLDS C :									35			36		3			74
5702006C	REYNOLDS C :									35			15					50
*5702006C	REYNOLDS C :									35			15					50
A5702006C	REYNOLDS C :									35			15					50
5702062	REYNOLDS C :															21		21
*5702062	REYNOLDS C :															21		21
A5702062	REYNOLDS C :															21		21
5702094B	REYNOLDS C :			6		01-37								23				66
5702094C	REYNOLDS C :						02-36											36
*5702094C	REYNOLDS C :						02-36											36

Possible Overlaps with surface rights.

DATE: 06/06/95
PAGE: 2

[illegible]

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 06/06/95
PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
57-02169	MUSSER , EDITH MUSSER , DOROTHY	1.00

T#4495

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: lg APPLICANT Earle + Pat Foote

1. Right number 57-02169
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change of point of diversion ☒ Add diversion point(s) ☐ Change of place of use
☐ Change nature of use ☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ☒ SRBA claim
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A - surface water rts
 - j. ☒ SRBA claim. Comments recommended to court as licensed
 - k. ☒ Use within Water District? ☐ Yes ☐ No
If yes, what district? _____ Comment letter sent ☐ Yes ☐ No
 - l. ☐ Legal notice electronically transmitted to DWR03::Vault? ☒

FINAL PROCESSING REVIEW BY: Dns

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

RECEIVED

MAY 26 1995

4. By Dns Date May 16, 1995 Department of Water Resources

*All uses within Water Districts require special conditions.

* Domestic rts. listed are for separate domestic systems per conv w/ Cindy Hodges based on her field exam findings.

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, 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 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 publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

March 1 & 8, 1995

Signed _____

Subscribed and sworn to me this 8th day of March A.D., 1995

Corine Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 7, 1997

57-02189
Notice is hereby given that Earle & Patricia Foster of Melba ID have applied to the Department of Water Resources to add points of diversion to the following described water right pursuant to section 48-302 of Idaho Code.
WATER RIGHT AS RECORDED

Water Right No. 57-02189
Basic License
Date of Priority 12/20/1939
Source Ground Water
Amount 1.00 cfs
Use Irrigation
Point of Div SWSW, Sec 7, T01S R02W
Place of Use S1/2SW, Sec 7, N1/2NE, Sec 16, T01S R02W, 105 acres total
P/D's WILL BE DESCRIBED ON WATER RIGHT 57-02189
FOLLOWS:

Water Right No. 57-02189
Point of Div NWSWSW (existing cold well)
NWSWSW (existing hot well)
NWSWSW (new cold well)
SWSWSW (existing cold well)
SESWSW (existing cold well)
Lot 6, Sec 7, T01S, R02W
Place of Use no change
Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83725, with a protest for or before March 30, 1995. The protestant must also send a copy of the protest to the applicant.

Public Notice of Application

RECEIVED
APR 03 1995
WATER RESOURCES WESTERN REGION

JUN 13 1995

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO.
57-02169

Notice is hereby given that Earle & Patricia Foote of Melba ID have applied to the Department of Water Resources to add points of diversion to the following described water right pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No.	57-02169
Basis	License
Date of Priority	12/20/1939
Source	Ground Water
Amount	1.00 cfs
Use	Irrigation
Point of Div	SWSW, Sec 7, T01S R02W
Place of Use	S1/2SW, Sec 7, N1/2NE, Sec 18, T01S, R02W, 105 acres total

P/D's WILL BE DESCRIBED ON WATER RIGHT 57-02169 AS FOLLOWS:

Water Right No.	57-02169
Point of Div.	NESWSW (existing cold well) NWSWSW (existing hot well) NWSWSW (new cold well) SWSWSW (existing cold well) SESWSW (existing cold well) Lot 6, Sec 7, T01S, R02W

Place of Use. no change

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25 on or before March 20, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published in the Owyhee Avalanche on March 1 and 8, 1995.

RECEIVED

JUN 13 1995

✓
December 30, 1950

Re: License No. 18922

Mr. J. R. Field, Trust Officer
Boise Trust Branch
815 Idaho Street
Boise, Idaho

Dear Mr. Field:

In checking our record of License No. 18922 in the name of Edith and Dorothy Musser, we find that all the land is described as being in Section 7, Township 1 South, Range 2 East, B.M., whereas the NE $\frac{1}{4}$ NE $\frac{1}{4}$ should be in Section 18.

Will you please check the License and see if it also contains this error, and if it does, please return to this Department for correction.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

*Jan. 2 - 1951 - Advised by phone because is OK -
Corrected on record -*

18922

18922
✓

February 25, 1949

Boise Trust Branch
815 Idaho Street
Boise, Idaho

Attention: Mr. J. R. Field

Gentlemen:

We enclose License and Certificate of Water Right issued under Permit No. 18922, confirming the right of Edith and Dorothy Musser to the use of One (1) second foot of water from an artesian well, located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Township 1 South, Range 2 West, B.M., with priority of December 20, 1939, for the irrigation of 105 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, Township 1 South, Range 2 West, B.M.

We also enclose Departmental Receipt No. 21297 for the \$8.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Chief Clerk

A:bn
Enc.

18922

1
February 18, 1949

Boise Trust Branch
815 Idaho Street
Boise, Idaho

Attention: Mr. J. R. Field

Gentlemen:

We return the check enclosed in your letter of February 17, in order that the receipt may be corrected to show that it is for \$8.00 and not for \$80.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

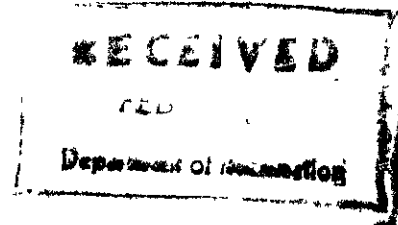
18922

BOISE TRUST BRANCH

THE IDAHO FIRST NATIONAL BANK

BOISE, IDAHO

February 17, 1949



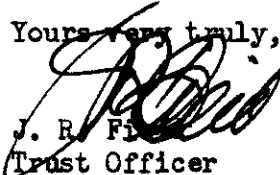
Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. 18922

Dear Mr. Kulp:

In accordance with the instructions contained in your letter of February 16th regarding Permit No. 18922, we are inclosing our check in the amount of \$8 which is the statutory fee and we understand a license will be issued covering our use of the water from the well referred to.

Yours very truly,


J. R. Fildes
Trust Officer

JRF/k
Encl.

18922

✓
February 16, 1949

Re: Permit No. 18922

Boise Trust Branch
Idaho First National Bank
815 Idaho Street
Boise, Idaho

Attention: Mr. J. R. Field

Dear Mr. Field:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 18922, in the name of Edith and Dorothy Musser. This report shows that 105 acres have been irrigated in the $SE\frac{1}{4}SW\frac{1}{4}$ of Section 7 and the $N\frac{1}{2}NE\frac{1}{4}$ of Section 18, Township 1 South, Range 2 West.

Therefore, upon receipt of the statutory fee of \$8.00, being at the rate of \$2.00 for each 40 acre sub-division in which the land is located, a license will be issued for One (1) second foot of water from a well located in Lot 6 or the $SW\frac{1}{4}SW\frac{1}{4}$ of Section 7, Township 1 South, Range 2 West, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh

18922

02-2084
file → 02-2399
01-2051
57-2169

March 15, 1976

Mr. Michael L. Schindele
Derr, Derr, Walters, Williamson & Poole
P.O. Box 1006
Boise, Idaho 83701

RE: Dr. and Mrs. Earl G. Foote, Jr.
Property

Dear Mr. Schindele:

Please refer to your letter of March 11th in which you have requested additional water rights appurtenant to described lands.

In searching our records, we were able to find two additional licenses which are appurtenant to these lands, and which, of course, go with the land unless excepted in the sale contract. We have enclosed copies of these licenses for your clients' records. The fee for the copies is \$1.00 which you may remit to this office at your earliest convenience.

If we can be of further assistance, please advise.

Sincerely,

Marcia L. Brown
Records Supervisor

mlb
Enc.

11
10
9
8
7
6
5
4
3
2
1

DERR, DERR, WALTERS WILLIAMSON & POOLE
ATTORNEYS AND COUNSELORS AT LAW

ALLEN R. DERR
JAMES W. DERR
JESSE R. WALTERS
DARLA S. WILLIAMSON
BERT L. POOLE
MICHAEL L. SCHINDELE

DERR BUILDING
817 WEST FRANKLIN STREET
P.O. BOX 1006
BOISE, IDAHO 83701

March 11, 1976

BOISE TELEPHONE
208 342 2674
McCALL OFFICE
THIRD STREET
P.O. BOX 154
McCALL, IDAHO 83638
TELEPHONE 208-634-5641

Department of Water Resources
373 W. Franklin
Boise, Idaho 83702

Gentlemen:

My clients, Dr. and Mrs. Earle G. Foote, Jr. received the enclosed assignments as part of the contract of sale of the land described in the two exhibits that are enclosed with this letter.

My question at this time is, are there any other water rights appurtenant to that land that are not described in the enclosed assignments.

The reason I am asking the above, is that I do not want any time limitations to slip by my clients before they should develop or put into operation any permits etc.

If you need more information than I have supplied you with, or if there is something I could do to find out the above without troubling your agencies, please advise me.

I would appreciate a reply to this letter at your earliest convenience.

Sincerely,

DERR, DERR, WILLIAMSON & POOLE



Michael L. Schindele

MLS/bt

Enclosure

ENCLOSURE

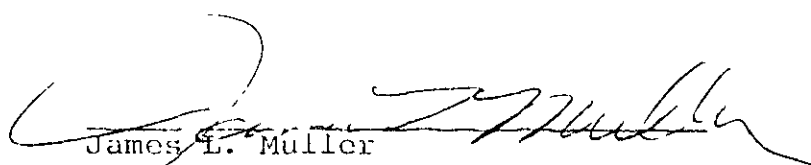
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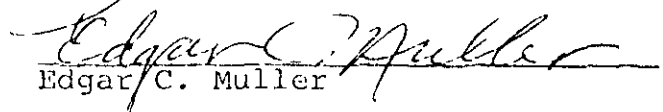
J. 003

A S S I G N M E N T

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned,
JAMES L. MULLER and EDGAR C. MULLER, hereby assign all of our
right, title and interest in and to Water License Permit
No. 02-2086 and No. 02-2399 to EARLEG. FOOTE and PATRICIA B.
FOOTE, husband and wife.

Dated this 2nd day of March, 1976.

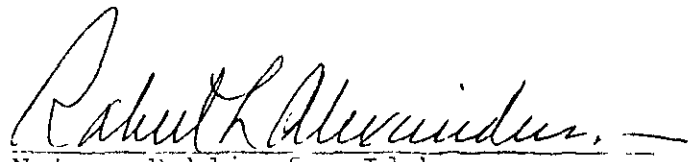

James L. Muller


Edgar C. Muller

STATE OF IDAHO)
 ss.
County of Canyon)

On this 2nd day of March, 1976, before me, ROBERT ...
ALEXANDERSON, a Notary Public in and for said State, personally
appeared JAMES L. MULLER and EDGAR C. MULLER, known to me to
be the persons whose names are subscribed to the within instrument,
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.


Notary Public for Idaho
Residing at Caldwell, Idaho

A S S I G N M E N T

KNOW ALL MEN BY THESE PRESENTS, That the undersigned,
MULLER BROTHERS FARM, a general partnership, does hereby
assign all of its right, title and interest in and to
Application for Permit No. 02-7091 to EARLE G. FOOTE and
PATRICIA B. FOOTE, husband and wife.

Dated this 2nd day of March, 1976.

MULLER BROTHERS FARM

By

James L. Muller
James L. Muller, Partner

By

Edgar C. Muller
Edgar C. Muller, Partner

STATE OF IDAHO)

ss.

County of Canyon)

On this 2nd day of March, 1976, before me, ROBERT L.
ALEXANDERSON, a Notary Public in and for said State, personally
appeared JAMES L. MULLER and EDGAR C. MULLER, known to me
to be the partners in the partnership of Muller Brothers Farm,
and the partners who subscribed said partnership name to the
foregoing instrument, and acknowledged to me that they executed
the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

Robert L. Alexander
Notary Public for Idaho
Residing at Caldwell, Idaho

EXHIBIT "A"

The north half of the northeast quarter of Section 18; Lots 1 to 6, inclusive, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the southeast quarter and the east half of the southwest quarter of Section 7; Lot 9 and the southeast quarter of the southwest quarter of Section 6, all in Township 1 South, Range 2 West, Boise Meridian; and the northeast quarter, and the northeast quarter of the southeast quarter of Section 12, in Township 1 South, Range 3 West, Boise Meridian, containing 947 acres, more or less, together with all water rights and together with a right-of-way for pumping station and pipe line, conveyed by one L. J. Foster by deed recorded October 3, 1936, in Book 28 of Deeds at page 655, in the records of Owyhee County, Idaho, and located in Lot 6, Section 17, Township 1 South, Range 2 West, Boise Meridian, the same being more particularly described as follows: Beginning at the southeast corner of said Lot 6, a strip of land 25 feet in width the center line of which bears south 78 degrees 25 minutes east and extending a distance of 1535 feet to a point; from said point a tract of land 100 feet in width, the center line of which bears south 78 degrees 25 minutes east for a distance of 100 feet more or less to Snake River, said right-of-way containing 1.11 acres, more or less; also a tract of land in the southeast quarter of the southeast quarter of Section 12, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho, described as follows:

Commencing at the southeast corner of Section 12; thence north 1080 feet on the section line to the real place of beginning; thence along the southerly right-of-way of irrigation ditch as follows: north 46 degrees 46 minutes west 100.3 feet; north 85 degrees west 210.4 feet; north 84 degrees 57 minutes west 100.2 feet; north 74 degrees 52 minutes west 176.1 feet; north 84 degrees 40 minutes west 200.5 feet; north 88 degrees 40 minutes west 100 feet; south 88 degrees 58 minutes west 97.1 feet; north 79 degrees 57 minutes west 151.7 feet; south 82 degrees west 141.9 feet; north 71 degrees 27 minutes west 85 feet to the west line of the southeast quarter of the southeast quarter of Section 12; thence leaving irrigation ditch, north 78.9 feet to the northwest corner of the southeast quarter of the southeast quarter of Section 12; thence south 88 degrees 40 minutes east 1320 feet to the northeast corner of the southeast quarter of the southeast quarter of Section 12; thence south 2 3 feet on the east line of Section 12 to the real place of beginning, containing 3.79 acres, more or less.

Excepting a tract of land in U.S. Lot 6, Section 7, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho, described as follows: Commencing at the southwest corner of Section 7, thence north 74 feet on the section line to the real place of beginning; thence north 1006 feet along the west side of Section 7; thence south 47 degrees 10 minutes east 83 feet along the southerly line of irrigation ditch right-of-way, which is 16 feet at right angles to the center line of ditch; thence south 62 degrees 20 minutes east 169 feet along the southerly

line of irrigation ditch right-of-way, which is 16 feet at right angles to the center line of ditch; thence south 75 degrees 57 minutes east 88 feet along the southerly line of irrigation ditch right-of-way, which is 16 feet at right angles to the center line of ditch; thence south 19 degrees 12 minutes west 899.6 feet along the fence on the west side of road to the real place of beginning, containing 3.30 acres, more or less, all in Owyhee County, Idaho

ALSO, That certain pump house, known as the Chase Pump House, situate in the Southeast corner of Lot 5, Section 17, Township 1 South, Range 2 West, B. M.,

Also conveying the Easement and Right-of-Way to construct a pipeline, over and across the said Lot 5, Section 17, as acquired by Right-of-way agreement granted to said parties of the first part by agreement with Louis J. Foster, dated May 6, 1933 and recorded in Book 7 of Bonds and Agreements at Page 50, Records of Owyhee County, office of the County Recorder.

RESERVING, HOWEVER, to Reynolds Irrigation District the right to construct and/or place an irrigation pump into said structure if same shall ever be required of said District.

Together with all water, water rights, ditches, and rights of way for ditches appurtenant thereto or in anywise appertaining;

Subject to all existing rights of way and easements;

EXHIBIT "B"

All land North and East of Murphy-Marsing Highway in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T1S, R2W, B. M. and Lots 5 & 6 of Section 8, T1S, R2W, B. M. and All of lot 6 that is North of Idaho State Highway 45 in Section 17, T1S, R2W, B. M. and

All of lot 5, Section 17, T1S, R2W, B. M. Except the following land: Beginning at a point on the North right-of-way boundary line of State Highway #45, Project No. NRS 175, records of the Dept. of Highways, Boise, Idaho and which point is further located as being North 25°59' West, a distance of 33 feet from the centerline of said State Highway #45 at Survey Station 798+00, thence North 25°59' West a distance of 240 feet; thence North 64°01' East a distance of 290 feet, more or less to the South bank of Snake River; thence Southeasterly along the South bank of Snake River to its point of intersection with the North right-of-way boundary line of said State Highway #45 a distance of 240 feet, more or less; thence South 64°01' West a distance of 280 feet, more or less, to the point of beginning.

A parcel of land being on the Northwestern side of the centerline of State Highway #45, Project No. S-3754 (5) Highway Survey as shown on the plans thereof now on file in the office of the Department of Highways of the State of Idaho; being a portion of Government Lot 5 of Section 17, Township 1 South, Range 2 West, Boise Meridian, described as follows, to wit:

Commencing at the Southwest corner of the tract of land as described in that certain Correction Warranty Deed dated April 12, 1963, recorded April 26, 1963 in Book 56 at page 244 as Instrument No. 109107 records of Owyhee County, Idaho; thence North 25°17'18" West (Shown of record to be North 25°59'00" West) along the Southwesterly line of said tract of land 240.0 feet to the Northwest corner thereof and being the REAL POINT OF BEGINNING; thence continuing North 25°17'18" West - 210.0 feet; thence North 62°42'42" East - 330.0 feet, more or less, to a point in the Southwesterly Highwater line of the Snake River; thence Southeasterly along said Southwesterly Highwater line 211.0 feet, more or less, to a point in the North line of said tract of land; thence South 62°42'42" West (shown of record to be South 64°01'00" West) along said North line 345.0 feet, more or less, to the REAL POINT OF BEGINNING.

Highway Station Reference: 798+81 to 802+70.

All ground that is North of the Murphy-Marsing Highway that is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 18, T1S, R2W, B. M., Owyhee County, Idaho.

SUBJECT TO Power Line Easements as granted the Idaho Power Company, a corporation, by deeds recorded March 20, 1934 and on October 19, 1934, in Book 27 of Deeds, pages 336, 532 and 535 and on July 22, 1936 in Book 6 of Bonds & Agreements, page 272, Owyhee County Records.

SUBJECT TO Grant of Right of Way over and across Lots 5 & 6 of Sec. 17, T1S, R2W, B. M., as granted the Reynolds Irrigation District, by Instrument recorded April 11th, 1939, in Book 7 of Bonds and Agreements, page 50, Owyhee County Records. de

Together with all water, water rights, ditches, and rights of way for ditches appurtenant thereto or in anywise appertaining;

Subject to all existing rights of way and easements;

✓
December 26, 1947

Re: Permit No. 18922

Mr. J. R. Field
Trust Officer
Boise Trust Branch
Idaho First National Bank
Boise, Idaho

Dear Mr. Field:

Reference is made to your letter of
December 24th, returning depositions in proof of
beneficial use under Permit No. 18922.

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

At the time of the inspection, which will
probably be some time next summer, the well should be
equipped with a control mechanism that can be approved
by this department, as per Section 41-1401, Idaho Code
annotated.

Very truly yours,

MARK R. KULP

K:A

State Reclamation Engineer

18922

BOISE TRUST BRANCH

THE IDAHO FIRST NATIONAL BANK

BOISE, IDAHO

December 24, 1947

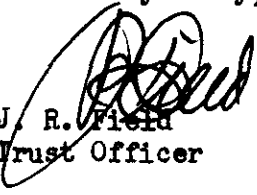
State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

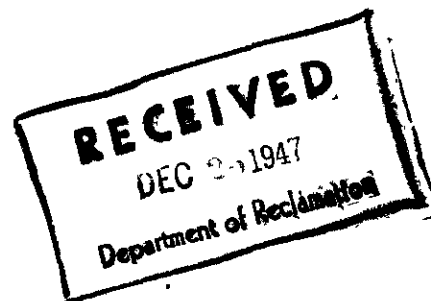
We received your letter of December 19 regarding Permit No. 18922 and we realize that question No. 6 was not completely answered but we attempted to explain that the water was used with other water on several hundred acres of land.

However, we have supplied this information on the depositions of holder and witnesses and we had the consent of the witnesses to make these additions.

Yours very truly,


J. R. Field
Trust Officer

JRF:lc
Encl.



18922

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

Permit No. 18922This proof is for Beneficial use In Water District No. _____1. Name of applicant Boise Trust Co., Agent for Edith & Dorothy Musser, Boise, Idaho2. Source of water supply: Artesian well3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ & Lot 6 of Section 7T. 1 S. R. 2 W. County of Owyhee4. Describe works as they exist, giving dimensions and capacities of same: An Artesian Well drilled to a depth of 1600 feet, 10 inch diameter, 8 inch casing, with valve control.A two inch pipe line leads to buildings and stock troughs.Ditches are 2 feet wide, and 1 foot deep.Well is said to flow at the rate of 60 Miners Inches when the valve is wide open.5. Water is used for Irrigation6. 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)

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 6, Section 7;NE $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18;Twp. 1 South, Range 2 West, 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? NoneRemarks This water is supplemental to other supplyThis examination was made on the 8th. day of April, 1948

(Signed)



Examiner.

18922

Boise Trust Co., Agent for
Edith & Dorothy Musser

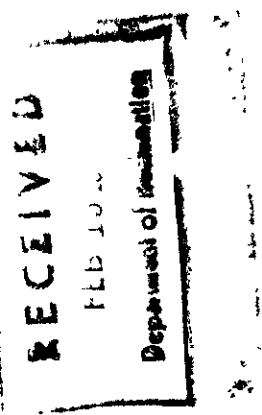
Permit No. 18922

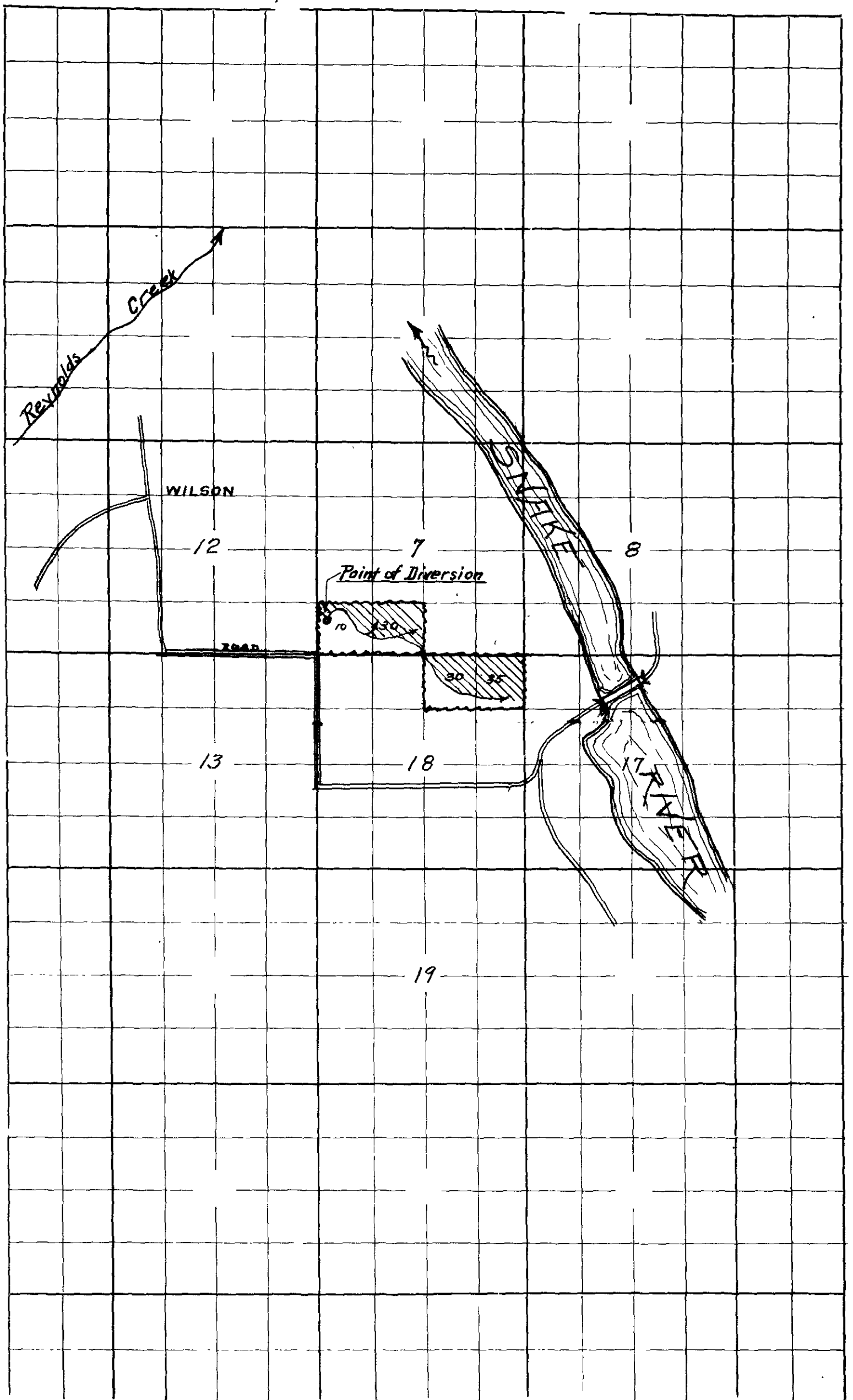
Examination for Beneficial use

County Owyhee

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.





Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

18922

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18922

REPORT ON PROOF OF Beneficial use

*1. cfs
4-40's*

app. 150,000 s

105 acres

4-40's

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18922

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Boise Trust Company, agent for Edith and Dorothy Musser, trust and
banking business, 815 Idaho St., Boise, 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. Our authority to appear is under a management contract with Edith & Dorothy Musser

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

Ans. 18922, Dec. 20, 1939, Feb. 24, 1940

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

Ans. Artesian well in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6, Section 7, T. 1 S., R. 2 W.

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.

Ans. Ditch, which will convey several second feet to point of use. The ditch is
private and has no name.

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. The water is used for irrigation and domestic hot water and the supply helps
irrigate about 300 acres adjacent to the well and the land is cultivated.
The water supplements the run-off from Reynolds Creek and increases the pro-
duction of the land and lengthens the irrigation season. The water is used on
approximately 250 acres in Section 7, T. 1 S., R. 2 W., and approximately 50
acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, T. 1 S., R. 2 W.

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

Ans. Domestic hot water

18922

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

Ans. 5 gallons per hour

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. The full flow of the well is used during the irrigation season.

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. We have diverted and used all Reynolds Creek water that came to us under our rights in that stream and in addition in the summer of 1947 we put in a pumping plant on the Snake River.

Boise Trust Company

(Sign)

Vice President

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 Boise, County of Ada,

State of Idaho, on this 17th day of December, A. D. 1947.

Notary Public for Idaho

Residing at Boise, Idaho

My commission expires

Nov 15 1948

18922

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18922

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. S. W. Guthrie, 45, 1306 N. 15th St., Boise, Idaho, real estate broker,
Box 697, Boise, Idaho

Ques. 2. Are you acquainted with Boise Trust Co., the holder of Permit No. 18922? How long have you known him and where does he reside?

Ans. Yes. I have known Boise Trust Company, agents for Edith and Dorothy
Musser, for about 20 years.

Ques. 3. Have you read or heard read said Permit No. 18922, 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, diverted at the well to a ditch and carried to the place
of use.

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. The ditch will carry several second feet; however, only about 1 second foot is available at the well.

Ques. 6. 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. The water is used for irrigation on about .00 acres of land adjacent to the well. This land is cultivated and the use of the water has supplemented the runoff water from Reynolds Creek and allowed them to irrigate more land for a longer period of time. The water is used on approximately 250 acres in Section 7, T. 1 S., R. 2 W., and approximately 50 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, T. 1 S., R. 2 W.

18922

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. This water flows from the well at about 90 degrees and is used at the house for hot water supply.

Ques. 8. (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. No land reclaimed but existing fields benefitted as explained in question 6.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

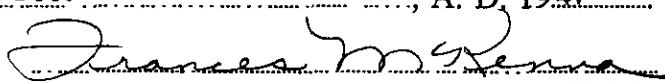
Ans. No

Ques. 10. 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. On several occasions during the past few years on trips to the property I have seen this water being used for irrigation and domestic use.

(Signed) 

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 Boise, County of Ada, State of Idaho, on this 17th day of Dec., A. D. 1947


Notary Public.

My commission expires Nov. 15, 1948

18922

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18922

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. Francis H. Neitzel, 46, 430 Pueblo, farmer, 523 First National Bank
Bldg., Boise, Idaho

Ques. 2. Are you acquainted with Boise Trust Company, the holder of Permit No. 18922? How long have you known him and where does he reside?

Ans. Yes. I have known the officers of Boise Trust Company, agents for
Edith and Dorothy Musser, for 20 years.

Ques. 3. Have you read or heard read said Permit No. 18922, 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, SE 1/4 SW 1/4 and Lot 6, Section 7, T. 1 S., R. 2 W., carried
to the place of use through ditch.

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. 1 second foot of water available at the well, although ditch will carry
several second feet.

Ques. 6. 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. This water irrigates about 300 acres of land adjacent to the well.
The land is cultivated and this water supplements the runoff water from Reynolds
Creek, permitting irrigation of more land for a longer period of time. The water
is used on approximately 250 acres in Section 7, T. 1 S., R. 2 W. and approximately
50 acres in N 1/4 of Section 18, T. 1 S., R. 2 W.

18922

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. This water flows from the well at about 90 degrees and is used in the
house for hot water supply.

Ques. 8. (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. None; however, existing lands are benefitted as shown in question 6.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. 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. During the past few years I have made numerous trips to this property
and have seen the water being used for irrigation and domestic purposes.

(Signed) Francis H. Thigp

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 Boise, County of Ada, State of Idaho, on this 17th day of Dec., A. D. 19 47.

Frances M. Lema
Notary Public.

My commission expires Nov. 15, 1948.

✓
December 19, 1947

Re: Permit No. 18922

Boise Trust Company
815 Idaho Street
Boise, Idaho

Gentlemen:

We acknowledge receipt of the depositions of yourselves and two witnesses, also affidavit of publication in the Owyhee Chronicle, all submitted in proof of beneficial use under the above numbered permit.

However, Question 8 is not completely answered in any of these depositions, which require the legal description of the land where the water has been used, with the number of acres in each subdivision.

We are returning the depositions herewith for this correction.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A
Encl.

Chief Clerk

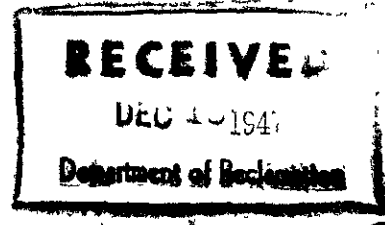
18922

BOISE TRUST BRANCH

THE IDAHO FIRST NATIONAL BANK

BOISE, IDAHO

December 17, 1947



State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mark R. Kulp

Re: Permit No. 18922

Gentlemen:

In line with your instructions, I am returning herewith
Deposition of Permit Holder, also Depositions of Two Witnesses,
which were filled out and sworn to before me, together with
affidavit of publication of notice.

Yours very truly,

Frances M. Genna

18922

AL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 A. M. on the 10th day of December, 1947, at 815 Idaho St., Boise, County of Ada, State of Idaho, before Frances McKenna, Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of artesian well in accordance with the terms and conditions of Permit No. 18922 heretofore issued by the State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Edith Musser and Dorothy Musser, by Boise Trust Co., Agent, 815 Idaho St., Boise.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 6, Section 7, T. 1 S., R. 2 W. and the N $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T. 1 S., R. 2 W.

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

The right to take water from such works is based upon Permit No. 18922.

The source of supply from which such water is diverted is artesian wells.

The date of priority which said user is prepared to establish is December 20, 1939.

MARK R. KULP,
State Reclamation Engineer.
10-16-4.

AFFIDAVIT OF PUBLICATION

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 an 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 Village 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 OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

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 issues of said newspaper, on the following dates:

Oct. 16, 1947

Oct. 22, 1947

Oct. 30, 1947

Nov. 6, 1947

Signed

Everett A. Colley

Subscribed and sworn to before me this 15th day of Dec.

A. D., 194-7

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

residing at Caldwell, Idaho

My commission expires Feb. 5, 1951

18922

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, December 1, 1947

Re: Permit No. 18922
Edith & Dorothy Huser

Miss Francis McKenna
Notary Public
C/o Boise Trust Co.
Boise, Idaho

DEAR ~~SIR~~ Miss McKenna:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18922.....

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 .. December 10, 1947....., 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 Boise, Idaho before..... Francis McKenna, 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,

.....
Commissioner of Reclamation
State Reclamation Engineer

18922

18922

Homedale, Idaho
October 20, 1947

Mr. Roy W. Thompson
Supervisor of Water Distribution
Department of Reclamation
Boise, Idaho

Dear Sir:

This will acknowledge receipt of Notice of Proof Application
of Water to Beneficial Use publication.

THE OXYGEN CHRONICLE

Everett A. Colley
Everett A. Colley
co-publisher



18922

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date:

October 13, 1947

**Owyhee Chronicle
Homedale, Idaho.**

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to **December 10, 1947**

the date set for proof, the expense of the
publication to be paid by the applicant, **Boise Trust Co. J.R. Field Agent**
of **Boise, 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,
in order that we may check same.

Very truly yours,
MARK. R. KULP.

State Reclamation Engineer

By **Roy. W. Thompson,**
Supervisor of Water Distribution,

18922

BOISE TRUST BRANCH

THE IDAHO FIRST NATIONAL BANK

BOISE, IDAHO

October 11, 1947



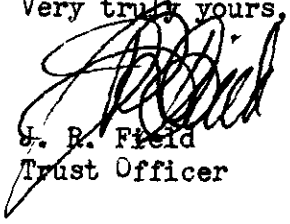
State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

According to your form letter of October 1 regarding notice of proof of application under our permit No. 18922, we are submitting your Form 10 in duplicate and Form 11 properly signed by us.

We trust that this is in order; however, if there is anything further we should do, please advise us.

Very truly yours,


J. R. Field
Trust Officer

JRF:lc
Encl.

18922

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 10, 1947

(P. O.) Boise, Idaho

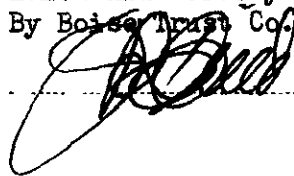
STATE RECLAMATION ENGINEER:
TO THE ~~COMMISSIONER OF RECLAMATION~~

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.

Edith and Dorothy Musser
By Boise Trust Co., Agent



Vice President

(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.

18922

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

Notice is hereby given that at 10:00 A. M. on the 10th day of December, 1947,
at 815 Idaho St., Boise, County of Ada, State of Idaho, before
Frances McKenna, Notary Public, proof will be submitted of the
application to beneficial use of 1 cubic feet per second of the waters of artesian
well in accordance with the terms and conditions of Permit No. 18922
heretofore issued by the State Reclamation Engineer,
~~Commissioner of Reclamation~~ of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Edith Musser and Dorothy Musser, by Boise Trust Co., Agent, 815 Idaho St., Boise

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1 cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 6, Section 7, T. 1 S., R. 2 W. and the NW $\frac{1}{4}$
Section 18, T. 1 S., R. 2 W.

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

The right to take water from such works is based upon Permit No. 18922

The source of supply from which such water is diverted is artesian wells

The date of priority which said user is prepared to establish is December 20, 1939

MARK. R. KULP.

State Reclamation Engineer

18922

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

October 1, 1947

Mr. W. W. Howell
C/o Boise Trust Company
Boise, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18922 (Edith & Dorothy Musser) should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

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 not later than December 22, 1947, 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 the proof is due and the date proof is actually made.

Very truly yours,

MA K R. KULP

State Reclamation Engineer

18922

✓
June 30, 1945

Re: Permit No. 18922

Boise Trust Co.
815 Idaho Street
Boise, Idaho

Attention- Mr. Howell

Gentlemen:

In reply to your telephone request, we
enclose forms for notice of intention to make
beneficial use proof under the above numbered
permit in the name of Edith and Dorothy Musser.

Publication of the notice is required for once
a week for four consecutive weeks, prior to the
date set for proof- in a newspaper of general
circulation in the county where the water is
located.

Please fill out the notice in duplicate, and
return both copies, together with your authori-
zation to have the notice published in the
designated newspaper, to this office.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

18922

June 28, 1945

Re: Permit No. 18922
Edith & Dorothy Musser

Mr. M. R. Howell
C/o Boise Trust Company
No. 815 Idaho Street
Boise, Idaho

Dear Mr. Howell:

Since completion of works proof under the above numbered permit was only made on one second foot, an examination of a Field Engineer is not required until beneficial proof is made.

We therefore enclose Certificate of Completion of Works issued in connection with this Permit, to appropriate one second foot of water from an artesian well diverted in Lot 6 (SW¹ SW¹) Section 7, Township 1 South, Range 2 West, B.M., for the irrigation of land in the SE¹SW¹ and Lot 6 Section 7; and the N¹NE¹ Section 18, Township 1 South, Range 2 West, B.M., Owyhee County.

We also enclose Departmental Receipt No. 18909 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

18922

A J GAMBLE, PRESIDENT
W W HOWELL, VICE PRESIDENT
S W GUTHRIE, SECY TREAS
J H WICKERSHAM, ASST SECY TREAS

BOISE TRUST COMPANY

CAPITAL AND SURPLUS \$200,000.00
BOISE - IDAHO

June 26, 1945

Dept. of Reclamation
Statehouse
Boise, Idaho

Attention: Mrs. Anderson

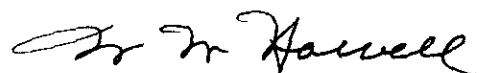
Gentlemen:

We are enclosing herewith Affidavit of Publication
on our permit No. 18922 covering subterranean waters in
Owyhee County.

We are also enclosing our check in the amount of
\$5.00.

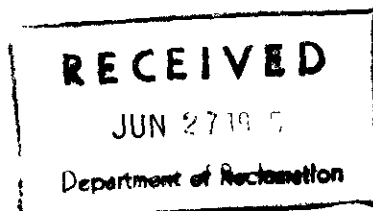
We trust that you will find this in order.

Very truly yours,



W. W. Howell
Vice President.

WWH:lc
Encl.



NOTICE FOR PUBLICATION

Notice is hereby given that at 10 A. M. on the 26th day of December, 1944, at Boise, County of Ada, State of Idaho, before Frances McKenna, a Notary Public, proof will be submitted of the completion of works for the diversion of one cubic foot per second of the waters of artesian wells-subterranean in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Edith Musser and Dorothy Musser.
- 2 The postoffice address of such person or principal place of business of such corporation is c/o Boise Trust Company, Boise, county of Ada, State of Idaho.
3. The number of such permit is 18922, and the date set for the completion of such work is December 26, 1944.
4. Said water is to be used for irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is one cubic foot per second.
6. The amount of lands for which said water is available is 159 acres, particularly described as follows SE 1/4 SW 1/4 and Lot 6, Section 7, Twp. 1 S., Rge. 2 W., and the NE 1/4 NE 1/4, Section 18, Twp 1 S., Rge 2 W.

MARK R. KULP,
State Reclamation Engineer
11-30-4

AFFIDAVIT OF PUBLICATION

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 an 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 published weekly, on Thursday of each and every week, in the Village of Homedale and County of Owyhee and State of Idaho
- 3 That the said The Owyhee Chronicle has been 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 OF 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 issues of said newspaper, on the following dates

Nov. 30, 1944

Dec. 7, "

" 14, "

" 21, "

Signed

Everett A. Colley

Subscribed and sworn to before me this 22nd day of Dec.,
A. D., 1944.

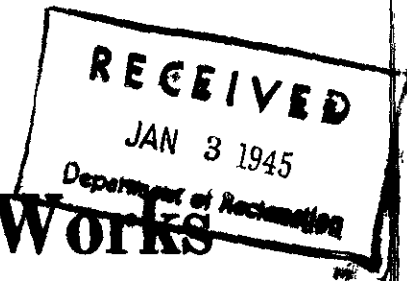
Geo. DeSauterhoff
Notary Public in and for the State of Idaho.

residing at Boise, Idaho

My commission expires 25 3/6, 1947

18922

PERMIT NO. 18922



Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. EDITH MUSSEY and DOROTHY MUSSEY, c/o Boise Trust Company, Boise, Idaho

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. 18922, dated December 26, 1939, authorizing 15 cu. ft. per sec., subterranean artesian wells, point of diversion in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T. 1 S., R. 2 W.

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. Used for irrigating the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6, Sec. 7, T. 1 S., R. 2 W., and N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 18, T. 1 S., R. 2 W., 159 acres.

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. Water turned into works of diversion February 6, 1941. 1 $\frac{1}{2}$ sec. ft.

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. One well fully completed. Complies with terms of permit.

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. _____

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

Ans. Cost \$3,100.00. Ditch has 2' bottom and 3'6" top. Capacity 3 sec. ft.

(Sign here.) EDITH MUSSEY and DOROTHY MUSSEY
By Boise Trust Company, Agent
By W. M. Howell
Vice President

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 Boise, County of

Ada, State of Idaho, on this 26th day of December A. D. 1944

Frances M. Reno
Notary Public.

My Commission expires Nov. 15, 1948.

18922

ET
Hart

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 18922

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. FRANCIS H. NEITZEL, First National Bank Building, Boise, Idaho.

Occupation, farming.

Ques. 2. Are you acquainted with Edith Musser and Dorothy Musser, the holder of Permit No. 18922, authorizing the diversion of 15 second-feet of the waters of subterranean artesian wells, at for irrigation purposes? How long have you known him, and where does he reside?

Ans. About five years.

Ques. 3. Have you read or heard read said Permit No. 18922, 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. Land is sandy loam and slopes gently to the north. Minimum water required for irrigation is about $\frac{1}{2}$ " to the acre.

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

Ans. Yes.

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

Ans. Artesian well has 8" casing and 37' static head. Capacity 1 $\frac{1}{2}$ sec. ft. Ample ditch with 2' bottom and 3 $\frac{1}{2}$ ' top to point of use.

(Sign here.)

Francis H. Neitzel

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 Boise County of Ada, State of Idaho, on this 26th day of December, A. D. 1944.

Notary Public for Idaho

Residing at Boise, Idaho

Commission expires Nov. 15, 1948.

18922

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 18922

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. S. W. GUTHRIE, Secretary of Boise Trust Company, Boise, Idaho.

Ques. 2. Are you acquainted with Edith Musser and Dorothy Musser, the holder of Permit No. 18922, authorizing the diversion of 15 second-feet of the waters of subterranean artesian wells, at for irrigation purposes? How long have you known him, and where does he reside?

Ans. Have known permit holder about 10 years.

Ques. 3. Have you read or heard read said Permit No. 18922, 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.

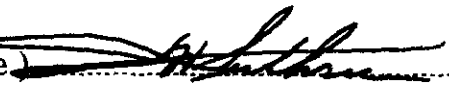
Ans. Land to be irrigated is sandy loam gently sloping to the north.

Minimum water required is $\frac{1}{2}$ " to the acre.

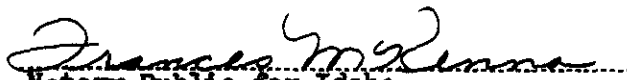
Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

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

Ans. Artesian well with 8" casing and 37' static head. Capacity $1\frac{1}{2}$ sec. ft.Ample ditch with 2' bottom and 3 $\frac{1}{2}$ ' top to point of use.(Sign here) 

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 Boise
County of Ada, State of Idaho, on this 26th
day of December, A. D. 1944.


Notary Public for Idaho
Residing at Boise, Idaho
Commission expires Nov. 15, 1948.

18922

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Re: Permit No. 18922

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

**Miss Frances McKenna, Notary Public,
C/o Boise Trust Co.,
Boise, Idaho**

Boise, Idaho, **December 16, 1944**

Dear **Miss McKenna:**

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. **18922**-----

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 the permit holder's rights:

1. On **Dec. 26, 1944**-----, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Boise, Idaho**-----

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

18922

18922

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: ~~November 25~~, 1944

Owyhee Chronicle

Homedale, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to **December 26,**
1944 , the date set for proof, the expense of the
publication to be paid by the applicant, **Edith Musser & Dorothy Musser**
C/o Boise Trust Co.
of **Boise, 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

18922

✓
October 7, 1944

Re: Permit No. 18922

Mr. A. N. Howell
C/o Boise Trust Co.
Boise, Idaho

Dear Mr. Howell:

We acknowledge receipt of duplicate notice, and also authorization to have the notice published in the Owyhee Chronicle, of Homedale, Idaho, all in connection with completion of works proof under the above numbered permit, in the name of Edith Musser and Dorothy Musser.

The notice will be sent to the newspaper with instructions to publish it once a week for four consecutive weeks prior to December 25, 1944, the date set for proof.

About ten days prior to that date we shall send to Frances McKenna, the Notary Public named, depositions for the holder and two witnesses, in order that she may have them in ample time for the proof.

On the date set a representative of the holders, and two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, should appear before Miss McKenna for the purpose of executing the depositions.

The application for amendment of the land list has been approved by the State Reclamation Engineer, and is returned to you herewith. This should be kept with the original permit, of which it forms a part.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

18922

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 5th, 1944

(P. O.) Boise, Idaho

STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~

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.

Edith Musser and Dorothy Musser
By Boise Trust Company, Agent

By

W. M. Howell
Vice President

(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.

18922

Notice for Publication

Notice is hereby given that at 10 A. M., on the 26th day of December, 1944, at Boise, County of Ada, State of Idaho, before Frances McKenna, a Notary Public, proof will be submitted of the completion of works for the diversion of one cubic feet per second of the waters of artesian wells - subterranean in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1 The name of the person or corporation holding said permit is Edith Musser and Dorothy Musser

2 The postoffice address of such person or principal place of business of such corporation is c/o Boise Trust Company, Boise County of Ada, State of Idaho

3 The number of such permit is 18922, and the date set for the completion of such work is December 26, 1944

4 Said water is to be used for irrigation purposes.

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

6 The amount of lands for which said water is available is 159 acres, particularly described as follows:
SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6, Section 7, Twp. 1 S., Rge. 2 W., and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18,
Twp. 1 S., Rge. 2 W.

MARK E. KILP

Commissioner of Reclamation

State Reclamation Engineer

18922

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Edith Musser & Dorothy Musser
C/o Boise Trust Co.
Boise, Idaho

Boise, Idaho, **October 3, 1944**

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 18922

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof **MUST** be on or before December 25, 1944. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

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

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

Very truly yours,

MARK R. KILP

Commissioner of Reclamation
State Reclamation Engineer

18922

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18922

Boise, Idaho, December 29, 1939

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the ^{fourth} ~~third~~ page.

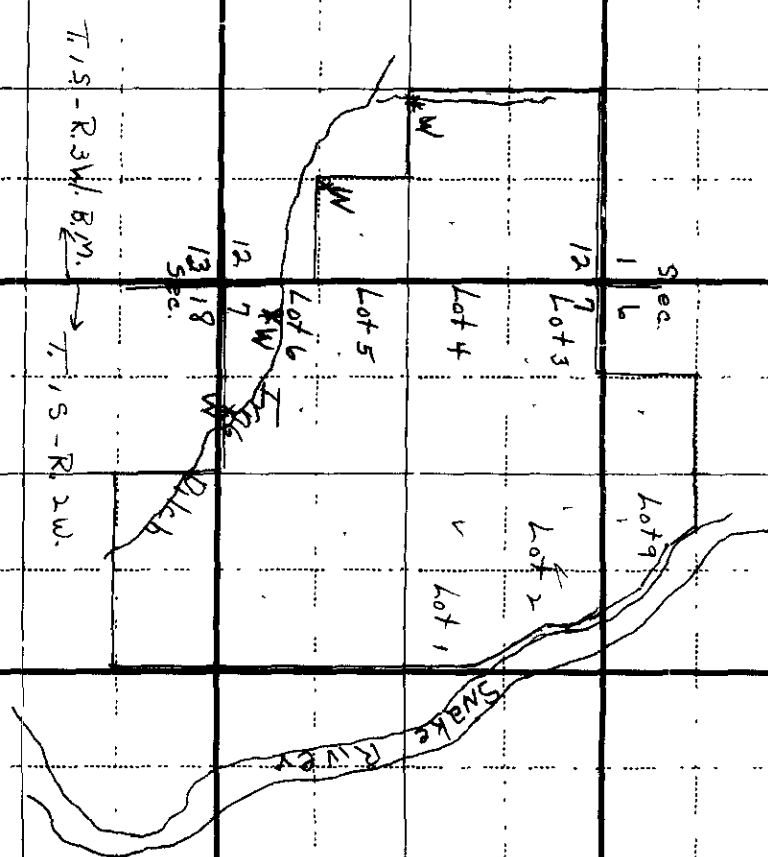
JAMES SPOFFORD

Edith Musser & Dorothy Musser
C/o Boise Trust Company
Boise, Idaho
Enc. Receipt # 17239

Commissioner of Reclamation.

18922

Legend
W-Proposed Wells



189922

Part of No. 189922
As Appraised
JAMES SHOFFORD
Commissioner of Reclamation

December 15, 1939

Mr. W. W. Howell,
C/o Boise Trust Company,
Boise, Idaho.

Dear Mr. Howell:

We are returning herewith application of Edith Musser
and Dorothy Musser, for the following reasons:

List all points of diversion under Question 4 to the
nearest 40-acre subdivision.

Also we are not clear just how the permit is to be made
out- whether to Edith Musser & Dorothy Musser, by Boise
Trust Company, Agent, or to the Boise Trust Company, Agent
for Edith & Dorothy Musser. The signature should corres-
pond to the name of applicant as appears in answer to Question
1 of the Application.

We are enclosing Regulations and Instructions, which set
out the requirements for filling out applications, and maps.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation

By

Deputy Commissioner

D: A
RMS. App. and
Check for \$5.00

18922

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE.**

Notice is hereby given that at 10:00 A. M. on the 10th day of December, 1947, at 815 Idaho St., Boise, County of Ada, State of Idaho, before Frances McKenna, Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of artesian well in accordance with the terms and conditions of Permit No. 18922 heretofore issued by the State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Edith Musser and Dorothy Musser, by Boise Trust Co., Agent, 815 Idaho St., Boise.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 6,
Section 7, T. 1 S., R. 2 W.
and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section
18, T. 1 S., R. 2 W.

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

The right to take water from such works is based upon Permit No. 18922.

The source of supply from which such water is diverted is artesian wells.

The date of priority which said user is prepared to establish is December 20, 1939.

MARK R. KULP,
State Reclamation Engineer.
10-16-4.

fore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Edith Musset and Dorothy Musser.

2. The postoffice address of such person or principal place of business of such corporation is c/o Boise Trust Company, Boise, county of Ada, State of Idaho.

3. The number of such permit is 18922, and the date set for the completion of such work is December 26, 1944.

4. Said water is to be used for irrigation purposes.

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

6. The amount of lands for which said water is available is 159 acres, particularly described as follows: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6, Section 7, Twp. 1 S., Rge. 2 W., and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, Twp. 1 S., Rge. 2 W.

MARK R. KULP,
State Reclamation Engineer
11-30-4

AT
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NOTICE

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14,
Home-
Farm
NW $\frac{1}{4}$,
North,
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establish
described,
Notary
aho, on the
s.
witnesses:
Parr, Cecil
Walker, all of

NOTICE IS HEREBY GIVEN
That 1944 Taxes are now due and payable at my office at Murph Idaho, and will become delinquent and subject to penalty if not before the fourth Monday in cember, 1944.

Also all Delinquent 1941 must be paid before that Tax Deed will be issued.

B. B. H
Tax Co
12-7-8 Owyhee Co

E. DEKAY,
Register.

PUBLICATION.

TES \ DEPART-
HE INTERIOR

AND OFFICE AT
OT, IDAHO, NO-
24, 1944.

is hereby given that
Parr, Rt. 1, Homedale,
on July 25, 1940, made
in Homestead Entry, No.
r Farm Unit "A" or
4, Section 29, Township 3
ange 5 West, Boise Mer-
s filed notice of intention to
inal Proof, to establish
o the land above described,
F W. Jarvis, Notary
at Caldwell, Idaho, on the
ay of January, 1945.
aimant names as witnesses:
E George, Louis Kushlan, B
St. Clair, William Sullivan, all of
medale, Idaho.

FRANK E. DEKAY,
Register.

1-30-5

NOTICE FOR PUBLICATION.

Notice is hereby given that at 10 A. M. on the 26th day of December, 1944, at Boise, County of Ada, State of Idaho, before Frances McKenna, a Notary Public, proof will be submitted of the completion of works for the diversion of one cubic foot per second of the waters of artesian wells-subterranean in accordance with the terms and conditions of a certain permit hereto-

NOTICE FOR PUY

UNITED STATE
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GENERAL LAND
BLACKFOOT
VEMBER 24,

NOTICE is
Burtis Doyle S
Idaho, who, o
Reclamation
053594, for F
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2nd day
Claim
N. F
Sullivan
Home

11-30

11

Oct. 30, 1947

• LEGAL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

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The name and postoffice address of the person or corporation holding said permit are Edith Musser and Dorothy Musser, by Boise Trust Co., Agent, 815 Idaho St., Boise.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 6, Section 7, T. 1 S., R. 2 W. and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, T. 1 S., R. 2 W.

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

of use is private ditch.

The right to take water from such works is based upon Permit No. 18922.

The source of supply from which such water is diverted is artesian wells.

The date of priority which said user is prepared to establish is December 20, 1939.

MARK R. KULP,
State Reclamation Engineer.

10-16-4.

NOTICE FOR PUBLICATION.

DEPARTMENT OF THE INTERIOR,
U. S. LAND OFFICE
AT BLACKFOOT, IDAHO
SEPTEMBER 26, 1947.

NOTICE is hereby given that Murl F. Swart of Home, Idaho, who, on June 10, made Reclamation Hom Entry No. 052958, for Unit "A" or SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, Town Range 6W., Boise Mer filed notice of intent three year Proof, claim to the land scribed, before Notary Public, at Boise on the fourth day of 1947.

Claimant
Dick Miller
Logan and
Homeds

10-2-