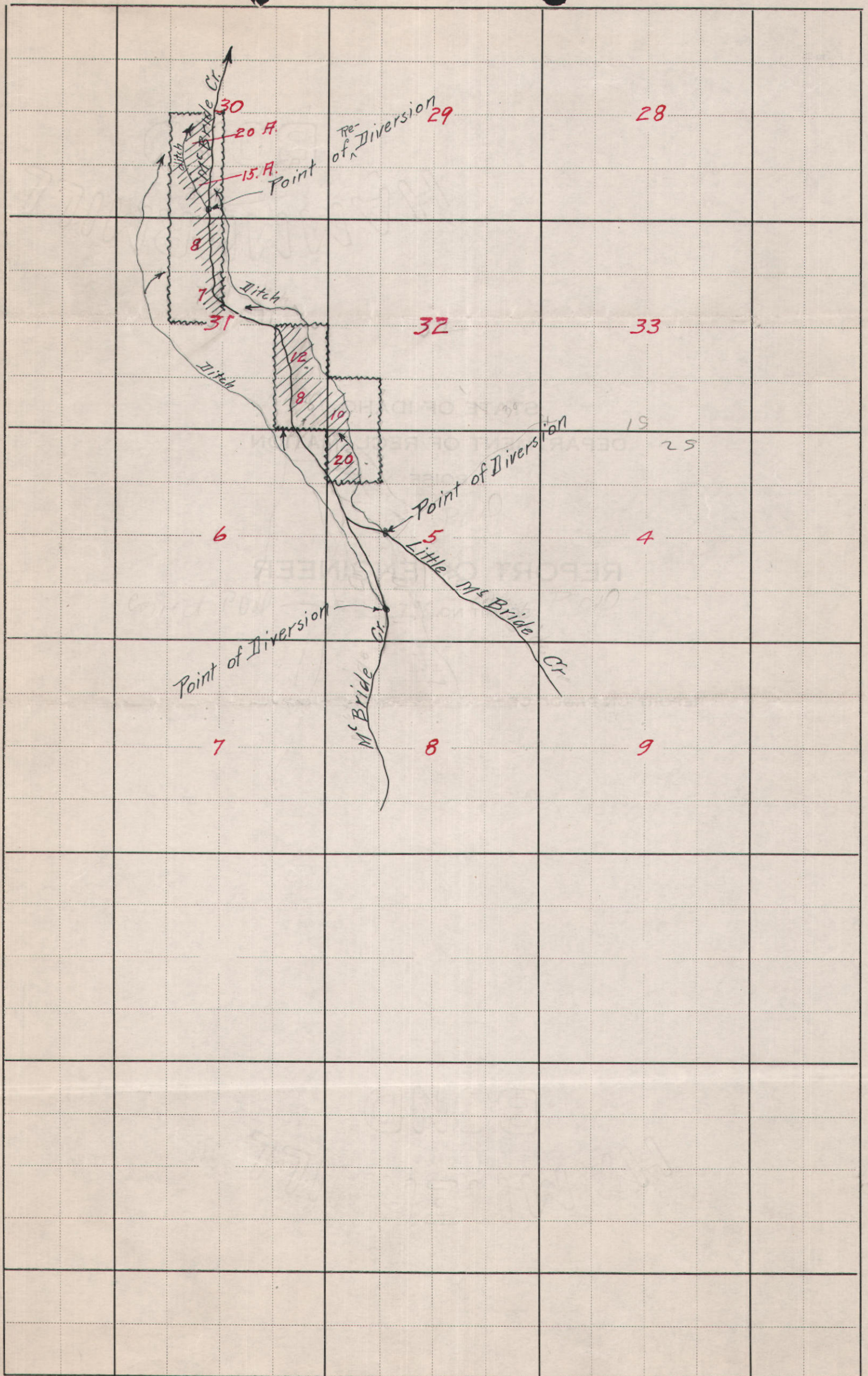




PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss

I, CHARLES A. HACKNEY, being first duly sworn, depose and say that I am the publisher of the OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, County of Owyhee, and State of Idaho, and the annexed Notice was published in said paper once each and every week for four consecutive weeks, the first publication being on the 10th day of May, 1929 and the last publication being on the 31st day of May, 1929 and that said OWYHEE AVALANCHE has been published continuously and uninterruptedly in said county during a period of seventy-eight consecutive weeks prior to the first publication of the attached notice.

Charles A. Hackney

Subscribed and sworn to before me this 31st day of

May, 1929

B. B. Riordan
Notary Public.

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 12th day of June, 1929, at Caldwell, County of Canyon, State of Idaho, before S. Ben Dunlap, notary public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of McBride creek and Little McBride creek in accordance with the terms and conditions of Permit No. 13660 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are Amelia Perkins, Caldwell, Idaho.

The uses to which said water have been applied are irrigation and domestic.

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used is the E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 30; E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 31, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 1 S., R. 5 W., B. M. NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4) Sec. 5, T. 2 S., R. 5 W., B. M.

The right to take water from such works is based upon Permit No. 13660.

The source of supply from which such water is diverted is McBride creek and Little McBride creek.

The date of the priority which said user is prepared to establish is July 11, 1918.

GEORGE N. CARTER,
Commissioner of Reclamation.

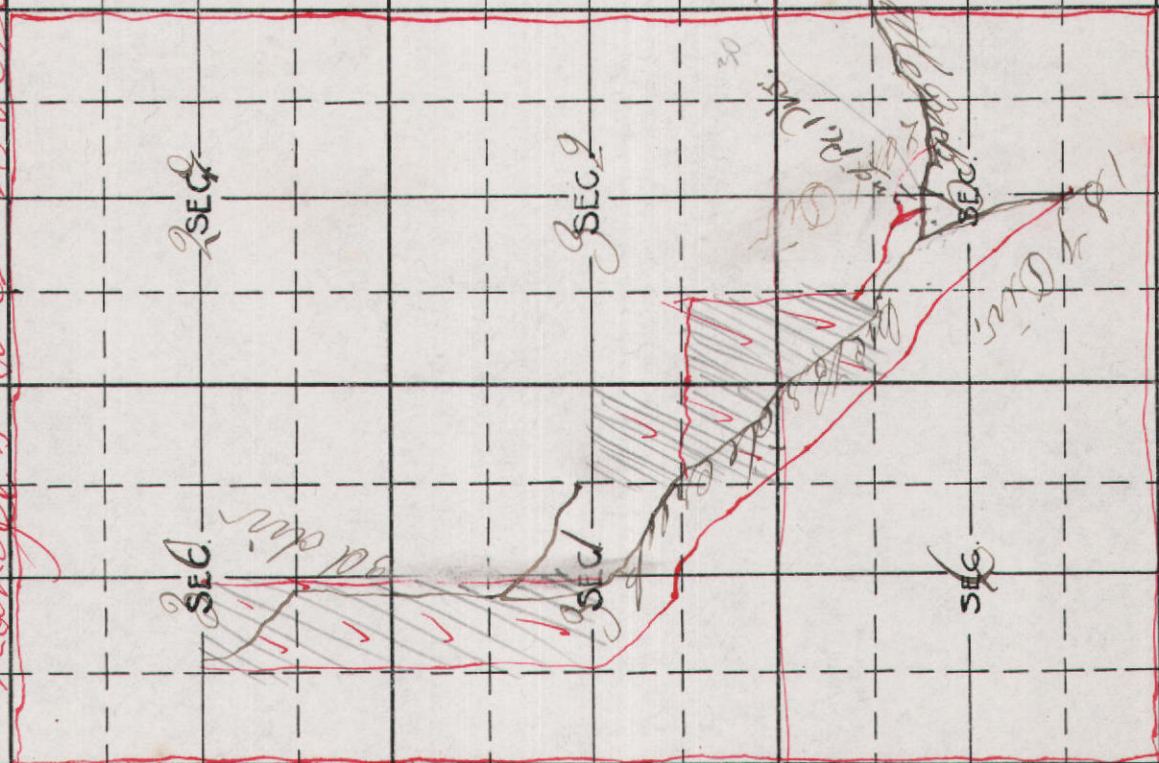
First publication May 10

Last publication May 31

13660

Name of Applicant

Rancho 5: West Boise Meridian



Township 1 South
2 South

State of Idaho

License and Certificate of Water Right

Water License No. **13660**Amount **2 second feet**

Water District No.

Priority **July 11, 1918**

THIS IS TO CERTIFY that **ANDREW F. BUSH**
 of **Homedale, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **July 11**, 19 **18**; that Permit No. **13660**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.4 second feet, was issued thereunder on **April 16**, 19 **27**, showing that said works
 were completed on the **30th** day of **March**, 19 **27**, and that on the **12th**
 day of **June**, 19 **29**.

AMELIA PERKINS, Assignee,

of **Caldwell**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **McBride & Little McBride Creeks**,
 a tributary of **Sucker Creek**, for the purpose of **irrigation and domestic**
use, under Use Permit No. **13660** 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 Commissioner of Reclamation of Idaho and entered of record in Volume **7**
 of Licenses, at page **4257**, on the **16th** day of **April**, 1945;
 to **Joe J. Dolence, of Homedale, Idaho**, present owner by purchase
 The right hereby confirmed dates from **July 11**, 1918;
 are

The Point of Diversion is located in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$** and **SE $\frac{1}{4}$ NW $\frac{1}{4}$** Sec. 5, Twp. 2 S., Range 5 W., B.M. and
 in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$** , Sec. 30, Tp. 1 S., R. 5 W., 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 **Two (2)**
 cubic feet per second.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	5 W.	30	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	15
		31	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	8
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	7
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	12
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	8
		32	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	10
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
2 S.	5 W.	5			
Number of Acres Actually Irrigated-					100

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.

State Reclamation Engineer

WITNESS the seal and signature of the ~~Commissioner of Reclamation~~, affixed at Boise, Idaho,
 this **16th** day of **April**, 1945

(SEAL)

MARK R. KULP
 (Commissioner of Reclamation)
 State Reclamation Engineer

57 2114

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

Application No. 19426
Permit No. 13660
District No. 52-53

57-2114

1. Name of Applicant: **ANDREW F. BUSH**

Postoffice address: **Homedale**

County: **Owyhee**

State: **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **six and four-tenths (6.4)** cubic feet per second.

3. Source of water supply: **McBride and Little McBride Creeks** which is a tributary of **Sucker Creek**

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5 T 2 S.R. 5 W.B.M.**
and **SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 1 S. R. 5 W.B.M.**
of Section , T. , R. , B. M., County of **Owyhee**

5. Water is to be used for: **irrigation and domestic purposes**

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

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
- (b) Amount of power generated: H. P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ **2,500.00**

8. Kind of works: **Gravity system, with small rock dam at each point of diversion**
There will be about 8 flumes used--earth ditches

9. Height of dam **1** feet; length of dam at top **15** feet; length of dam at bottom **10**
feet; material used in dam **earth & rock**

10. Size of headgate: Width **12 inches** ~~12~~ height **5** feet.

1st main
11. Ditch: Width at bottom **1 $\frac{1}{2}$** feet; width at water line **3** feet; depth of water **1 $\frac{1}{2}$**
3 other ditches--see remarks
feet; dimensions of flume **3 flumes--18" by 18"**

Diameter of pipe inches; length of conduit **1st ditch will be 100 rods ~~100~~**
from diversion to land. Other
Average grade per mile **10 feet.** ~~100~~ ditches taken out on land

12. The time required for the completion of such work is **five (5)** years.

13. The time required for the complete application of the water to the proposed use is **six (6)** 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.

ANDREW F. BUSH Applicant.

By _____ Agent.

Date of first receipt at office of State Engineer **2:30 P. M. July 11, 1918**

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is **13660**
 Recorded in Book **48** Page **13660** Approved **July 26, 1918**
 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 **September 24, 1918** 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 **January 26, 1921**
 The whole of said work to be completed on or before **July 26, 1923**
 Beneficial use of water appropriated in accordance herewith, to be made on or before **July 26, 1929**

Witness my hand this **26th** day of **July, 1918.**

FRED A. WILKIE State Engineer.

Remarks :

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 S	5 W	30									40			40					80
		31					40			40				40			40	160	
		32											40					40	
2 S	5 W	5					40											40	
Total Number of Acres to be Irrigated																		320	
Height of dams used at two southern points of diversion 6'; that used at northern point of diversion 4'; length of dams at top 25' each; length of dams at bottom 15'. Material used in construction earth and stone.																			
Conduit--earth ditches, about eight short flumes will be used in crossing ravines; the ditch beginning at the southern point of diversion will be 2' wide at the bottom, 3' at water line, 1' deep; grade per mile 10 ft. Length of conduit 3¼ miles.																			
Ditch beginning at the middle point of diversion will be a V ditch, width at water line 2½ feet, depth of water 1½ feet, average grade per mile 8 feet. Length of conduit is 1¼ miles.																			
Ditch beginning at the northern point of diversion is to be a V shaped ditch of the same dimensions and grade as the one beginning at the middle point of diversion. Length of conduit is 1½ miles.																			
The quantity of water claimed from Little McBride Creek is 2.4 second feet. From McBride Creek is 4 second feet. 1.6 is claimed from pt. of div. in SE¼SW¼, Sec. 30, T. 1 S., R. 5 W.																			

ASSIGNMENT OF PERMIT NO. 13660.

For value received, I hereby assign to Amelia Perkins, all my right, title and interest in and to Permit to appropriate the public waters of the State of Idaho, No. 13660.

Andrew F. Bush

Subscribed and sworn to before me this 30th day of March, 1927.

(SEAL)

S. Ben Dunlap,
Notary Public for Idaho,
Residing at Caldwell, Idaho.

For value received, I hereby assign to Amelia Perkins all my right, title and interest in and to permit to appropriate the public waters of the State of Idaho, No. 13660.

Julia M. Bush.

Subscribed and sworn to before me this 30th day of March, 1927.

(SEAL)

S. Ben Dunlap.
Notary Public for Idaho,
Residing at Caldwell, Idaho.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9.00 A. M., April 16, 1927.

GEO. N. CARTER.

A F F I D A V I T

STATE OF IDAHO)
County of Canyon) ss.

S. Ben Dunlap, being first duly sworn, deposes and says: That he is a citizen of the United State and a resident of Caldwell, Canyon County, Idaho

That he was the attorney for the executors of the estate of W. A. Perkins, deceased, which estate wa probated in Owyhee County, Idaho, and has been and is now acting as attorney for the trustees under the will of said W. A. Perkins, deceased; that he is also the attorney for the executors of the estate of Amelia Perki deceased, whose estate is now being probated in Owyhee County, Idaho.

That under date of January 23, 1945, R. M. Perkins and C. R. Perkins, the trustees under the will of said W. A. Perkins, deceased, executed a Deed by Trustees conveying to Joe J. Dolence, of Homedale, Owyhee Cou Idaho, said estate's undivided one-half interest in and to the real property hereinafter described, which deed was recorded March 10, 1945, in book 34 of deeds, page 361, records of Owyhee County, Idaho.

That under date of March 10, 1945, C. R. Perkins, the administrator of the estate of Amelia Perkins, deceased, executed an Administrator's Deed conveying to said Joe J. Dolence, of Homedale, Owyhee County, Idaho all the right, title, interest and estate of said estate of Amelia Perkins, deceased, (being a one-half intere in and to the real property hereinafter described, which deed was recorded March 10, 1945, in book 34 of deeds page 363, records of Owyhee County, Idaho.

That the property described in said Deed by Trustees and said Administrator's Deed, is the following real property in Owyhee County, State of Idaho, to-wit:

The East Half of the Southeast Quarter, Section 31; the Southwest Quarter of the Southwest Quarter, Section 32, Township 1 South; and the Lot 4 of Section 5, Township 2 South, all in Range 5 West of the Boise Meridian, Idaho, containing 165.22 acres. more or less; also,

The Lots 2 and 3, Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the North west Quarter; East Half of the Southwest Quarter; West Half of the Southeast Quarter, Section 5; and the Northwest Quarter of the Northeast Quarter; Northeast Quarter of the Northwest Quarter, Section 1 All in Township 2 South, Range 5 West, Boise Meridian, Idaho, containing 409.56 acres, more or less;

The Northeast quarter of the Southwest quarter and the Northwest Quarter of the Southeast Quarter, Section 31, Township 1 South, Range 5 West of the Boise Meridian, Idaho; also,

The East Half of the Southwest Quarter, Section 30; East Half of the Northwest Quarter, Section 31; Township 1 South, Range 5 West of the Boise Meridian, Idaho.

Together with the tenements, hereditaments, and appurtenances thereunto belonging or in any wise app taining, including all water and ditch rights and rights of way for water and ditches appurtenant thereto and used in connection therewith.

That the said Joe J. Dolence, Homedale, Owyhee County, Idaho, is now the owner of said real property and the water and ditch rights appurtenant thereto

Further affiant sayeth not.

S. BEN DUNLAP

Subscribed and sworn to before me this 12th day of April, 1945,

Mary Schmitt

Notary Public for the State of Idaho, residing at Caldwell, Idaho

Received and filed for recor
Department of Reclamation at

3:30 P.M. Apr. 13, 1945
Mark R. Rupp, State Reclai

(SEAL)

MY commission expires Feb. 10, 1949.

ISSUED FOR 2 SEC. FT.
p. 4257,

For value received, I hereby transfer to Julia M. Bush all my right, title and interest in and to 160 inches, or 3.2 second feet of the waters of McBride Creek and Little McBride Creek, under Permit to appropriate the public waters of the State of Idaho, No. 13660, issued by the State Engineer of the State of Idaho, on the 26th day of July, 1918, said water right to cover the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 30, and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 31, in Twp. 1 S., R. 5 W., B. M.

Dated at Boise, Idaho, this 24th day of May, 1920.

Andrew F. Bush.

Subscribed and sworn to before me this 24th day of May, 1920.

S. T. Baer.
Notary Public for the State
of Idaho, residing at Boise.

(SEAL)

Proof of Completion of Works made August 4, 1923.
Certificate of Completion of Works issued August 9, 1923.

Permit No. 13660

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Julia M. Bush of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 13660, issued upon Application No. 19426, bearing date of priority of July 11, 1918, authorizing the diversion of 6.4 second feet of the waters of McBride Creek and Little McBride Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 6.4 second feet of the waters of McBride Creek and Little McBride Creek; that the points of diversion of said waters are: (1) SE $\frac{1}{4}$ SW $\frac{1}{4}$; (2) SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp. 2 South, Range 5 West, B. M., and (3) SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Twp. 1 South, Range 5 West, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 31 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 1 South, Range 5 West, and Lot 4 of Sec. 5, Twp. 2 South, Range 5 West, Boise Meridian.

Witness my hand this 9th day of August, A. D. 1923.

W. G. SWENDSEN,
Commissioner of Reclamation

By: Geo. N. Carter,
Assistant.

Permit No. 13660.
CERTIFICATE OF COMPLETION OF WORKS.

ALL WHOM IT MAY CONCERN:

This is to certify that Julia M. Bush and Andrew F. Bush, of Wilder, County of yon, and State of Idaho, the holders of Permit No. 13660, issued upon Application 19426, bearing date of priority of July 11, 1918, authorizing the diversion of 6.4 ond feet of the waters of McBride Creek and Little McBride Creek, County of Owyhee, e of Idaho, for irrigation and domestic purposes, have fully complied with the pro- ons of the laws of the State of Idaho relating to the proof of completion of the ks of diversion set out and described in said Permit; that said works are adequate for erting and conveying to the place of intended use 6.4 second feet of the waters of ide Creek and Little McBride Creek; that the points of diversion of said waters are: SE $\frac{1}{4}$ SW $\frac{1}{4}$; (2) SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp. 2 South, Range 5 West, B. M., and (3) SE $\frac{1}{4}$ SW $\frac{1}{4}$ 30, Twp. 1 South, Range 5 West, Boise Meridian; and that the lands proposed to be . gated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 30, 1 $\frac{1}{4}$ Sec. 31, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 31, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, all in T. 1 S., R. 5 W., B. M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4), Sec. 5, T. 2 S., R. 5 W., B. M.

Witness my hand this 16th day of April, A. D. 1927.

GEO. N. CARTER,
Commissioner of Reclamation.

✓
April 17, 1945

Re: Permit No. 13660

Messrs. Dunlap & Dunlap
No. 811 Main Street
Valdwell, Idaho

Attention Mr. S. Ben Dunlap

Gentlemen:

We duly received your letter of April 12th, enclosing affidavit in regard to the present ownership of the water right included in the above numbered permit, in the name of Amelia Perkins, which has been duly recorded.

We enclose herewith License and Certificate of Water Right issued under said permit, confirming the right of Joe J. Dolanec, of Homedale, Idaho, to the use of two (2) cubic feet per second of the waters of McBride and Little McBride Creeks, with date of priority of July 11, 1918, for the irrigation of 100 acres of land as described in Sections 30, 31 and 32, Township 2 South, Range 5 West, B.M., and Section 8, Township 2 South, Range 5 West, B.M.

The Department's Receipt No. 18839 for \$17.80 is also enclosed, including \$1.80 for recording above affidavit, and \$16.00 in connection with final proof on Permit No. 13660.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

13660

DUNLAP & DUNLAP
ATTORNEYS AT LAW
811 MAIN STREET
CALDWELL, IDAHO

S BEN DUNLAP
ROBERT B DUNLAP

April 13, 1945

Department of Reclamation
Statehouse
Boise, Idaho

Attention: Mrs. Anderson

Dear Mrs. Anderson:

Re: Amelia Perkins permit
No. 13660

Pursuant to our conversation of last week, we have prepared and enclose herewith an affidavit signed by Judge Dunlap setting out the present ownership of the McBride Creek ranch in Owyhee County, Idaho, by Mr. Dolence.

We also enclose herewith our check for \$17.80, \$1.80 for recording the affidavit, and \$16.00 for issuance of the license, as set out in your letter to us dated February 6, 1945.

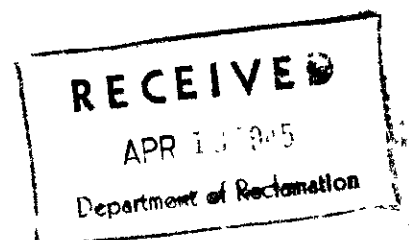
Will you please issue this license to Joe J. Dolence of Homedale, Idaho, and forward it to us?

Thanking you, we are

Very truly yours,

DUNLAP & DUNLAP

By *Ben Dunlap*



13660

AFFIDAVIT

STATE OF IDAHO)
County of Canyon) ss.

S. Ben Dunlap, being first duly sworn, deposes and says:

That he is a citizen of the United States and a resident of Caldwell, Canyon County, Idaho.

That he was the attorney for the executors of the estate of W. A. Perkins, deceased, which estate was probated in Cwyhee County, Idaho, and has been and is now acting as attorney for the trustees under the will of said W. A. Perkins, deceased; that he is also the attorney for the executors of the estate of Amelia Perkins, deceased, whose estate is now being probated in Cwyhee County, Idaho.

That under date of January 23, 1945, R. M. Perkins and C. R. Perkins, the trustees under the will of said W. A. Perkins, deceased, executed a Deed by Trustees conveying to Joe J. Dolence, of Homedale, Cwyhee County, Idaho, said estate's undivided one-half interest in and to the real property hereinafter described, which deed was recorded March 10, 1945, in book 34 of deeds, page 361, records of Cwyhee County, Idaho.

That under date of March 10, 1945, C. R. Perkins, the administrator of the estate of Amelia Perkins, deceased, executed an Administrator's Deed conveying to said Joe J. Dolence, of Homedale, Cwyhee County, Idaho, all the right, title, interest and estate of said estate of Amelia Perkins, deceased, (being a one-half interest) in and to the real property hereinafter described, which deed was recorded March 10, 1945, in book 34 of deeds, page 363, records of Cwyhee County, Idaho.

That the property described in said Deed by Trustees and said Administrator's Deed, is the following real property in Cwyhee County, State of Idaho, to-wit:

1 The East Half of the Southeast quarter, Section 31;
2 the Southwest quarter of the Southwest quarter, Sec-
3 tion 32, Township 1 South; and the Lot 4 of Section
4 5, Township 2 South, all in Range 5, West of the
5 Boise Meridian, Idaho, containing 165.22 acres,
6 more or less; also,

7 The Lots 2 and 3, Southwest quarter of the Northeast
8 quarter and the Southeast quarter of the Northwest
9 quarter; East Half of the Southwest quarter; West Half
10 of the Southeast quarter, Section 5; and the Northwest
11 quarter of the Northeast quarter; Northeast quarter of
12 the Northwest quarter, Section 8, all in Township 2
13 South, Range 5, West Boise Meridian, Idaho, contain-
14 ing 409.56 acres, more or less; also,

15 The Northeast quarter of the Southwest quarter and
16 the Northwest quarter of the Southeast quarter, Sec-
17 tion 31, Township 1 South, Range 5, West of the Boise
18 Meridian, Idaho; also,

19 The East Half of the Southwest quarter, Section 30;
20 East Half of the Northwest quarter, Section 31, Town-
21 ship 1 South, Range 5 West of the Boise Meridian,
22 Idaho.

23 Together with the tenements, hereditaments, and ap-
24 purtenances thereunto belonging or in anywise apper-
25 taining, including all water and ditch rights and
26 rights of way for water and ditches appurtenant
27 thereto and used in connection therewith.

28 That the said Joe J. Dolence, Homedale, Owyhee County, Idaho,
29 is now the owner of said real property and the water and ditch
30 rights appurtenant thereto.

31 Further affiant saith not.

32 *Joe J. Dolence*

Subscribed and sworn to before me this 12th day of April,
1945.

Mary Schmitt
Notary Public for the State of Idaho
Residing at Caldwell, Idaho
My commission expires Feb. 10, 1949

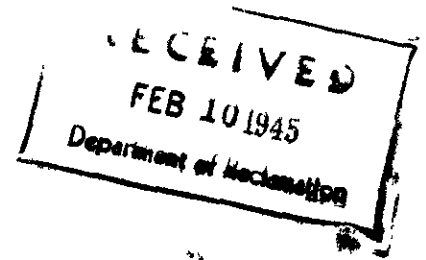
3:30 P.M. Apr. 13 1945
Mark R. Kuepfer
A.

DUNLAP & DUNLAP
ATTORNEYS AT LAW
811 MAIN STREET
CALDWELL, IDAHO

S BEN DUNLAP
ROBERT B DUNLAP

February 9, 1945

13660



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

Re: Perkins estate

Dear Mr. Kulp:

Thank you very much indeed for your favor of February 8.

I wish to state that the Perkins estate is in the course of settlement and that we are quite anxious that the permit mentioned in your letter be not canceled. We will be in a position to complete the obtaining of the permit some time this year. If for any reason the permit is likely to be canceled before that time because of non-payment of the fee before you hear from us, please advise, and we will obtain the money and send you a check. We certainly do not want to lose this water.

Thanking you for your consideration, we are

Very truly yours,

DUNLAP & DUNLAP

By *Robert B. Dunlap*

SBD:ms

13660

DUNLAP & DUNLAP
ATTORNEYS AT LAW
811 MAIN STREET
CALDWELL, IDAHO

S BEN DUNLAP
ROBERT B DUNLAP

February 7, 1945

Commissioner of Reclamation
Department of Reclamation
Statehouse
Boise, Idaho

Re: Perkins estate

Dear Sir:

The following is a description of the land involved in the above entitled matter:

The East Half of the Southeast Quarter, Section 31; the Southwest Quarter of the Southwest Quarter, Section 32, Township 1 South; and the Lot 4 of Section 5, Township 2 South, all in Range 5, West of the Boise Meridian, Idaho.

The Lots 2 and 3, Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter; East Half of the Southwest Quarter; West Half of the Southeast Quarter, Section 5; and the Northwest Quarter of the Northeast Quarter; Northeast Quarter of the Northwest Quarter, Section 8, all in Township 2 South, Range 5, West Boise Meridian, Idaho.

The Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter, Section 31, Township 1 South, Range 5, West of the Boise Meridian, Idaho.

The East Half of the Southwest Quarter, Section 30; East Half of the Northwest Quarter, Section 31, Township 1 South, Range 5 West of the Boise Meridian, Idaho.

This land is located in Owyhee County and McBride Creek flows through the land.

13660

#2
Commissioner of Reclamation
February 7, 1945

I am interested in knowing whether or not there are any water filings on McBride Creek, and if so, the dates and amounts thereof.

I would also like to know whether you have any records on the flow of McBride Creek, and if so, the amount of the flow.

Thanking you for your reply, I am

Very truly yours,


S. BEN DUNLAP

SBD:ms



13660

13660

February 8, 1945

Mr. S. Ben Dunlap
Attorney at Law
811 Main Street
Caldwell, Idaho

Dear Sir:

Reference is made to your letter of February 7th, in which you inquire regarding a water right from McBride Creek, on certain described land known as the Perkins Estate.

The records in this Department show several filings to have been made on McBride Creek, but only one is in good standing at the present time, the others having been cancelled.

This is Permit No. 13660, filed by Andrew F. Bush on July 11, 1918, for 5.4 cubic feet per second from McBride Creek and Little McBride Creek, for irrigation and domestic use on the following lands:

E¹/₂SW¹/₄ Section 30; E¹/₂NE¹/₄, E¹/₂SE¹/₄ Section 31;
SW¹/₄SW¹/₄ Section 32; All in Twp. 1 S., Range 5 W. B.M.
NW¹/₄NW¹/₄ Section 5, Twp. 2 S., Range 5 W., B.M.

Proof of completion of works was made and certificate of completion of works issued on April 16, 1927. Proof of beneficial use was made June 12, 1929, and the report of the Field Engineer on examination made May 28, 1930, showed 100 acres irrigated.

This permit had been assigned to Amelia Perkins on March 30, 1927, and a letter was addressed to her by this Department on September 30, 1930, advising that upon receipt of the statutory fee of \$16.00 (being \$2.00 for each 40-acre tract or fraction thereof irrigated) a license would be issued. No reply was received to this letter, and no license has been issued. If paid now a license can be issued for 2 second feet.

We hope that the above is the information which you seek, and if we can assist you further, please feel free to call upon us.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A

The Engineer's report showed the flow of the creek to be 1 second foot on the date the examination was made

13660

September 30, 1900

Re: Permit No. 13660

Mrs. Amelia Perkins
Caldwell, Idaho

Dear Madam:-

The report of our field engineer for proof of beneficial use of water under our above numbered permit is now on file here. The report shows parts of eight legal subdivisions under irrigation and cultivation. The fees will therefore amount to \$16.00, being \$2.00 for each forty-acre tract, or fraction, irrigated. Upon receipt of said fees the license will be issued.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation

By _____
Chief Clerk.

13660

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

Permit No. 13660This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: Amelia Perkins2. Source of water supply: McBride Creek and Little McBride Creek3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 30T. 2 S R. 5 W.B.M. County of Owyhee
1 S 5 W.B.M.

4. Describe works as they exist, giving dimensions and capacities of same: diversions are made directly from the creek no headgates being necessary. Ditches are from 2 to 3 ft wide and 1 ft deep

5. Water is used for: Irrigation and domestic use6. State whether or not water has been turned into works of diversion: yes

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 for other than irrigation): SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30; NE $\frac{1}{4}$ & NE $\frac{1}{4}$ Sec. 31, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 1 S., R. 5 W.
NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4) Sec. 5, T. 2 S., R. 5 W., 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? Snake River

Remarks: about 100 Acres agricultural land, the balance being pasture

Total creek flow 5/28/30 was 1 cu. ft.

This examination was made on the 28th day of May 193013660

(Signed)

Fred J. Tolman
Examiner.

Amelia Perkins
Caldwell

48

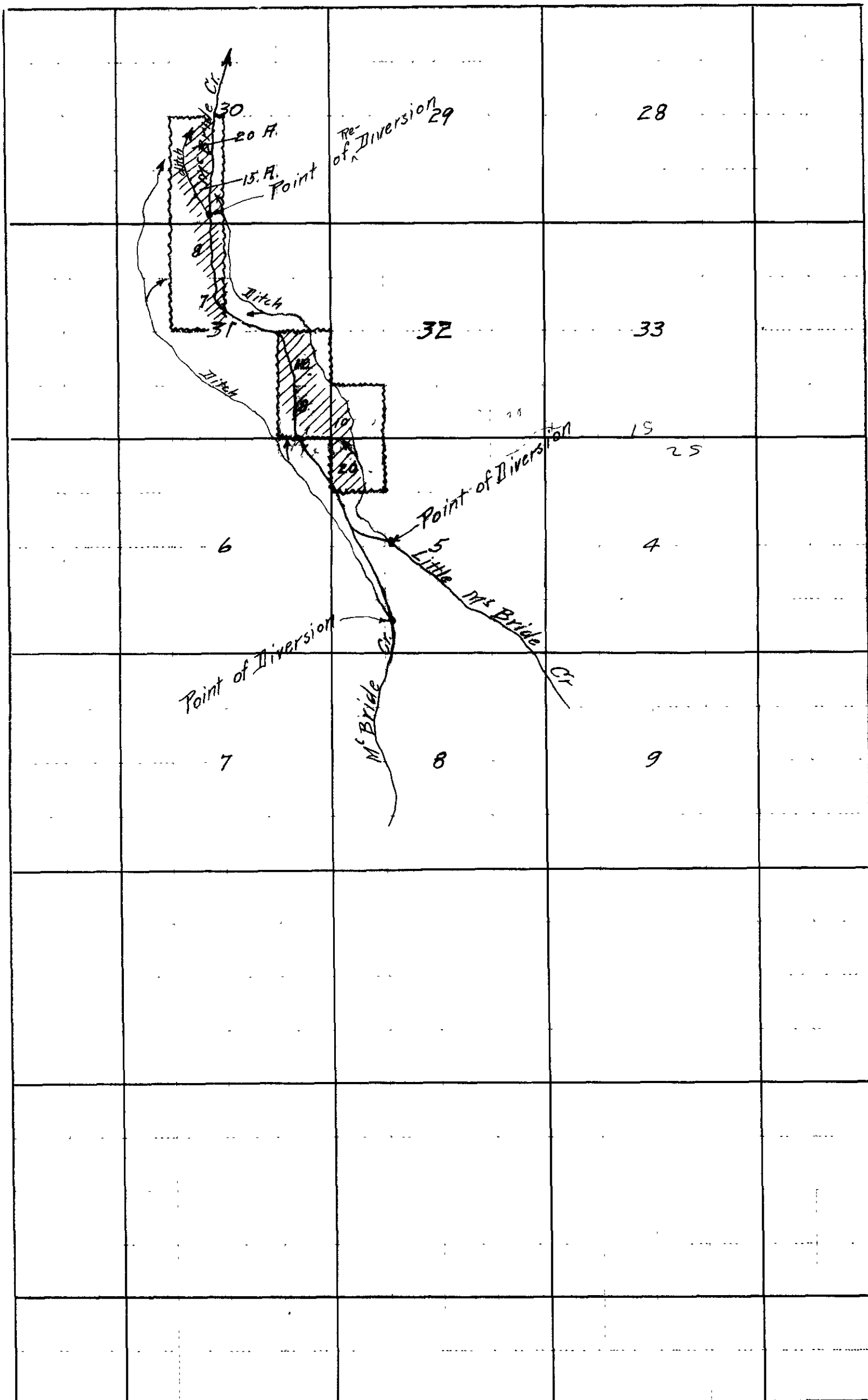
Permit No. 13660

Examination for BEN. 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 a 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.



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

13660

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

June 17, 1929

Re: Permit 13660-Amelia Perkins

Mr. S. Ben Dunlap
Attorney at Law
Caldwell, Idaho

Dear Sir:

We are today in receipt of your letter enclosing depositions of holder and two witnesses, together with the affidavit of publication for proof of beneficial use of water under the above numbered permit. These have been checked and found in proper form, and will be placed on file without final action until the report of our field engineer can be made. The applicant will then be further advised as to the fees due before issuing license.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By _____

CME/oo

13660

S. BEN DUNLAP

LAWYER

10-12 HARMON BLOCK
CALDWELL, IDAHO

June 14, 1929.

Hon. George M. Carter,
Commissioner Reclamation,
Boise, Idaho.

Re: Permit 13660
Amelia Perkins.

Dear Sir:

I inclose herewith in the above
entitled matter the following papers, to-
wit:

1. Proof of Publication of
Notice of Proof Application of Water
to Beneficial use.
2. Deposition of Jack Hughes.
3. Deposition of D. L. Kershner.
4. Deposition of Amelia Perkins.

Thanking you for your attention to
this matter, I am

Very truly yours,


S. BEN DUNLAP.

SBD:IE
Incls. 4.

13660

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee }

I, CHARLES A. HACKNEY, being first duly sworn, depose and say that I am the publisher of the OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, County of Owyhee, and State of Idaho, and the annexed Notice was published in said paper once each and every week for four consecutive weeks, the first publication being on the 1st day of May, 1920 and the last publication being on the 31st day of May, 1920 and that said OWYHEE AVALANCHE has been published continuously and uninterruptedly in said county during a period of seventy-eight consecutive weeks prior to the first publication of the attached notice.

Charles A. Hackney

Subscribed and sworn to before me this 31st day of

May, 1920

J. B. Jordan
Notary Public.

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 12th day of June, 1920, at Caldwell, County of Canyon, State of Idaho, before S. Ben Dunlap, notary public, proof will be submitted of this application to beneficial use of 6.4 cubic feet per second of the waters of McBride creek and Little McBride creek in accordance with the terms and conditions of Permit No. 13660 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are Amelia Perkins, Caldwell, Idaho.

The uses to which said water have been applied are irrigation and domestic.

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used is the E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 30, E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 31, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 1 S., R. 5 W., B. M. NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4) Sec. 5, T. 2 S., R. 5 W., B. M.

The right to take water from such works is based upon Permit No. 13660.

The source of supply from which such water is diverted is McBride creek and Little McBride creek.

The date of the priority which said user is prepared to establish is July 11, 1918.

GEORGE N. CARTER,
Commissioner of Reclamation.

First publication May 10
Last publication May 31

13660

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 13660

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. My name is Amelia Perkins, my age is 72 years, my residence is Caldwell, Idaho, my occupation is housewife, my postoffice address is Caldwell, 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. Not acting for corporation.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. Number of permit is 13660, permit dated _____. I propose to establish a priority date of July 11, 1918.

Ans.

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

Ans. Source of supply is McBride Creek and Little McBride Creek. Water diverted on McBride Creek about $1\frac{1}{2}$ miles S. and E. of the land and on Little McBride Creek about 1 mile S. and E. of the land.

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. Rock dams divert water. Dams are capable of diverting and ditches
of conveying a total of 1000 inches to place of use. Water is conveyed
to place of use by 4 ditches, not named.

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

Ans. Water used for irrigation on each sub-division, about 40 acres on S. and W. side of McBride Creek irrigated and about 30 acres on N. and E. side of McBride Creek; 70 acres of cultivated land, about 20 acres of natural meadow land; cultivated land on each sub-division and water used on each sub-division.

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

Ans. For irrigation, only.

13660

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

Ans. Six and four-tenths cubic feet per second.

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. By assignment.

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

Ans. Water diverted May, 1928, about 400 inches; water also diverted in these ditches for 5 or 6 years, last past to the extent of about 400 inches; have used 400 inches on this land every season for the past 5 or 6 years.

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

Ans. None.

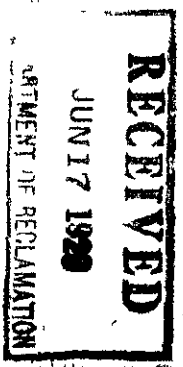
(Sign) Amelia Perkins

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 Caldwell, County of Canyon State of Idaho, on this 12th day of June, A. D. 1929.

R. B. Stanley
Notary Public for Idaho,
Residing at Caldwell, Idaho.

My commission expires December 1st, 1932.

13660



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 13660

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. My name is D. L. Kershner, my age is 29 years; my occupation is stockman; my residence and postoffice address is Sheaville, Oregon.

Ques. 2. Are you acquainted with Amelia Perkins, the holder of Permit No. 13660? How long have you known her and where does she reside?

Ans. I have known her about 12 years, she resides at Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 13660, 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. McBride Creek source of water supply, also Little McBride Creek. Water diverted on McBride Creek about 1 1/2 mile South and East of the land and on Little McBride Creek about 1 mile South and East of the land. Water conveyed by rock dams and ditches, to land described in permit.

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. There are 4 ditches, each ditch will convey 250 inches of water. 250 inches out of McBride Creek and 150 out of Little McBride Creek.

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

Ans. Water used for irrigation on each subdivision, About 40 acres on S. & W. side of McBride Creek irrigated and about 30 acres on N. & E. side of McBride Creek; 70 acres of cultivated land; about 20 acres of natural meadow land. About 70 acres cultivated.

13660

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

Ans. For irrigation only.

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. About 70 acres black loam land has been reclaimed. Practically the entire tract, except 20 acres, will be reclaimed. About three hundred twenty inches of water will be required.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ans.

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. In May, 1928, I saw about 150 inches applied for beneficial use under said permit by gravity ditches.

Ans. I have also seen land watered for the past 4 or 5 years at various times.

(Signed)

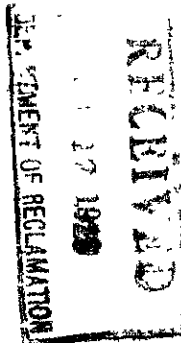
D. L. Kershner

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 Caldwell, County of Canyon, State of Idaho, on this 12th day of June, A. D. 1929.

Notary Public:

My commission expires December 1, 1932 for Idaho, Residing at Caldwell, Idaho.

13660



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 13660

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. My name is Jack Hughes, my age is 41 years, my occupation is farmer, my residence and postoffice address is Caldwell, Idaho.

Ques. 2. Are you acquainted with Amelia Perkins ~~her~~ she, the holder of Permit No. 13660 ? How long have you known ~~her~~ and where does ~~she~~ reside?

Ans. I have known her about 4 years, she resides at Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 13660, 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. McBride Creek source of water supply, also Little McBride Creek. Water diverted on McBride Creek about 1 1/2 mile South and East of the land and on Little McBride Creek about 1 mile South and East of the land. Water conveyed by rock dams and ditches.

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

Ans. There are 4 ditches, each ditch will convey 250 inches of water. 250 inches out of McBride Creek and 150 out of Little McBride Creek.

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

Ans. Water used for irrigation on each subdivision, About 40 acres on S. & W. side of McBride Creek irrigated and about 30 acres on N. & E. side of McBride Creek; 70 acres of cultivated land; about 20 acres of natural meadow land. About 70 acres cultivated, to land described in permit.

13660

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

Ans. For irrigation only.

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. About 70 acres black land has been reclaimed. Practically the entire tract, except 20 acres, will be reclaimed. About three hundred twenty inches of water will be required.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ans.

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. In May, 1928, I saw about 150 inches applied for beneficial use under said permit by gravity ditches.

Ans. I have also seen land watered for the past 4 or 5 years at various times.

(Signed)

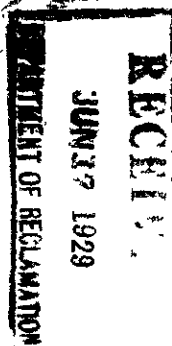
Jack Hughes

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 Caldwell, County of Canyon, State of Idaho, on this 12th day of June, A. D. 1929.

Notary Public

My commission expires December 1, 1932, for Idaho, Residing at Caldwell, Idaho.

13660



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, ~~June~~ 4, 1929

Amelia Perkins,
c/o S. Ben Dunlap,
Notary Public,
Caldwell, Idaho

DEAR ~~SIR~~ Madam:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 13660

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 June 12, 1929, 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 Caldwell before S. Ben Dunlap, 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,

GEO. W. CARTER

Commissioner of Reclamation.

13660

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date May 8, 1929.

PUBLISHER THE AVALANCHE

Silver City, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 12, 1929, the date set for proof, the expense of the publication to be paid by the applicant, Mrs. Amelia Perkins, Caldwell or to whom you should furnish proof of publication prior to June 12, 1929, before proof.

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

Very truly yours,

GEO. M. CARTER

Commissioner of Reclamation.

13660

S. BEN DUNLAP

LAWYER

10-12 HARMON BLOCK
CALDWELL, IDAHO

April 25, 1927.

Hon. George N. Carter,
Commissioner of Reclamation,
State House,
Boise, Idaho.

Dear Sir:

I have your favor of the 19th relative to permit No. 13660 and I thank you very much for the same.

✓ I am inclosing herewith my check for 50¢, payment of your recording fee.

Very truly yours,

SBD:Mc
Inc.
565

S. Ben Dunlap

13660

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Mrs. Amelia Perkins
Wilder, Idaho

April 9, 1929

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. ~~13660~~....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is ~~July 26, 1929~~....., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

13660

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) **April 30, 1929**

(P. O.) **Boise, Idaho**

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
The Avalanche of **Silver City**, published in
the county in which the works are situated.

T. B. Chapman

(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 compe-
tent engineer.)

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

Engineer.

13660

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 12th day of June, 1929,
at Caldwell, County of Canyon, State of Idaho,
before S. Ben Dunsay, notary public, proof will be submitted
of the application to beneficial use of 6.4 cubic feet per second of the
waters of McBride Creek and Little McBride Creek, accordance with the terms and conditions of
Permit No. 13660, heretofore issued by the State Engineer
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

Amelia Perkins, Caldwell, Idaho.

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

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE 1/4 Sec. 30, NE 1/4 & NE 1/4 Sec. 31, and SE 1/4 Sec. 32, T. 1 S., R. 5 W. B.M.
NE 1/4 (Lot 4) Sec. 5, T. 2 S., R. 5 W., B.M.

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

The right to take water from such works is based upon Permit No. 13660

The source of supply from which such water is diverted is McBride Creek and Little McBride Creek.

The date of the priority which said user is prepared to establish is July 11, 1910.

Geo. H. Carter,
Commissioner of Reclamation.

13660

SE 1/4 Sec. 30 - 13 - 5 - 22
SE 1/4 Sec. 31 - 13 - 5 - 22
SE 1/4 Sec. 32 - 13 - 5 - 22

April 19, 1927.

Re: Permit No. 13660.

Mr. S. Ben Dunlap,
Attorney at law,
Caldwell, Idaho.

Dear Sir:

We are mailing you herewith the new Certificate of Completion of Works, issued to Julia M. and Andrew F. Bush, the former certificate having been cancelled.

The assignments to Amelia Perkins have been recorded under the permit in this office and the original is herewith returned to you. The recording fee amounts to fifty cents, which please remit at your earliest convenience.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P
Enc.

13660

S. BEN DUNLAP

LAWYER

**10-12 HARMON BLOCK
CALDWELL, IDAHO**

April 15, 1927.

Department of Reclamation,
State House,
Boise, Idaho.

Gentlemen:

Following the suggestion of your Mrs. Brown I have secured Proof of Completion of Works permit No. 13660 executed by Andrew M. Bush. I also secured two assignments of said permit, one of which was executed by Andrew M. Bush and the other by Julia M. Bush, his wife. These papers are inclosed herewith for filing in your office.

I was unable to secure the original certificate of proof of completion of works, which, according to your records, is erroneous in the description of land therein contained. I presume that a new certificate of completion of works can be issued to cover the proper land and that your records will show an assignment to Amelia Perkins of the waters granted under this permit. If anything further remains to be done in order that title may be vested in Amelia Perkins, will you please advise?

Thanking you for your reply, I am

Very truly yours,

SBD:Mc
Inc. 2

S. Ben Dunlap

13660

Permit No. 13660

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Owyhee

} ss

Andrew F. Bush

one of

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 13660, and that his postoffice address is Wilder
State of Idaho

Second: That the name of the stream from which said water is to be diverted is
McBride Creek and Little McBride Creek

Third: That the point of diversion of said water are - (1) SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5; T. 2 S., R. 5 W. (2) SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T. 2 S., R. 5 W.; (3) SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, T. 1 S., R. 5 W.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 26, 1923.

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

Sixth: That on the date above mentioned, the works constructed under said permit were ~~for~~ ^{for} fully completed and consisted of the following:

I. Kind of works: 4 Dams, and 4 ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: 10, 12, 27 & 28

(a) Height of dam 1, 2 & 3 feet, length of dam at top 10, 12, 27 & 28 feet, length of dam at bottom 10, 12, 27 & 28 feet. Material used in construction rock, earth, barb wire & willow brush

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

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

(d) Conduit ditches width at bottom 2 $\frac{1}{2}$ feet, width at water line 5 $\frac{1}{2}$ feet, depth of water one feet; diameter of pipe inches, average grade per mile is 10 feet Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 6.4 second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: E $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, E $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, E $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, all in T. 1 S., R. 5 W., B.M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 5, T. 2 S., R. 5 W.B.M.

Ninth: Remarks: That At the time Julia M. Bush made affidavit for proof of completion of works, August 4, 1923, the name of Andrew F. Bush was inadvertently omitted but that it was not his intention to abandon his interest in the permit nor lands described under said permit. He, therefore, requests that a certificate of completion of works be issued to him covering the lands as described in said permit and his proof herewith.

Andrew F. Bush

(Sign here)

Subscribed and sworn to before me this 30th day of March, 1927

My commission expires Dec 14, 1928

Notary Public.

13660

August 9, 1923.

Re: Permit No. 13660

Julia M. Bush,
Caldwell, Idaho.

Dear Madam:

We are enclosing herewith Certificate of
Completion of Works, issued under the above numbered
Permit, together with receipt for fees.

Very truly yours,

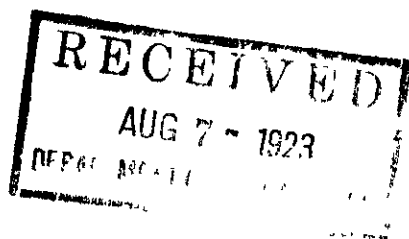
W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

13660

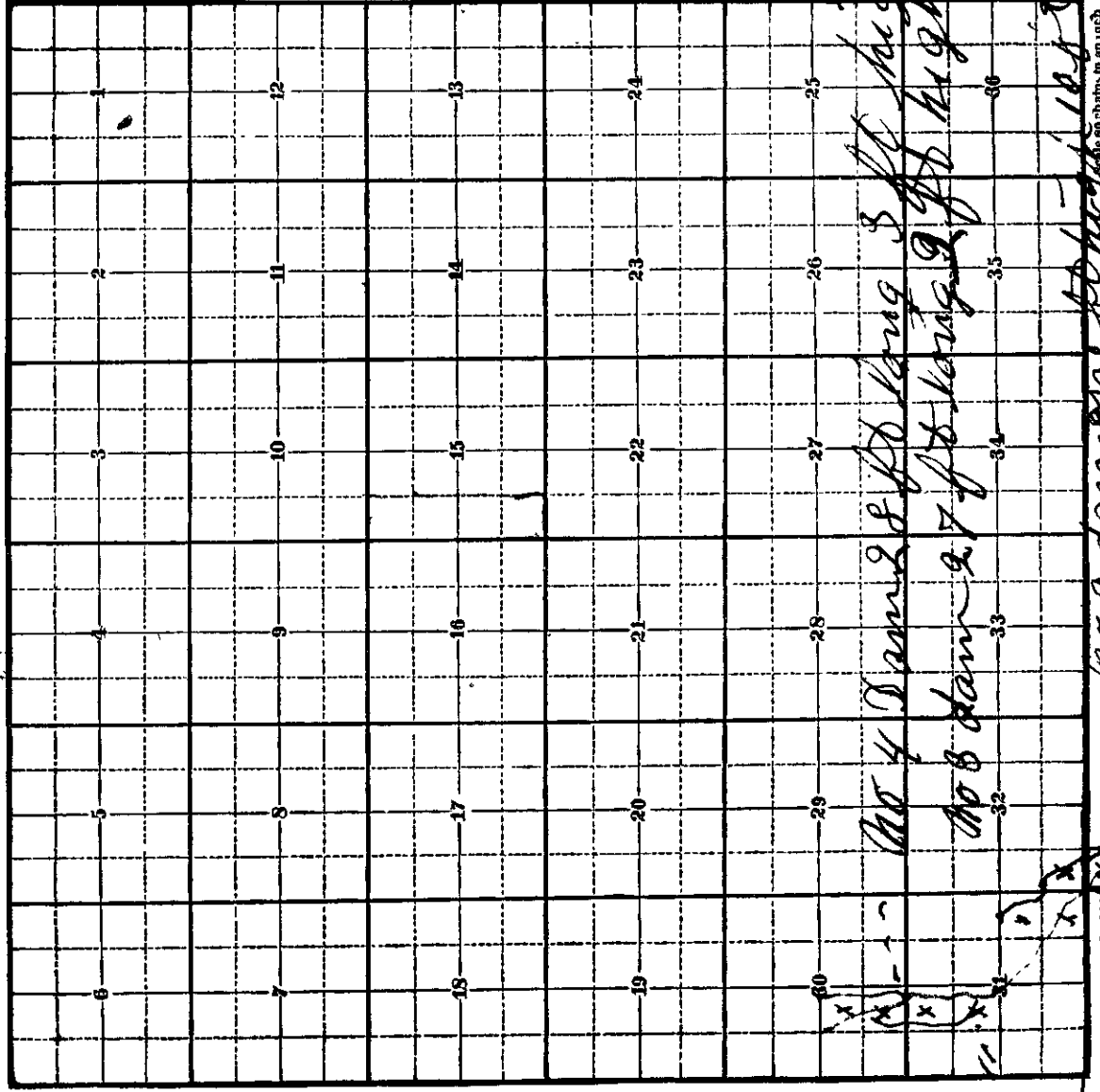
No 1 Ditch 80 rods long 2 $1\frac{1}{2}$ ft bottom 3 ft top
ditch bank $1\frac{1}{2}$ to 1 slope fill 2 to 1 slope fill $2\frac{1}{2}$ ft
high headgate 1 ft wide 6 ft high
No 2 Ditch 300 rods long 2 ft wide bottom
4 ft wide at top ditch bank $1\frac{1}{2}$ to 1
slope fill 2 to 1 slope $2\frac{1}{2}$ ft high
head gate 2 ft wide 4 ft high
No 3 Ditch 100 rods long $1\frac{1}{2}$ ft wide
bottom 4 ft at top Earth Headgate
No 4 Ditch 160 rods long $1\frac{1}{2}$ ft wide
on bottom 4 ft top Earth headgate



13660

Township No. _____ Range No. _____ Mer.

13660



Pencil mark
No 2 Bridge Creek
No 1 Bridge
Run marks
D. Creek

118 285 W

no 3.

T. 2 S. R. 5 W

long
No 2 dam one ft high
No 1 dam one ft high
No 3 dam 2.7 ft high
No 4 dam 2.8 ft high
No 5 dam 2.9 ft high
No 6 dam 3.0 ft high
No 7 dam 3.1 ft high
No 8 dam 3.2 ft high
No 9 dam 3.3 ft high
No 10 dam 3.4 ft high
No 11 dam 3.5 ft high
No 12 dam 3.6 ft high
No 13 dam 3.7 ft high
No 14 dam 3.8 ft high
No 15 dam 3.9 ft high
No 16 dam 4.0 ft high
No 17 dam 4.1 ft high
No 18 dam 4.2 ft high
No 19 dam 4.3 ft high
No 20 dam 4.4 ft high
No 21 dam 4.5 ft high
No 22 dam 4.6 ft high
No 23 dam 4.7 ft high
No 24 dam 4.8 ft high
No 25 dam 4.9 ft high
No 26 dam 5.0 ft high
No 27 dam 5.1 ft high
No 28 dam 5.2 ft high
No 29 dam 5.3 ft high
No 30 dam 5.4 ft high

Permit No. 13660.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Owyhee..... } ss.

Julia H. Bush....., being first duly sworn, upon her oath deposes and says:

First: That she is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 13660, and that her postoffice address is Caldwell, Idaho, C/o Jordan Valley Stage.

Second: That the name of the stream from which said water is to be diverted is.... McVario Creek and Little McVario Creek

Third: That the point of diversion of said water is S1 SW + SE NW - Sec. 6 T. 2 N. R. 20 E. S. 10 T. 1 N. S. 7 E. 13 7 14

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 26, 1923

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

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Four Ditches Four Dams
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: 10, 12, 27, 28

(a) Height of dam 1, 2, 3 feet, length of dam at top.....feet, length of dam at bottom 10, 12, 27, 28 feet. Material used in construction... Rock Earth Barb Wire without Brush
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir.....acre feet.

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

(d) Conduit ditches...width at bottom.....feet, width at water line.....feet, depth of water.....feet; diameter of pipe..... inches, average grade per mile is 10 feet. Length of conduit is..... miles.

Seventh: That said works are capable of conducting to the place of intended use six and 4/5 second feet of water.

Eighth: That water appropriated under said permit is available for 120 acres of land described as follows: NE 1/4 of SE 1/4; Sec. 31 and SW 1/4 of SW 1/4; Sec. 32; Twp. 1 South, and the Lot four of Sec. 5, Twp. 2 South, all in Range 5, West of Boise Meridian, Owyhee County, Idaho.

Ninth: Remarks: That.....

Julia H. Bush
(Sign here)

Subscribed and sworn to before me this 4th day of August, 1923.

My commission expires January 25th, 1927

Notary Public.

13660

July 9, 1923.

Re: Permit #13660.

Mr. A. F. Bush,
Caldwell, Idaho.

Dear Sir:-

Replying to yours of the 5th inst. would say that notice of proof was mailed to "Julia M. Bush" at Homedale, April 6th. I am enclosing herewith blank form upon which to file affidavit for proof. It will not be necessary for both to appear at the office of the notary public to make the proof. Either one may act for himself and for the agent of the other. If there is a notary public closer than Caldwell, the proof could be made before him.

The Commissioner of Reclamation has no authority for extending the time for completion of works where the full five years have been allowed in the permit but proof will be accepted when made later than the time required in the permit, upon the filing of the affidavit of the holder and two witnesses, blanks for which will be mailed to you upon request later.

Very truly yours,
H. G. SWENDSEN,
Commissioner of Reclamation.

By
Chief Clerk.

R6

13660

Caldwell Idaho 7-5-23
Mr C. G. Swendsen Commissioner of
Reclamation Boise Idaho

Dear Sir
In regard to my water Permit no
13668. Approved July 26-1918 of which
I arined Julia M Bush a part
my time will be up on July 26
1923 for proof of completion of
works I would like to know if
I could get an extension of
time of 60 or 90 days to make
the proof as my wife is in
delicate health expects to be
confined about Aug 1 so we
live 40 miles from Caldwell
and it will be nearly impossible
for her to make the trip in
in time to make the proof
and with harvest on I am very
busy and we cannot hardly afford
car hire if it can be arranged to give
us some time some more time it
will greatly benefit us

13660

the Permitt is made to me and
I asked a part to her and I
have not received any notice
as yet if you can ascertain
this matter for us it will
be greatly appreciated by us

Yours Resp,
Julia M Bush A. H. Bush
Caldwell
% J. W. Stage Idaho
Rocks

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Julia M. Bush,
Homedale, Idaho.

Boise, Idaho,
-Ja April 6, 1923.

Dear Sir:—

Under the terms of your permit No. **13660**.....you are required to complete your diversion works on or before **July 26, 1923**. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

13660

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Andrew F. Bush
Homedale, Idaho

Boise, Idaho, July 27, 1918

Dear Sir: **#13660**

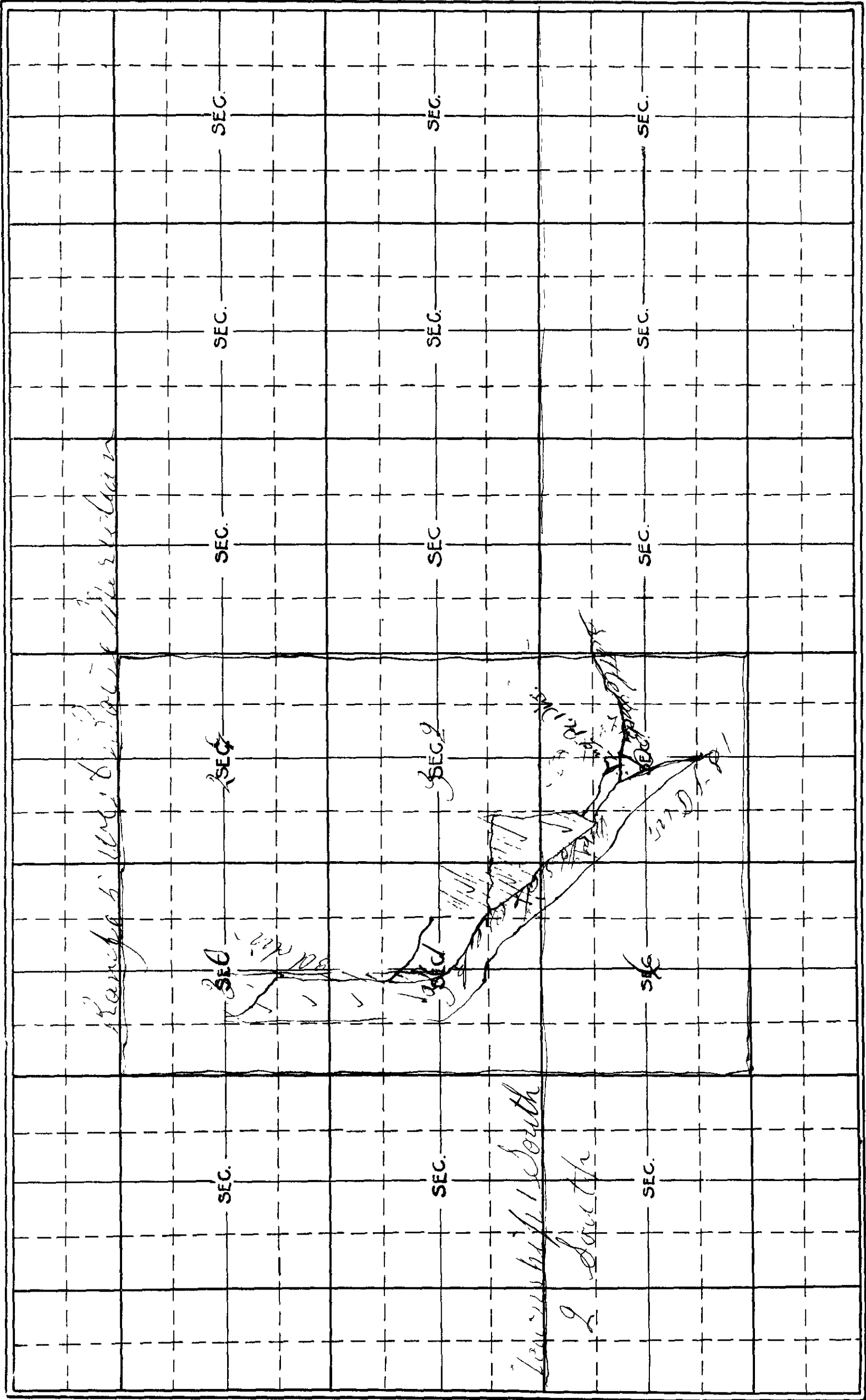
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

~~J. H. SMITH,~~

FRED A. WILKIE State Engineer.

13660

Name of Applicant -----



SCALE 2 INCHES = 1 MILE. DRAW PLAN IN INK

13660