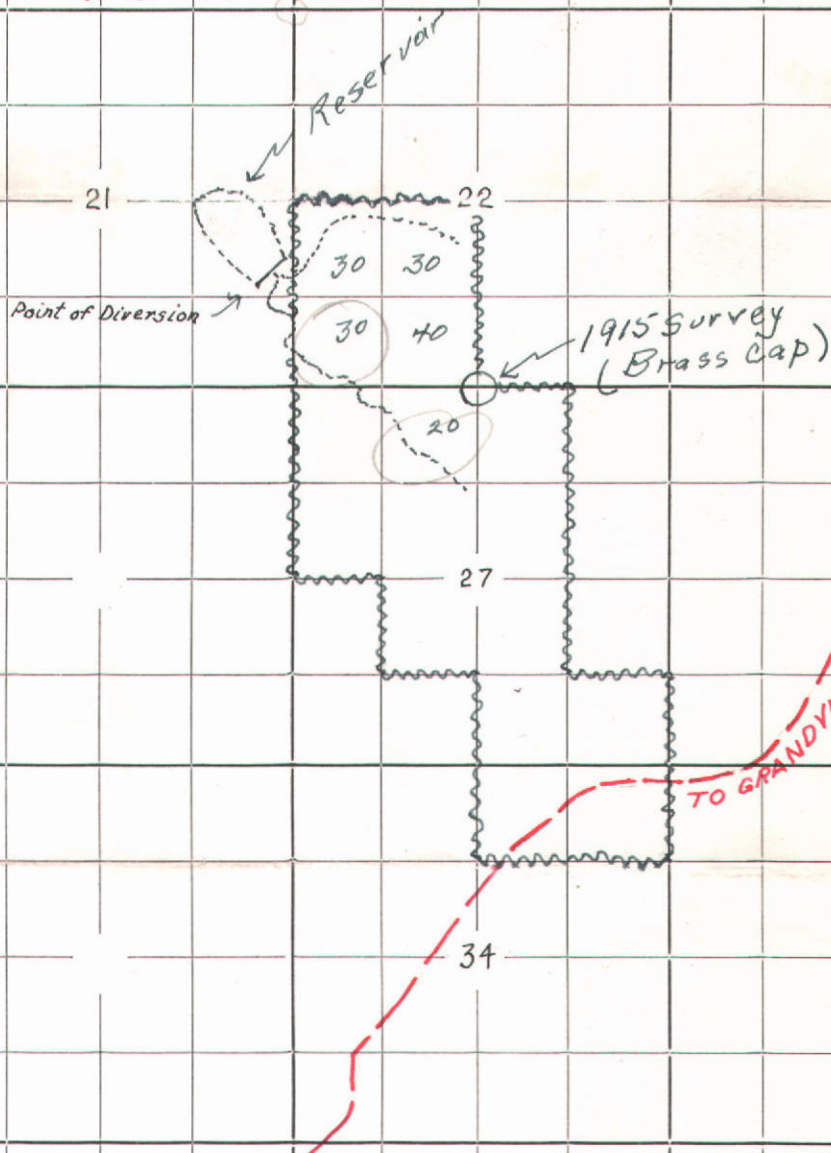


R. 2. W.



T.
9.
S.

Area = 150 acres.

Q = 100 acre Feet.

ATTACH CLIPPING
HERE

NOTICE FOR PUBLICATION
Notice of Proof Application of
Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 23rd day of September, 1952, at Oreana, County of Owyhee, State of Idaho, before Lynn Bachman, Notary Public, proof will be submitted of the application to beneficial use of 150 acre feet per annum of the waters of spring and snow runoff in Mud Flat drainage in accordance with the terms and conditions of Permit No. R-855 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Elmer O. and Hope R. Johnston, Oreana, Idaho.

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

The amount applied to beneficial use is 150 acre feet per annum.

The place where said water is used N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27; Twp. 9 S., Range 2 W., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name.

The right to take water from such works is based upon Permit No. R-855.

The source of supply from which such water is diverted is Spring and snow runoff in Mud Flat drainage.

The date of priority which said user is prepared to establish is August 22, 1950.

MARK R. KULP
State Reclamation Engineer
Pub. Aug. 28-Sept. 18, 1952.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Carol E. Gough, 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 editor and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

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

4. That said notice Notice 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 (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

August 28, September 4, 11, 18,
1952

Signed

Carol E. Gough

Subscribed and sworn to before me this 2nd day of Oct.

A. D., 195 2.

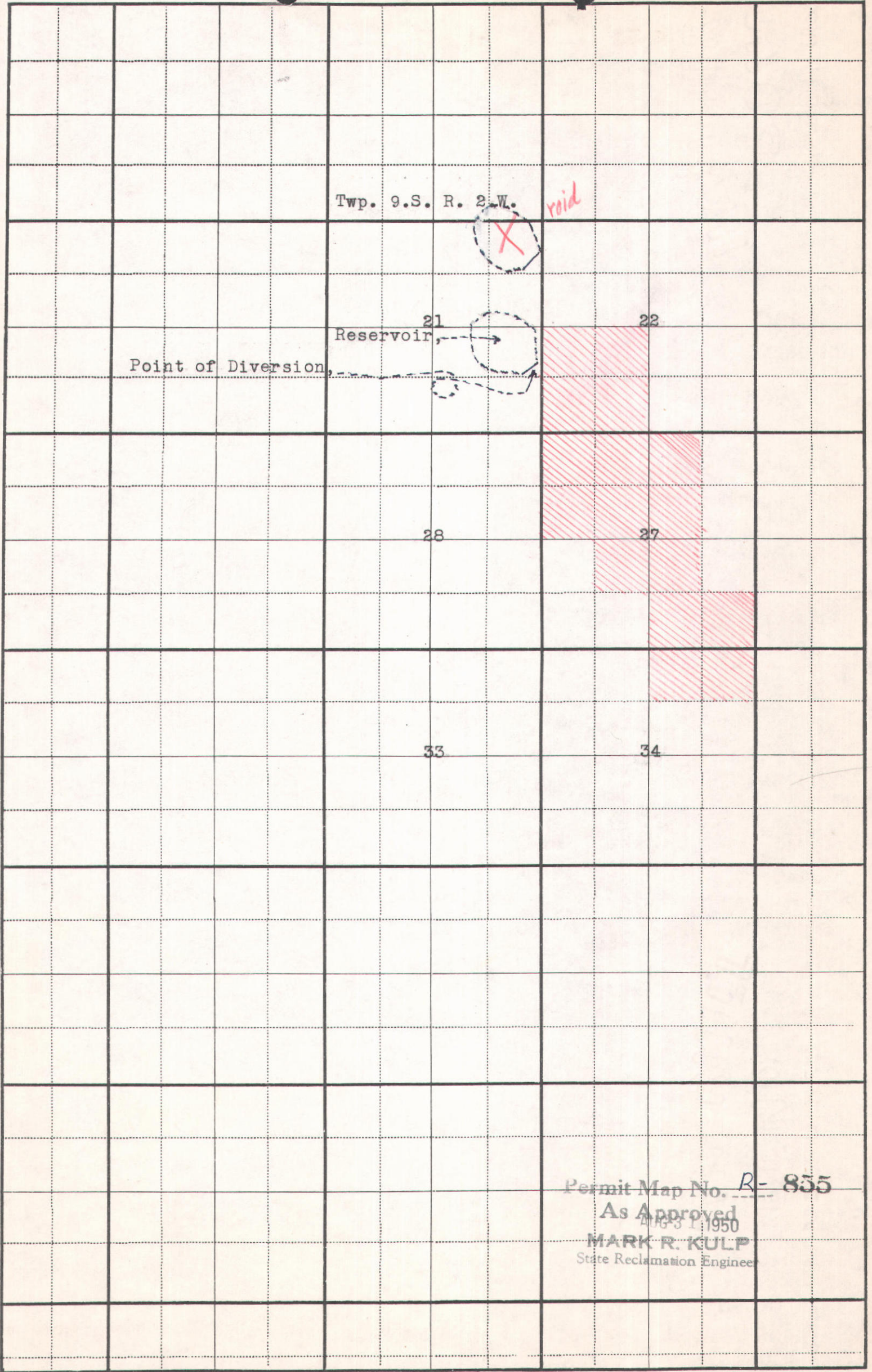
E. E. Elliott

Notary Public in and for the State of Idaho.

Residing at Homedale, Idaho.

My commission expires May 1, 195 5.

R-855



State of Idaho
License and Certificate of Water Right

Water License No. R- 855 Amount 100 acre feet
Water District No. _____ Priority August 22, 1950

THIS IS TO CERTIFY that ELMER R. and HOPE O. JOHNSTON
of Oreana, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 22, 19 50; that Permit No. R-855
was issued under said application; that Certificate of Completion of works, with a ~~storage~~ capacity of
100 ~~second~~ ^{acre} feet, was issued thereunder on July 13, 19 53, showing that said works
were completed on the 11th day of August, 19 52; and that on the 23rd
day of September, 19 52,

ELMER H. nad HOPE O. JOHNSTON
of Oreana, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of spring and
snow runoff in ^{Mud Flat area,} a tributary of Pole Creek, for the purpose of irrigation and domestic
use, under Use Permit No. R-855 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 5101, on the 13th day of July, 19 53;

The right hereby confirmed dates from August 22, 19 50 ;
The Point of ^{outlet} ~~Diversion~~ is located
in the NE 1/4 SE 1/4, Sec. 21, Twp. 9 S., R. 2 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 100 acre ~~cubic-foot-per-second-~~ feet per annum

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
9 S.	2 W.	22	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	30		
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	30		
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40		
		27	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	-		
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	-		
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	-		
			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.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of July, 19 53.

(SEAL) _____
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. G-23823

Amount 1.3 second feet

Water District No. _____

Priority February 23, 1953

THIS IS TO CERTIFY that MARVIN F. DURFEE
of Wendell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 23, 1953; that Permit No. G-23823
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.3 second feet, was issued thereunder on July 13, 1953, showing that said works
were completed on the 23rd day of April, 1953; and that on the 23rd
day of April, 1953,

MARVIN F. DURFEE
of Wendell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
(subterranean/ ~~artificial~~ flow), for the purpose of irrigation
, under Use Permit No. G-23823 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 5102, on the 13th day of July, 1953;

The right hereby confirmed dates from February 23, 1953;

The Point of Diversion is located
in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, Tp. 8 S., R. 14 E., B. M. Gooding County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	14 E.	34	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	25
			Number of Acres Actually Irrigated- - -		65

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
13th day of July, 1953.

MARK R. KULP
State Reclamation Engineer

(SEAL)

Q

95 2W 322

~~322~~

321 SE

Sam Steiner

55-02179

APPLICATION FOR PERMIT

55-2179

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of IdahoApplication No. R 29383
Permit No. R 8551. Name of Applicant: **ELMER O. and HOPE R. JOHNSTON**Postoffice address: **Oreana**County **Owyhee**State **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: **200** **(Mud Flat Creek)** acre feet per annum.3. Source of water supply is **Spring and snow runoff** (Creek) (River) (Spring), a tributary of **Pole Creek** River.4. The outlet of the proposed reservoir is located (bearing) feet, distant from the corner of Section , Township , Range , B. M. and is in the **NE ¼ of SE ¼ of Section 21** , Township **9 S.** , Range **2 W.** , B. M. County of **Owyhee**

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of **Mud Flat** (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section , Township , Range , B. M., and is in the ¼ of ¼ of Section , Township , Range , B. M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.

6. (a) The area of the high water line of the reservoir is **50** acres.(b) The reservoir capacity is **200** acre feet.7. Height of reservoir dam **10** feet, length at top **500** feet, length at bottom **400** feet, size of outlet **1** feet by **12" steel pipe** feet. /The dam is to be constructed of materials as follows: **Earth**

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

No creek (Creek) (River) ?

(b) Water stored in reservoir will be carried in the channel of (Creek) (River) a distance

of miles to point of diversion located (bearing) feet, distant from the corner of Section

Township , Range , B. M., and in the ¼ of ¼ of Section , Township , Range

B. M.

9. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir **None** cubic feet per second.10. Water is to be used for **Irrigation and domestic** purposes.

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

(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range

B. M. and is in the ¼ of ¼ of Section , Township , Range , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet

distant from the corner of Section , Township , Range , B. M., in

the ¼ of ¼ of Section , Township , Range B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No.

, which is hereby referred to and made a part hereof.

13. Kind of diversion works: From reservoir into private ditch direct to place of use.
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width feet, Height feet.

16. Diversion Canal: Width at bottom 2 feet, width at water line 5 feet, depth of water 1 feet, Dimensions of Flume Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: \$ 1,000.00 Diversion Works: \$

18. Time required for completion of work Two (2) years.

19. Time required for complete application of water to proposed beneficial use is None years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S.	2 W.	22									40	40	40	40					160
		27		40	40		40	40	40	40	40					40	40	40	400
		34	40	40															80

Total Number of Acres to be Irrigated 640

Remarks: Mud Flat Creek as called in this application is not really a creek, but a basin area. Reservoir to be filled from the runoff of snows and rain water in early spring.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

ELMER O. and HOPE R. JOHNSTON Applicant.

By Elmer O. Johnston Agent.

Date of first receipt at office of Commissioner of Reclamation State Reclamation Engineer: 10:00 A. M. August 22, 1950

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 855

Recorded in book R 3, page 855 Approved August 31, 1950

This is to certify that I have examined the within application for a permit to construct a reservoir and store and 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 October 31, 1950 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before August 31, 1951

The whole of said work to be completed on or before August 31, 1952

Beneficial use of water stored in accordance herewith, to be made on or before August 31, 1952

Witness my hand this 31st day of August

1950
MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 31st day of August, 1950.

(S E A L)

Countersigned:
By J. D. "CY" PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

Permit No. R. 855

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ELMER R. & HOPE O. JOHNSON of Oreana, County of Owyhee and State of Idaho the holders of Permit No. R 855, issued upon Application No. R-29383, bearing date of priority of August 22, 1950 authorizing the construction of a reservoir, with the right to appropriate and store 200 acre feet per annum of the waters of Spring and snow run-off in Mud Flat area a tributary of Pole Creek, in the County of Owyhee State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 100 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 9 S., Range 2 W., and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; Twp. 9 South, Range 2 West, B.M.

WITNESS MY HAND THIS 13th Day of July, 1953

MARK R. AULP
State Reclamation Engineer

Proof of Completion of works made August 11, 1952
Certificate of Completion of Works issued July 13, 1953

ALL RIGHTS RESERVED FOR 100 ^{acre} ~~SEC. 1~~
Page 5101

✓

August 23, 1952

RE: Permit No. R-855

Mr. Elmer O. Johnston
Oreans
Idaho

Dear Mr. Johnston:

We have sent to the Owyhee Chronicle, notice of beneficial use proof to be made under your Permit No. R-855 on September 23, 1952, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

When you were in the office, the date of September 16 was tentatively set for making proof, but due to a press of business, we did not get the notice to the newspaper in time so we had to set the date forward one week. We hope this will be agreeable to you.

We enclose the necessary forms of deposition to be used in making this proof, consisting of one for yourself and one for each of two witnesses and at the time set, you should appear before Mr. Lynn Bachman, Notary Public, together with two disinterested witnesses for the purpose of executing the depositions.

Your proof of completion of works has been placed on file, but since a field inspection has to be made in connection with your beneficial use proof, Certificate of Completion of Works will not be issued until such inspection has been made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R-855

July 16, 1953

RE: Permit No. R-855

Mr. Elmer R. Johnston
Oreana
Idaho

Dear Mr. Johnston:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right, issued under Permit No. R-855, confirming the right of yourself and Hope O. Johnston to the storage and use of 100 acre feet of spring and snow runoff in the Mad Flat area, with priority of August 22, 1950, and point of outlet in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Township 9 South, Range 2 West, B.M., for irrigation and domestic use on the N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 9 South, Range 2 West, B.M.

We also enclose departmental receipt No. 24749 for the \$5.00 fee in connection with proof of completion of works and receipt No. 26052 for the \$6.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R-855



LEN B. JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 2, 1953

RECEIVED
JUL 13 1953
Department of Reclamation

RE: Permit No. R-855

Mr. Elmer C. Johnston
Greene, Idaho

Dear Mr. Johnston:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. R855.

Upon receipt of the statutory fee of \$6.00 a license will be issued for 100 acre feet of water for irrigation in the $N\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 9 South, Range 2 West B. M.

We will also issue certificate of Completion of Works in accordance of proof made by you on August 11, 1952 and for which you have paid the statutory fee of \$5.00 in connection with Completion of Works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:pj

Permit No. R-855

RECEIVED
AUG 11 1952
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Elmer O. Johnston, Oreane, Idaho. Stockman & Farmer

Ques. 2. If acting on 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. Acting for self

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. R-855 150 acre feet---Mud Flat drainage

Ques. 4. Under terms of permit construction was required to be completed by
Aug. 31st 1952.

Ques. 5. Construction was actually completed on the date of Sept. 30th 19 50

Ques. 6. Does the construction fully comply with the specifications? Yes

Ques. 7. Of what material was the dam built? Dirt with Rock face

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Yes, Fills up every year

Ques. 9. The capacity of the reservoir is 150 acre feet.

Ques. 10. The area of the high water line of the reservoir is 40 acres.

Ques. 11. The height of the dam above bottom of reservoir is 10 feet, above low water is 10 feet.

Ques. 12. The dimensions of the spillway are 50 feet wide and the bottom of the spillway is 2 1/2 feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 14 inches steel pipe encased in concrete with cut-off collars.

Ques. 14. Describe the gate and control unit.

Ans. Regulation gate with screw type control

Ques. 15. The reservoir outlet is made of concrete

Ques. 16. Is the reservoir filled through a feeder canal? No

Ques. 17. If so, where is the point of diversion for same?

Ans. 1/4 1/4 Section, Twp. Range

R-855

Ques 18. Does the feeder canal comply with the specifications in the permit?

Ques 19. If not, explain

Ques. 20. Cost of constructing feeder canal? \$ Cost of reservoir? \$

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. . . . Yes

Ques. 22 Water has (~~has~~ / ~~not~~) been delivered to place of intended use?

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Dirt dam with rock face -- 400 feet long. 30 ft. wide at bottom
15 feet wide at top.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. Irrigation --Mud Flat area---160 acres--

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22; W $\frac{1}{2}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27 all
in Township 9 South, Range 2 West, B. M.

(Sign here)

Elmer Johnston

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.....Murphy....., County of.....Owyhee....., State of Idaho, on this.....11th.....day of.....August..... A.D. 19..52..

Vader C. Ford

Notary Public

My commission expires.....Nov. 6, 1953.....

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-855

REPORT ON PROOF OF Beneficial use

ELMER O. and HOPE R. JOHNSTON, Oreana, Idaho

100 ac ft
smrk

app 200 ac ft.

100 acres
3-40's

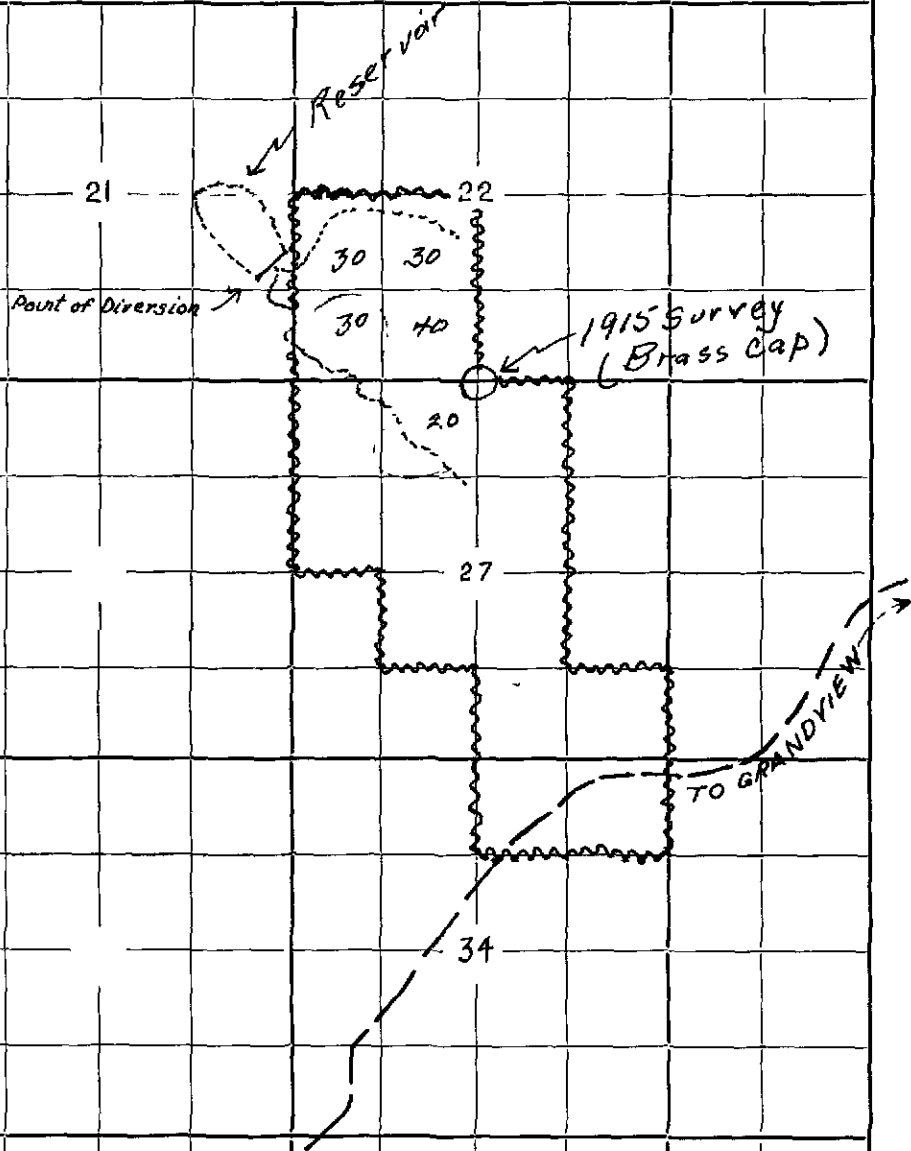
SIN BW 22

219 hr 27

not in file

R-855

R. 2. W.



T.
9
S.

Area = 150 acres.

Q = 100 acre Feet.

Beneficial use proof is to be made on this
September 23rd, 1952.

Proof of completion of works has already been
submitted, but we are with-holding issuance of
certificate of completion of works pending field
examination

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

Permit No. R-855This proof is for Beneficial use In Water District No. _____

1. Name of applicant Elmer O. and Hope R. Johnston, Oreana, Idaho
2. Source of water supply: Spring and snow runoff in Mud Flat area, trib. to Pole Creek.
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21

T. 9 S. R. 2 W. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Dam H above outlet pipe = 7' total H = 10'. Top length = 230 yds. Top W. = 15'. Upstream S. 3:1 Downstream slope 2:1. Top 4' = rip rapped. Freeboard = 2'. Outlet = 12" pipe encased in concrete. Vertical armco head gate. Natural - broad spillway on right 20'-30' W. in bottom. Area = est. 20 acres. Q = 100 cfs. Feet.

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

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

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; S 22, SW $\frac{1}{4}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27; S 27, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE SW, NW SE, S $\frac{1}{2}$ SE $\frac{1}{4}$ Twp. 9 South, Range 2 West, B.M.S 34, N $\frac{1}{2}$ NE $\frac{1}{4}$ Water flows south into Pole Creek.Meadow lays almost on the divide between two streams.

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

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

Remarks: _____

Water is used to irrigate high meadow land for cattle pasture.Dam is not on a well defined stream but rather across a section of a high meadow.This examination was made on the 29 day of June, 1953

(Signed)

E. H. Humphrey Examiner.R-855

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.

Elmer O. & Hope R. Johnston
Greene, Idaho

Permit No. R-855

Examination for Beneficial use

County Owyhee

S 21 - 9 S - 2 W.

Q = 200.0 acre feet

S = Mud Flat Creek (Div. to Pole Creek)

P.D. = NE. SE. Sec 21, T. 9 S., R. 2 W.

Use = Irrigation & Domestic

Priority - Aug. 22, 1950
Due - Aug. 31, 1952

230' long x 1/4 mi long
allow 100000 gal.
1.5' w a top
for 8 outlet to top of dam?
not met - for 5' to 7' above
3.1' upstream above
12" outlet vent 1.9' gals

October 3, 1952

RE: Permit No. R-855

Mr. Elmer O. Johnston
Greene
Idaho

Dear Mr. Johnston:

We have filed the depositions of yourself and two witnesses, also affidavit of publication in the Owyhee Chronicle, all in proof of beneficial use under Permit No. R-855.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

NOTICE FOR APPLICATION
Notice of Proof Application of
Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 23rd day of September, 1952, at Oreana, County of Owyhee, State of Idaho, before Lynn Bachman, Notary Public, proof will be submitted of the application to beneficial use of 150 acre feet per annum of the waters of spring and snow runoff in Mud Flat drainage in accordance with the terms and conditions of Permit No. R-855 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Elmer O. and Hope R. Johnston, Oreana, Idaho.

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

The amount applied to beneficial use is 150 acre feet per annum.

The place where said water is used N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27; Twp. 9 S., Range 2 W., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name.

The right to take water from such works is based upon Permit No. R-855.

The source of supply from which such water is diverted is Spring and snow runoff in Mud Flat drainage.

The date of priority which said user is prepared to establish is August 22, 1950.

MARK R. KULP
State Reclamation Engineer
Pub. Aug. 28 Sept. 18, 1952

ATTACH CLIPPING
HERE

NOTICE FOR PUBLICATION
Notice of Proof Application of
Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 23rd day of September, 1952, at Oreana, County of Owyhee, State of Idaho, before Lynn Bachman, Notary Public, proof will be submitted of the application to beneficial use of 150 acre feet per annum of the waters of spring and snow runoff in Mud Flat drainage in accordance with the terms and conditions of Permit No. R-855 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Elmer O. and Hope R. Johnston, Oreana, Idaho

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

The amount applied to beneficial use is 150 acre feet per annum.

The place where said water is used N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27, Twp 9 S., Range 2 W., B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name

The right to take water from such works is based upon Permit No. R-855

The source of supply from which such water is diverted is Spring and snow runoff in Mud Flat drainage

The date of priority which said user is prepared to establish is August 22, 1950

MARK R. KULP
State Reclamation Engineer
Pub Aug. 28-Sept. 18, 1952.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Carol E. Gough, 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 editor and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

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

4. That said notice Notice 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 (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

August 28, September 4, 11, 18,
1952

Signed

Carol E. Gough

Subscribed and sworn to before me this 2nd day of Oct.
A. D., 1952

E. E. Elliott
Notary Public in and for the State of Idaho.

Residing at Homedale, Idaho

My commission expires May 1, 1955

September 25, 1952

RE: Permit No. R-855

Mr. Elmer P. Johnston
Oreana
Idaho

Dear Mr. Johnston:

We acknowledge receipt of the depositions of yourself and two witnesses offered in proof of beneficial use under Permit No. R-855. However, the affidavit of publication is a necessary part of this proof, and the Owyhee Chronicle was instructed to send you this affidavit. If you have not received it we suggest you take the matter up with them, and forward the affidavit to this department to accompany your proofs.

We note that these depositions describe a different location for point of diversion than that given in the permit, and we also note that the land on which you state the water has been used is different than the description of land given in the proof of completion of works and in the published notice.

However, all this can probably be adjusted at the time a field examination is made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

RECEIVED
SEP 25 1950
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Department of Reclamation

Permit No. R 855

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.
Ans. Elmer D. Johnston, Cresna, Land and Cattle, Cresna, 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. No.

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

Ans. R. 855 Sept 7 1950. Noamher, 1, 1950

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

Ans. Spring and snow runoff NW 4 - SW 4 - Sec 22 - 950 - 2W.
N 2 S 2 21

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

Ans. Dam 500 feet long on top 400 feet at Bottom
60 feet of 12 inch pipe about middle of dam. Steel headgate
at upper end of pipe, capacity 200 inches.
Unnamed ditches

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. Irrigation 94 A. SE 4 - Sec 22
60 A. E 1/2 - NW 4
10 A. W 2 NE 4
20 A. NE 4 SW 4
10 A. NW 4 - SE 4
5 A. SE 4 - SE 4
Natural Meadow
Sec 27 Dutch Covers all Land
being irrigated

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

Ans. _____

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

Ans. _____

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

Ans. _____

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

Ans. Used all water during season of 1952.

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. No other

(Sign) Elmer O Johnston

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Oreana, County of Owyhee, State of Idaho, on this 23rd day of September, A. D. 1952,

Lynn Bachman Sr.

My commission expires Feb 25 1953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 855

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. Lynn Backman Jr. Age 35. Oreana Idaho.
Mail Carrier & Laborer

Ques. 2. Are you acquainted with Elmer O Johnston, the holder of Permit No. 855? How long have you known him and where does he reside?

Ans. Twenty years. Oreana Ida

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

Ans. ~~No~~ 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. Spring & Snow Run Off - Diversion at
Reservoir Carried to points of use by 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. 3 sec ft " 100 inches

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. Water is used for Irrigation Natural Meadow
60 acres E 1/2 NW 1/4
10 acres N 1/2 NE 1/4 20 NE 1/4 - SW 1/4 10 acres NW 1/4 SE 1/4
5 " SE 1/4 SE 1/4 All in Sec 27-95-R-2W
94 acres SE 1/4 Sec 22

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

Ans. _____

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. Meadow Land - 1 in per acre

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. Saw the water being used on the land
9th May 1952 100 in

(Signed) Lynn Bachman Jr

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

County of Curry, State of Idaho, on this 23 day of Sept,
A. D. 1952.

My commission expires Feb 23 1953. Lynn Bachman
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 855

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. Maxwell A. Robinson, 28 Arcana, Idaho Farmer,
Arcana, Idaho

Ques. 2. Are you acquainted with Elmer C. Johnston, the holder of Permit No. R-855? How long have you known him and where does he reside?

Ans. Ten years Arcana, Idaho

Ques. 3. Have you read or heard read said Permit No. R 855, 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. Spring and snow runoff Diversion at
Reservoir. Carried to place of use by 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. 3 sec ft. 100 inches

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. Irrigation, 94 A - SE $\frac{1}{4}$ - Sec 22
60 A - E $\frac{1}{2}$ - NW $\frac{1}{4}$
10 A - W $\frac{1}{2}$ - NE $\frac{1}{4}$
20 A - NE $\frac{1}{4}$ - SW $\frac{1}{4}$
10 A - NW $\frac{1}{4}$ - SE $\frac{1}{4}$
5 A - SE $\frac{1}{4}$ - SE $\frac{1}{4}$ } Sec 27
natural meadow land
constructed ditches

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

Ans. _____

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. Meadow land 1 inch per acre

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. In April of 1952 I was at place of work and saw
water running. Helped work and ditch in May of 1952
There was 100 ft water running when I was there.

(Signed) Merville A. Robinson

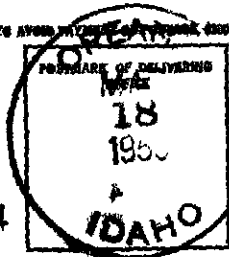
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Oreana,

County of Curfew, State of Idaho, on this 23 day of Sept,
A. D. 19 52.

My commission expires Feb 23-1953. Lynn Bachman
Notary Public.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300
(GPO)



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Return to _____
(NAME OF SENDER)

Street and Number, }
or Post Office Box, } _____

REGISTERED ARTICLE

No. 87327

INSURED PARCEL

BOISE,

IDAHO.

No. _____
16-13421-1

16-13421-1

RETURN RECEIPT

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

1 Elmer O. & Hake R. Johnston
(Signature or name of addressee)

2 M. A. Robinson
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 3-18, 1953

R-855

NOTICE FOR PUBLICATION
Notice of Proof Application of
Water to Beneficial Use

No is hereby given that at 10.00 A. M on the 23rd day of September, 1952, at Oreana, County of Owyhee, State of Idaho, before Lynn Bachman, Notary Public, proof will be submitted of the application to beneficial use of 150 acre feet per annum of the waters of spring and snow runoff in Mud Flat drainage in accordance with the terms and conditions of Permit No. R-855 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Elmer O. and Hope R. Johnston, Oreana, Idaho.

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

The amount applied to beneficial use is 150 acre feet per annum.

The place where said water is used N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27; Twp. 9 S., Range 2

W, B M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name

The right to take water from such works is based upon Permit No R-855

The source of supply from which such water is diverted is Spring and snow runoff in Mud Flat drainage

The date of priority which said user is prepared to establish is August 22, 1950.

MARK R KULP

State Reclamation Engineer
Sub Aug. 28-Sept 18, 1952



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

Handwritten:
V2633
Bundy
12/12/33

Mr. Elmer O. Johnston of Oreana, Idaho, Permit No. R-855 received a cancellation notice by mistake, as all proofs are made. Mr. Johnston called in the office March 30, 1953.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

March 16, 1953

Re: Permit No. R-855

To: Elmer O. & Hope R. Johnston
Oreana, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. R-855 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of works August 31, 1952

you are hereby notified in compliance with Sec. 42-311, Idaho Code annotated that said Permit No. R-855 is hereby held for cancellation.

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

Said Permit No. R-855 claims the use of 200 acre feet ~~2000 acre feet~~ of the waters of Spring and snow runoff with point of outlet ~~diversion~~ located in the NE 1/4 SE 1/4 Section 21, Twp. 9 S., Range 2 W., B.M., and was approved August 31, 1950

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 16th day of March, 1953

W. L. ...
State Reclamation Engineer.

By _____ Assistant.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. R-855

Date: August 21, 1952

Owyhee Chronicle

Jerome, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 23, 1952 the date set for proof, the expense of the publication to be paid by the applicant, Elmer C. Johnston of Oreana, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By
Chief Clerk

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

Notice is hereby given that at 10:00 A. M. on the 23rd day of September, 1952,
at Oreana, County of Owyhee, State of Idaho, before
Lynn Bachman, Notary Public, proof will be submitted of the
application to beneficial use of 150 acre ~~annum~~ ^{annum} cubic feet per second of the waters of spring and snow runoff
in Mud Flat drainage in accordance with the terms and conditions of Permit No. R-855
heretofore issued by the Department of Reclamation of the State of Idaho

The name and postoffice address of the person or corporation holding said permit are
Elmer O. and Hope R. Johnston, Oreana, Idaho.

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

The amount applied to beneficial use is 150 acre feet per annum.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27; Twp. 9 S., Range 2 W., B.M.

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

No name.

The right to take water from such works is based upon Permit No. R-855

The source of supply from which such water is diverted is Spring and snow runoff in Mud Flat
drainage.

The date of priority which said user is prepared to establish is August 22, 1950

MARK R. KULP

State Reclamation Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 11-1952
(P. O.) Boise - Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

Elmer O. Johnston

(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.

DEPARTMENT OF RECLAMATION

BOISE

June 2, 1952

Elmer B. Hope R. Johnston

Oreana, Idaho

Dear Sir:

Under the terms of your permit No. ~~R-855~~ you are required to complete your diversion works and make proof of beneficial use on or before _____

~~August 31, 1952~~.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is _____ ~~August 31, 1952~~, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK H. KULP

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. R-855

Date September 7, 1950

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

Elmer O. & Hope R. Johnston
C/o Elmer O. Johnston
Greene, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 22609

R-855

Boise, Idaho, August 22, 1950

Hon. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

In reference to my application filed today for permit to construct a reservoir and store and appropriate 200 acre feet of water from spring and snow run off (Mud Flat Creek), in Section 21, Twp. 9 South, Range 2 West, B.M.

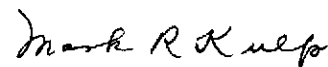
I hereby request that the statutory requirement for the approval of plans and specifications before construction is commenced be waived.

Very truly yours,



ELMER O. JOHNSTON

Waiver recommended by F. A. Tolman, and approved
by Mark R. Kulp, State Reclamation Engineer.


State Reclamation Engineer

Boise, Idaho, August 22, 1950

Hon. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

In reference to my application filed today for permit to construct a reservoir and store and appropriate 200 acre feet of water from spring and snow run off (Mud Flat Creek), in Section 21, Twp. 9 South, Range 2 West, B.M.

I hereby request that the statutory requirement for the approval of plans and specifications before construction is commenced be waived.

Very truly yours,

ELMER C. JOHNSTON

Waiver recommended by F. A. Tolman, and approved by Mark R. Kulp, State Reclamation Engineer.

State Reclamation Engineer

R-855

