

R-16W R-5W

12

8

6

14

13

7

18

PO#100

PO#2

For Licknsf ALLOW: 2222 - 35 ACRES
SUBD - 4

Q - 0.7 cfs
VOL - 3.0 AC-FT / ACRES / SEASON - MAX
195 AC-FT / SEASON
PRIORITY - SEPT 25, 1963

IDAHO LAND & SURVEY SPECIAL EXAM PH-208 5832389

Permit No. 31400 552150

Name of Applicant Richard R. Staples

Source of Water Jordan Creek

a tributary of Owyhee River

Location of P.D. 1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 18, T. 6 S, R. 5 W, B.M.
2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 13, T. 6 S, R. 6 W, B.M.

Owyhee County

Water is used for Irrigation

Quantity of water claimed: Permit .7 c.f.s. Depositions 200 inches

Type of measuring device installed or method of measurement and general description of diversion works private ditch, pump (full capacity of pump is 170 inches), and gravity irrigation

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
6 S	5 W	18	Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$);
6 S	6 W	12	NE $\frac{1}{4}$ SE $\frac{1}{4}$
		13	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Total acreage 35

Filed - September 25, 1963

Made - September 6, 1968

Due - c/w September 26, 1968

Priority - September 25, 1963

b/u September 26, 1974

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

none

Two more pump stations
area of the ground water
by this division?

Source of supply JORDAN CR.
a tributary of OWACHEE RIVER
Location of P.D.(s) #1 - NE 1/4 SEC 13 65 SW
#2 NW 1/4 SEC 18 65 SW

Water is used for IRRIGATION & STOCKWATER
Quantity of water found IN EXCESS OF 10.0 c.f.s.
How was the measurement made? ESTIMATED & BASED
Measurement calculations UPON DESIGN FOR TRAMA
WATER LITER 15 (1000 gpm)

#1 Diversion works description and diagram
7 HP G E KEE LUTER # STN J 62107
PARK WATER LITER
01-88 12' BISHA
ABOUT 170"

#2 EARTH & ROCK FILL ACROSS JORDAN CR
4' - 8' HIGH - 36" NASSCATE EARTH
DITCH - CONVEYS ENTIRE FLOW

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR RICHARD STAPLE

Recommended allowance for licensing .7 cfs.

Description of required amendments. Comments.

Report checked? _____

Examination date 6-2-69

Signature

Don Reynolds

PLATE
OR

Soil Conservation District Owyhee

Owner Dick Staples

Farm No. Date

Operator

Scale $1" = 660'$ Acres
Approximate

Owyhee
County

Idaho
State

Photo No.





CONSERVATION PLAN MAP
 Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
 cooperating with

OWNER Dick Staples
 OPERATOR awhce
 COUNTY Idaho STATE Idaho

FARM NO. _____ DATE 5-2-61
 SCALE _____ ACRES _____
 PHOTO NO. GSCR-13-214



53-3150
31400

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 1st day of August, 1968, and the last publication being on the 22nd day of August, 1968;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 22 day of Aug, 1968.

Louise S. Hawes
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on September 6, 1968, at Boise, County of Ada, State of Idaho, before notary public (name and address) Laura J. Henderson, Idaho Building, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 0.7 c.f.s. of the waters of Jordan Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 31400, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Richard R. Staples, Jordan Valley, Oregon.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 0.7 c.f.s.

4. The point of diversion of said water is No. 1 — NW $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 18, T. 6 S., R. 5 W., B. M. and No. 2 — NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 6 S., R. 6 W., B. M., Owyhee County.

5. The place where said water is used is Lot 1 (NW $\frac{1}{4}$ -NW $\frac{1}{4}$), Sec. 18, T. 6 S., R. 5 W., B. M.; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 6 S., R. 6 W., B. M.

6. The date of priority which said user is prepared to establish is September 25, 1963.

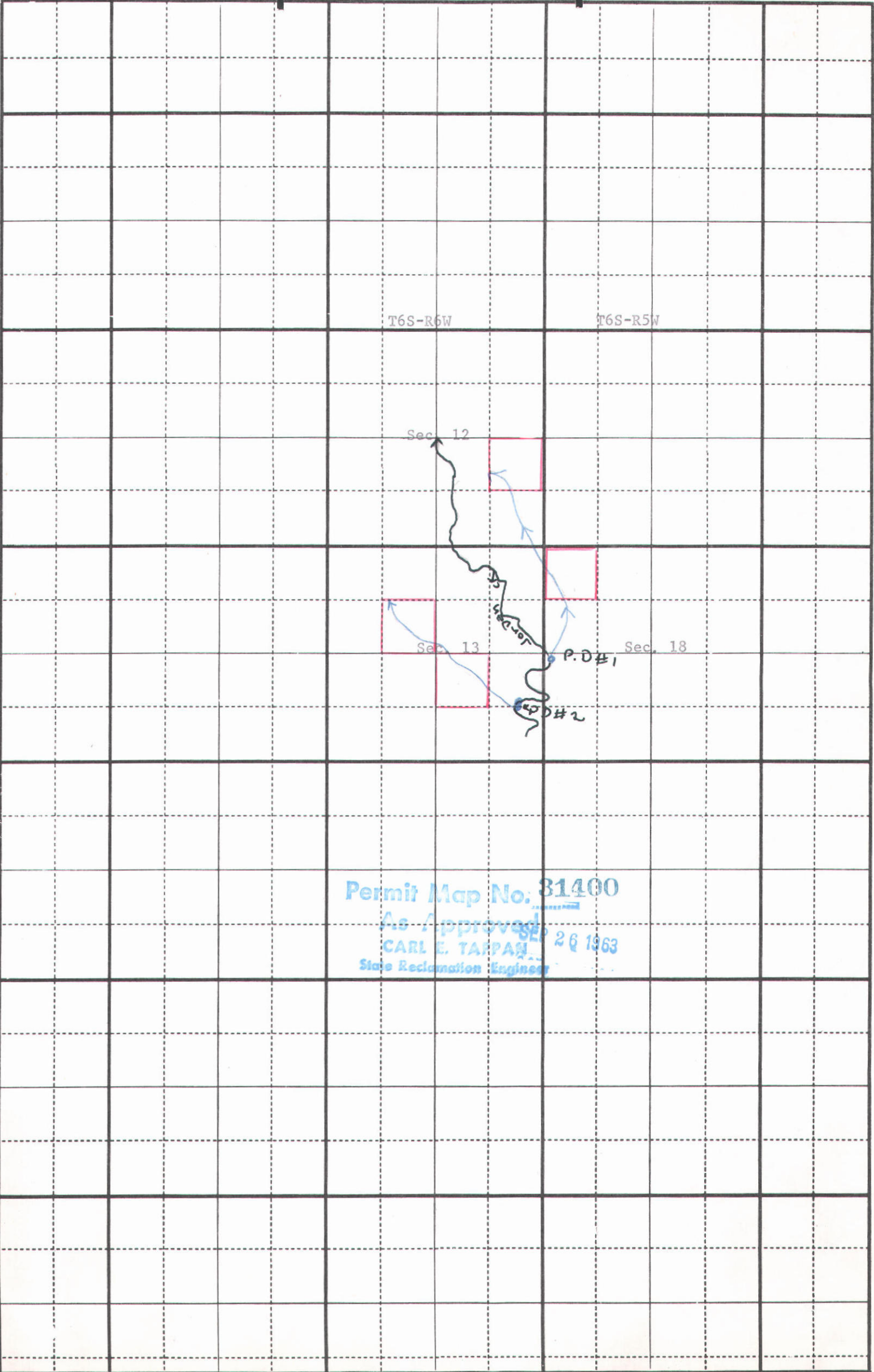
R. KEITH HIGGINSON,
State Reclamation Engineer
Published August 1, 8, 15 and 22, 1968
The Owyhee Nugget
Marsing, Owyhee County, Idaho

RECEIVED

SEP 13 1968

Department of Reclamation

31400



Permit Map No. 31400
As Approved
CARL E. TAPPAN
State Reclamation Engineer
26 1963

WATER LICENSE

Water License No. 31400/55-2150 Priority September 25, 1963 Amount 0.7 c.f.s.

THIS IS TO CERTIFY, that RICHARD R. STAPLES
of Jordan Valley, Oregon, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 25, 1963; that Permit 31400/55-2150 was issued pursuant
to said application; that the proposed works were completed on or about 1943
with a storage/or carrying capacity of 10,0 c.f.s., said works consisting of private
ditch, pump, and gravity irrigation; and that on September 6, 1968
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 105
acre feet per season, with a maximum rate of diversion of 0.7 cubic feet per second of the waters
of Jordan Creek, tributary of Owyhee River,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion is
located in NW ¼ SW ¼, Sec 18, T. 6 S, R. 5 W, B.M., and
other additional points NE ¼ SE ¼ Sec. 13, T. 6 S., R. 6 W., B.M., in the County of
Owyhee; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 105 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6 S	5 W	18						6											6
6 S	6 W	12													8				8
		13								14						7			21

Total number of acres irrigated 35

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

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

23rd day of February, 19 70.

R. Keith Higgs
State Reclamation Engineer

55 2150

55-2150

31400

55-2150

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 39507
PERMIT No. 31400
DISTRICT No.

1. Name of Applicant: Richard R. Staples

Postoffice address: Jordan Valley

County: Malheur

State: Oregon

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) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: .7 cfs

cubic feet per second.

3. Source of water supply: Jordan Ck.

which is a tributary of Owyhee River

4. Location of point of diversion:

feet distant from the

corner of Section 18, T. 6 S, R. 5W, B.M., and is in the #1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$
#2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$
of section 13, T. 6 S, R. 6W, B. M., County of Owyhee

5. Water is to be used for Irrigation

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

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , 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: \$ 1,500

8. Kind of works: Ditching and headgates

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

feet; material used in dam:

10. Size of headgate: Width 2 feet; height 2 feet.

11. Ditch: Width at bottom 2 fee; width at water line 5 feet; depth of water 2 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 1-3/4 miles.

Average grade per mile 5 feet.

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

13. The time required for the complete application of the water to the proposed use is 6 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (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 water of the State of Idaho as herein set forth.

Richard R. Staples *Applicant.*

By s/ Harley M. McDowell
B. Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. September 25, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31400

The number of this permit is 54400
Recorded in Book 110 Page 31400 Approved September 26, 1963

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 November 26, 1963 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 March 26, 1966

The whole of said work to be completed on or before September 26, 1968

Beneficial use of water appropriated in accordance herewith, to be made on or before September 26, 1974

WITNESS My hand this 26th day of September, 1963

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE,.....ROBERT E. SMILE....., Governor of the State of Idaho,
and.....ARNOLD WILLIAMS....., 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 26th.....

day of September, 1963.

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLIE
Governor.

REMARKS: This permit is to be used in connection with desert land application

14.

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 $\frac{1}{4}$	
6 S 6 S	5 W 6 W	18 12 13					L.1 6									8 7		6 8 21	
Total Number of Acres to be Irrigated																	35		
LICENSE ISSUED FOR <u>0.7</u> AC. FL. LICENSE PAGE NO. <u> </u>																			

**Application For Permit
To Appropriate the Public Waters of the State of Idaho**

APPLICATION No. 39507
PERMIT No. 31400
DISTRICT No.

Name of Applicant: Richard R. Staples

Postoffice address: Jordan Valley

County: Malheur

State: Oregon

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) Bond to be issued:
(d) Other resources:

2. Quantity of water claimed: .7 cfs

cubic feet per second.

3. Source of water supply: Jordan Ck.

which is a tributary of Owyhee River

4. Location of point of diversion:

feet distant from the

corner of Section 18, T. 6 S., R. 5W, B.M., and is in the
of section 13, T. 6 S., R. 6W, B. M., County of Owyhee

#1 - NW 1/4
#2 - NE 1/4

5. Water is to be used for Irrigation

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , 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: \$ 1,500

8. Kind of works Ditching and headgates

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet, material used in dam:

10. Size of headgate Width 2 feet; height 2 feet.

11. Ditch: Width at bottom 2 feet; width at water line 5 feet; depth of water 2 feet;
dimensions of flume.

Diameter of pipe inches; length of conduit 1-3/4 miles.

Average grade per mile 5 feet

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

13. The time required for the complete application of the water to the proposed use is 6 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (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 water of the State of Idaho as herein set forth.

Richard B. Staples Applicant.

By s/ Harley M. McDowell B. Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. September 25, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31400

Recorded in Book 110 Page 31400 Approved September 26, 1963

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 November 26, 1963 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 March 26, 1966

The whole of said work to be completed on or before September 26, 1968

Beneficial use of water appropriated in accordance herewith, to be made on or before September 26, 1974

Witness My hand this 26th day of September, 1963

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, 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 26th

day of September, 1963.

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE Governor.

Secretary of State.

REMARKS: This permit is to be used in connection with desert land application

14.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S	5 W	18																	6
6 S	6 W	12													8				8
		13														7			21
															Total Number of Acres to be Irrigated				35

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
JUL 24 1968

Department of Reclamation

*
*
*

IN THE MATTER OF PROOF OF	)	
COMPLETION OF WORKS AND	)	REPLY TO PROTEST AND
APPLICATION OF WATER TO	)	
BENEFICIAL USE UNDER	)	MOTION TO DISMISS
PERMIT No. 31400	)	

*
*
*

COMES NOW, Richard R. Staples of Jordan Valley, Oregon, the owner and holder of Permit No. 31400 issued by the Department of Reclamation of the State of Idaho for the appropriation of 0.7 cubic feet per second of the waters of Jordan Creek, a tributary of the Owyhee River, and replies to the joint protest of South Board of Control and Gem Irrigation District, dated August 20, 1968, and received in the Department of Reclamation on August 23, 1968, as follows:

The protest appears to be based upon an asserted insufficiency of water to fill the use requirements of the permit and of prior rights. Such asserted ground of protest is insufficient for two reasons:

1. A protest must be based solely upon the statements in the notice of intention to submit proof of completion of works and application to beneficial use (Idaho Code, Sec. 42-224). Neither the act of completing diversion works nor

31400

the act of application of water to beneficial use, nor the notice of intention to submit proof thereof, has anything to do with the sufficiency of the water supply;

2. Under the law (I. C. 42-203, 204) in effect when the permit was issued, where the appropriation is less than 25 cubic feet per second, the determination of sufficiency of the water supply is made by the State Reclamation Engineer before granting the application, and his determination can not be challenged by way of protest against the issuance of a license after the diversion and application to beneficial use has been completed.

The permit holder has perfected his appropriation under the permit. That being the case, the relief requested by the above named protestants is in the nature of an adjudication of water rights, which is beyond the jurisdiction of the State Department of Reclamation.

The protestants recognize that their reservoir fills in some years, which indicates that there are times when water is available over and above that required to fill their water rights. That being the case, the protest would not be sufficient even if against an application for a permit to appropriate water.

For the foregoing reasons, Richard R. Staples respectfully requests that the protest of South Board of Control and Gem

Irrigation District be dismissed and that a water license issue to Richard R. Staples under Permit No. 31400 and the proof submitted thereunder.

ANDERSON, KAUFMAN, ANDERSON & RINGERT

William F. Ringert

A Member of the Firm

503 Idaho Bldg., Boise, Idaho

Attorneys for Richard R. Staples

I CERTIFY that service of the within and foregoing Reply to Protest and Motion to Dismiss was made on the 18th day of September, 1968, by mailing a copy to South Board of Control at Homedale, Idaho, and to Gem Irrigation District at Homedale, Idaho.

William F. Ringert

South Board of Control, Owyhee Project

HOMEDALE, IDAHO

337-3760

FELISA ISAGUIRRE
TREASURERT. H. COTTON
SECTY-MGR

August 20, 1968

RECEIVED

AUG 22 1968

Department of Reclamation

Mr. Keith Higginson
State Reclamation Engineer
State Department of Reclamation
Boise, Idaho

Dear Mr. Higginson:

The South Board of Control, Owyhee Project and the Gem Irrigation District wish to protest an Application of Water to Beneficial Use, permit number 31400 for the diversion of 0.7 cfs of the water of Jordan Creek. The point of diversion is #1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 6 S., R. 5 W. B. M. and #2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 6 S., R. 6 W., B. M., Owyhee County.

The Owyhee Project draws a good portion of their water from the Jordan Creek area. We are just ending up a short water year and there is a strong possibility of an even worse season next year unless we have an above normal year for reservoir inflow.

Although the reservoir has filled some years there have been more years when it has not. We would very much like to be assured of a sufficient amount of water to insure the investment of both the irrigation districts and the individual land owners.

I am enclosing two letters which deal with the Gem and Owyhee project water rights. The last paragraph of the letter from Mr. Carter to Mr. Burpee has been the basis for our assurance of Idaho Reclamation Department recognition of the water rights of the Owyhee Project for water which originates in Idaho.

We hope that this is also the feeling of the present administration.

The board of directors do not feel that there is sufficient water to allow any more diversion from the Owyhee River or its tributaries.

The Application which we are protesting was submitted by Richard R. Staples, Jordan Valley, Oregon. It is for water to be diverted in Idaho and used on Idaho land.

Edwin Stansell

Edwin Stansell, chairman
South Board of Control
and Gem Irrigation District.

Yours very truly,

Tom Cotton

Tom Cotton, Secty-Mgr.
South Board of Control
and Gem Irrigation District

31400



ROBERT K. SMYLER
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

WBS

September 8, 1960

OFFICE OF THE SOLICITOR
FIELD SOLICITOR
BOISE, IDAHO

SEP 9 1960

Mr. William Burpee
Field Solicitor
Department of Interior
Box 937, Boise, Idaho

Dear Mr. Burpee:

I note the various actions you have taken to make complete the record of all water rights appurtenant to the Owyhee Irrigation Project, situate in the states of Oregon and Idaho. The Gem Irrigation District with its Idaho water rights is an integral part of the Owyhee Project.

It seems to me that the matter of applying water originating in Oregon to Idaho lands is adequately made a matter of record by the Oregon water right certificates which clearly designate by legal subdivision description Idaho lands, to which the water is made appurtenant.

I understand it is the case that no Snake River water pumped from locations where the Snake River is wholly within Idaho is applied to Oregon lands of the Owyhee Project, consequently Idaho permits and water licenses which are a matter of record in that state should adequately take care of Idaho water applied to Idaho lands which are a part of the Owyhee Project.

Additional to the Idaho water permits and licenses discussed in my letter of January 7, 1960, to Maurice H. Greene, Attorney for the Gem Irrigation District, there were a number of Idaho water permits from Jump and Succor Creeks originally issued to various individuals. These rights were eventually conveyed to the Patch Cooperative Canal Company which made proof of completion of works and beneficial use of the water. For some reason vague to this to this office, the licenses growing out of these individual permits were combined into license numbers 94, 922 and 925.

These rights were eventually acquired by the Gem Irrigation District, however, there was no record of the acquisition in this office. At the request of Willard H. Robinson and Maurice H. Greene who presented deeds of conveyance of these water rights to the Gem Irrigation District, notations were made on both permits and the licenses in the records of this office as follows:

"Permits 94, 922 and 925 were deeded from Patch Cooperative Canal Company, Ltd. to Gem Irrigation District February

31400

Page Two

Wm. Burpee

Sept. 8, 1960

_____, 1914. The deed number 10908 recorded in Owyhee County,
Book 8 of Deeds, Page 471, filed for record April 14, 1914.

In summary it is my opinion that everything necessary has been
done to make the record complete on all of the water rights in both
Oregon and Idaho. For the Owyhee Project.

Sincerely yours,

GEO. N. CARTER
GEO. N. CARTER
State Reclamation Engineer

GNC:ew

cc: Maurice H. Greena
Attorney at Law
300 North 6th St.
Boise, Idaho

31400

Portland Region
Boise Field Office
P.O. Box 937
Boise, Idaho

August 1, 1960

C
O
P
Y

Mr. George N. Carter
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Carter:

As you are aware, the Bureau of Reclamation, with the completion of construction of the Owyhee Project and the transfer of operation to the project water users, has been engaged in finalizing the project water rights in accordance with the requirements of section 8 of the Reclamation act of 1902.

This has been accomplished under the statutes of Oregon, and I am enclosing for the permanent records of your office the certificates of water rights issued in connection with the project. These are:

1. Storage certificate under permit No. R-599 for 700,000 acre-feet of water, recorded in State Record of Water Right Certificates, Volume 17, page 24705, issued on April 15, 1959, and recorded in the office of the County Clerk, Malheur County, on May 7, 1959, under instrument No. 10978, in Book G, page 1.
2. Certificate for the diversion of 1,718 cubic feet per second from the Owyhee River, both natural flow and storage, under permit No. 8171 for the irrigation of 103,168 acres, issued on April 15, 1959, recorded in State Record of Water Right Certificates, Volume 17, page 24707, and also recorded in the office of the County Clerk of Malheur County on May 7, 1959 under instrument No. 10982.
3. Storage certificate under permit No. R-1764 for 420,000 acre-feet of water, recorded in State Record of Water Right Certificates, Volume 17, page 24706, issued on April 15, 1959, and recorded in the office of the County Clerk, Malheur County, on May 7, 1959, under instrument No. 10979, in Book G, page 2.

31400

4. Certificate for the diversion of 176 cubic feet per second from the Snake River under permit No. 24286, recorded in State Record of Water Right Certificates, Volume 17, page 24703, issued on April 15, 1959, and recorded in the office of the County Clerk, Malheur County, on May 7, 1959, under instrument No. 10980, in Book G, page 3.

5. Certificate for the diversion of 222 cubic feet per second from the Snake River under permit No. 24285, recorded in State Record of Water Right Certificates, Volume 17, page 24704, issued on April 15, 1959, and recorded in the office of the County Clerk, Malheur County, on May 7, 1959, under instrument No. 10981, in Book G, page 7.

You will note that we have included the water right certificates covering pumping from the Snake River even though the lands served are all in Oregon. This is significant to the Idaho lands of the project because the Snake River is a boundary stream between Oregon and Idaho, and because the Owyhee Project, under its authorization and contractual arrangements with the water users both in Oregon and in Idaho, is to be operated on a basis of pooling of water supply and project costs. A copy of the executed amendatory repayment contract of August 29, 1951 approved by the Congress and judicially confirmed as binding on each of the irrigation districts involved, is also enclosed.

To the foregoing water certificates there should be added the Idaho water permits involving diversions in Idaho which you listed in your letter of January 7, 1960 to Mr. Maurice Greene, attorney for the Gem Irrigation District.

Since, as above indicated, the Owyhee Project involves waters in Idaho as well as in Oregon, we have given consideration of what, if any, further actions should be taken to complete the project water rights under the laws of Idaho. Having in mind the fact that the Idaho lands of the project using water from the Owyhee River are served by means of a diversion located in Oregon, and with water stored in Oregon, we see no useful purpose in making any further filings in Idaho in connection with the use of Owyhee River water in Idaho.

In support of this conclusion there are these two principal factors. First, the Oregon water certificates covering Owyhee River water applies to and specifically list the lands of the project in Idaho. Note that the water right certificate under permit No. 8171 starts off with a list of the lands in the Gem Irrigation District. While present Oregon law prohibits the appropriation of water in Oregon for use out of that state except upon the express consent of the

Oregon legislature, the law of Oregon was otherwise at the time of the issuance of the Owyhee Project water permits. The Oregon legislation of 1951, repealing the prior law permitting out of state appropriations, contained a savings clause to the effect that this repeal did not affect appropriations existing prior to May 12, 1951. Thus, the Idaho lands of the Owyhee Project are protected under already issued Oregon water right certificates. And it is essential that they be protected under Oregon law, even more so than Idaho law, because the storage and diversion works are all located in Oregon. This being so, a further filing in Idaho may be construed as an implication of the invalidity of the Oregon water rights for the Idaho lands. This, I think, should be avoided. Secondly, the Idaho statutory procedures for filing for a permit to appropriate water do not seemingly apply to the situation as to the Owyhee River waters serving the Owyhee Project lands in Idaho. This is apparent because there is no place of diversion from any stream in Idaho. The water is being carried across the state line in the south canal and several laterals and sublaterals from that canal located in Oregon, with some of the laterals and sublaterals zigzagging across the state line. It would be exceedingly difficult to set out precisely the amount of water carried across the state line from Oregon into Idaho and to designate with precision all the places where this is accomplished. Incidentally, it is my understanding that some of the Oregon lands are served by water carried in Idaho and taken back into Oregon. Thus, it can be readily seen that the Idaho statutes and forms of your office relating to filing an application to appropriate water are inappropriate and inapplicable to this situation.

In view of the foregoing we have tentatively concluded that it is unnecessary and undesirable to make any filing in Idaho with respect to the Owyhee River waters used on the Owyhee Project lands in Idaho, but instead intend to consider these lands adequately covered by the existing water license issued by the State of Oregon. We would like to have your views on this matter, and if you see any useful purpose in making a filing in Idaho we will be glad to attempt to work out with you whatever procedures can be improvised to accomplish something appropriate under existing law.

You will note that the enclosed water right certificates have been recorded in the local records of Malheur County, Oregon, in accordance with the Oregon water right procedures. Although there seems to be no requirement of law in Idaho to do so, it may perhaps be desirable to have the Oregon certificates recorded in Owyhee County. We would appreciate having your reaction to this as well.

Sincerely yours,

/s/ William Burpee
William Burpee
Field Solicitor

Enclosure



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT ROAD
BOISE, IDAHO 83705



IN REPLY REFER TO:
I-25584

2800

RECEIVED

MAY 13 1988

MAY 16 1988

Department of Water Resources

Owyhee County Commissioners
P. O. Box 128
Murphy, ID 83650

Dear Sirs:

Your right-of-way application I-25584 for a road maintenance yard and shop in T. 6 S., R. 6 W., Section 13, has been recommended for approval. Before we can offer the right-of-way to you, however, we will need a copy of your approved water permit and approved drilling permit from the Idaho Department of Water Resources for the well you propose to use on the site.

Please submit the copies of the permits to this office as soon as you receive them from the State of Idaho. We will then complete the grant forms and send them to you for your signature.

If you have any questions concerning the permits, please call me at 334-1582.

Sincerely yours,

Sally Carpenter

Sally Carpenter
Land Law Examiner

cc: ✓ Idaho Department of Water Resources
Statehouse
Boise, ID 83720

File

SS-4017
- 4018
- 4070
- 2150

February 24, 1970

Re: Permit No. 91400/55-2150

Mr. Richard R. Staples
Jordan Valley,
Oregon

Dear Mr. Staples:

Enclosed herewith is your Water License issued on the above numbered permit and departmental receipt No. 4222 in the amount of \$13 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

20 0.5
7/11/70

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE — ANNEX 2
BOISE, IDAHO 83707

February 10, 1970

Re: Permit No. 31400/55-2150

Mr. Richard R. Staples
Jordan Valley,
Oregon

Dear Mr. Staples:

A representative of this department has made an examination of the works covered by your Permit 31400/55-2150 and has found the following:

Quantity of water diverted: in excess of 10.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.7 c.f.s.

The maximum quantity diverted shall not exceed 105 acre feet per season.

Beneficial Use: irrigation of 35 acres within NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12; SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 6 S., R. 6 W., B.M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T. 6 S., R. 5 W., B.M.

The priority date established is: September 25, 1963

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:kh

57-5120
1970

February 10, 1970

Re: Permit No. 31400/55-2150

Mr. Richard R. Staples
Jordan Valley,
Oregon

Dear Mr. Staples:

A representative of this department has made an examination of the works covered by your Permit 31400/55-2150 and has found the following:

Quantity of water diverted: in excess of 10.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.7 c.f.s.

The maximum quantity diverted shall not exceed 105 acre feet per season.

Beneficial Use: irrigation of 35 acres within NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12; SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 6 S., R. 6 W., B.M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T. 6 S., R. 5 W., B.M.

The priority date established is: September 25, 1963

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

*for Paul
2-17-70
K.H.*

55-2150
31400

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

FILED
1970
M
IDAHO

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Rick Staples

21609

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Marsha Staples

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

3

2/11/70

55-3150

31400

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

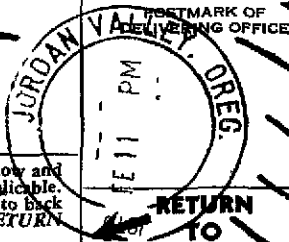
PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

PS-16-71648-10

Apr. 1967

PS Form 3811

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**



NAME OF SENDER

Department of Health and Welfare

STREET AND NO. OR P.O. BOX

Annex #2, 1000 100

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

INSTRUCTIONS TO DELIVERING EMPLOYEE



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address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

William F. Ringert

21606

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Pat Boehm

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

FEB 11 1970 3

55-2150

314CC

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE OR ABUSE
PAYMENT OF POSTAGE**



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**RETURN
TO** 

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Reclamation
Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

INSTRUCTIONS TO DELIVERING EMPLOYEE

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address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

21608

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

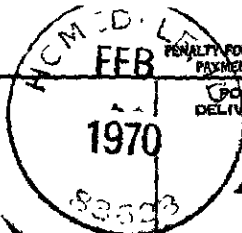
DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

55-2150

31400

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE

POSTMARK OF
DELIVERY OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

U.S. Dept. of Housing
Annex #2 Statehouse
Boise, Idaho 83707

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

21607

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

FEB 12 1970

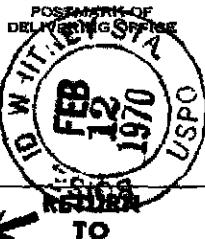
3

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

PSN-28-71548-10

PSN Form 3811 Apr. 1967



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Department of Rec
Annoz #2 Station un
Pine, Idaho 83707

2-9-70

NAME AND
ADDRESS
OF SENDER

Rept. of Reclamation

Indicate type of mail

☐ INSURED☐ C. O. D.☒ CERTIFIEDAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSE- MENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE REMARKS
1	21606 Wm. F. Ringert, Box 2773, Boise, Idaho 83701								
2	21607 Maurice Green, Box 334, Boise								
3	21608 Edwin Stansel, Chm, Pome Cotton, Sec. Mgr.,								
4	So. Board of Control & Gen. Irig. Dist.,								
5	Homedale, Idaho 83628								
6	21609 Nick Staples, Jordan Valley, Oregon								
7									
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TOTAL NUMBER OF PIECES LISTED BY SENDER	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER, PER (Name of receiving employee)			¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." ² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.				

Four

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF LICENSING)

PERMIT 31400; RICHARD R. STAPLES)

MEMORANDUM DECISION

A permit to appropriate the public waters of the State of Idaho No. 31400 was issued by the Department of Reclamation on September 26, 1963. The permit authorized the diversion of 0.7 c.f.s. of water from Jordan Creek in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 6 South, Range 5 West, B.M., and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 6 South, Range 6 West, B.M., Owyhee County, for irrigation of 35 acres of land. The permit required that Proof of Completion of Works be made to the Department on or before September 26, 1968, and that Proof of Application of Water to Beneficial Use be made on or before September 26, 1974.

On July 26, 1968, the permit holder notified the Department of his intent to make proof of both completion of works and beneficial use, and a notice of this intent was published in the Owyhee Nugget, Marsing, Idaho, on August 1, 8, 15 and 22, 1968. A protest was received from the South Board of Control and Gem Irrigation District. The protest contended that "the board of directors do not feel that there is sufficient water to allow any more diversion from the Owyhee River or its tributaries", and that such an appropriation would injure their prior rights.

On September 19, 1968, the permit holder, Richard R. Staples, through his attorney, William F. Ringert, filed a reply to the protest and a motion to dismiss. The permit holder contended that the protest was insufficient for two reasons:

- 1) "A protest must be based solely upon the statements in the notice of intention to submit proof of completion of works and application to beneficial use (Idaho Code, Sec.42-224). Neither the act of completing diversion works nor the act of application of water to beneficial use, nor the notice of intention to submit proof thereof, has anything to do with the sufficiency of the water supply"; and
- 2) "Under the law (Idaho Code, Sec.42-203-204) in effect when the permit was

5.3 . 2150

31400

issued, where the appropriation is less than 25 cubic feet per second, the determination of sufficiency of the water supply is made by the State Reclamation Engineer before granting the application and his determination cannot be challenged by way of protest against the issuance of a license after the diversion and application to beneficial use has been completed."

The matter was called for hearing on September 24, 1968, at 1:00 p.m., in the Owyhee County Court House, Murphy, Idaho. Upon request of both parties the date for hearing was vacated and a new hearing was set to be held on October 15, 1968. Prior to that hearing a conference was held to discuss the protest and decide what points to cover in the hearing. The parties agreed that the points to be considered were as follows: (1) The availability of unappropriated public water; and (2) The question of whether prior rights of the Owyhee Project would be injured if such an appropriation was allowed. The hearing was convened for the purpose of ruling on the permit holder's motion to dismiss the protest. The hearing examiner ruled that the motion was denied, based upon the grounds that the State Reclamation Engineer could consider whether or not water was available for the appropriation and to what extent that water was available for appropriation at the time of proof of completion of works and application of water to beneficial use. It was also agreed that neither party was prepared and would like the hearing continued until a later date.

The hearing was reconvened on November 15, 1969. Mr. William Ringert, attorney at law, represented the permit holder, and Mr. Maurice Green, attorney at law, represented the protestants. The parties requested that, since the points at issue could only be settled by referring to the records, the matter be submitted without formal hearing to the Department of Reclamation for its decision.

Mr. Green read into the record three exhibits which were stipulated to be correct by both parties. Exhibit marked P-1 listed irrigable acreage of districts in the Owyhee Project. Exhibit P-2 was a tabulation for the years 1947 through 1967 of total use from the Owyhee Reservoir for the project in acre feet, amount of water provided by pumps from the river in acre feet, and the total water supplied from both the Owyhee Reservoir and water pumped from the Snake River to the project.

55-2150
31400

Exhibit P-3 was a tabulation for the years 1947 through 1967 of the computed inflow of the reservoir, the amount spilled through the reservoir in acre feet, the maximum storage of the reservoir in acre feet, and the date that the maximum storage occurred.

The records of the Department of Reclamation show that the Owyhee Project holds three certificates of license issued by the State of Oregon for the Owyhee Reservoir: 1) Storage certificate under Permit No. R-599 for 700,000 acre feet of water issued on April 15, 1959. 2) Certificate for the diversion of 1,718 cubic feet per second of water issued on April 15, 1959. 3) Storage certificate under Permit No. R-1764 for 420,000 acre feet of water issued on April 15, 1959.

Protestants' Exhibit P-3 indicated that the reservoir filled and spilled in 1951, 1952, 1957, 1958 and 1965, and indicated that only during the years 1955, 1956, 1962, 1963, 1964 and 1965 was there not considerable carry-over of water in the reservoir. However, it appeared that during those years there was carry-over above the outlet gate elevation. The record from the U. S. Geological Survey gage on the Owyhee River near Rome, Oregon, above the Owyhee Reservoir indicates that the average monthly flows exceed the 1,718 c.f.s. an average of 2.5 months per year. The average flow during the months of March - September for the period 1951-1960 was 1,272 c.f.s. The average flows for the months of March, April, May and June are 1,784, 3,767, 2,094 and 838 c.f.s. respectively, during that period.

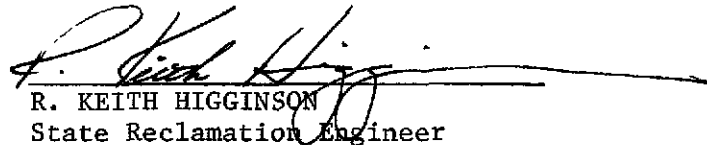
In licensing a permit to appropriate the public waters of the State of Idaho, the State Reclamation Engineer must consider the amount of water which has been appropriated by reason of the permit and its associated works. He must also consider the amount of water which was available for that appropriation and he is prohibited from issuing a license the exercise of which would cause injury to prior rights.

In this instance there is conclusive evidence that the Owyhee Reservoir fills and water spills or is released on occasion and is not applied to a beneficial use by the protestants. During the period when it is spilling water, part of that water is the result of carry-over storage from the previous season or seasons of operation. It should be uncontested that there is unappropriated public water in the Owyhee River System during times of Owyhee Reservoir spill. Recognizing that part of this spill or release is unused hold-over water from previous seasons, it must follow that such waters were never applied to a beneficial use by the Owyhee Project and therefore no right to such water previously existed. This Department recognizes the importance of carry-over storage in providing water during periods of below-normal streamflow. However, the mere existence of a reservoir with sufficient capacity to catch and hold more than the seasonal water supply needs of a project area is not in and of itself sufficient to create an appropriation of the entire flow of that stream or river system. There must be a subsequent release of the stored water and application to a beneficial use.

The protestants have failed to submit any evidence to show that the use of water by the applicant has interfered with the protestants' ability to obtain sufficient water from the Owyhee River and other supplementary sources to meet the beneficial requirements of the Owyhee Project.

It is therefore ordered, and the protests against the issuance of license on Permit No. 31400 are hereby DENIED.

Dated this 9TH day of February 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

Source of supply JORDAN CR.
a tributary of OWYHEE RIVER
Location of P.D.(s) #1 - NE 1/4 SEC 18, 6S 5W
#2 - NW 1/4 SEC 18, 6S 5W

Water is used for IRRIGATION & STOCKWATER
Quantity of water found IN EXCESS OF 10.0 c.f.s.
How was the measurement made? ESTIMATED & BASED
Measurement calculations UPON DESIGN FOR PERMA
WATER LATER 1S (1000 gpm)

#1 DIVERSION WORKS DESCRIPTION AND DIAGRAM

7 H' G E KILL LATER #1
PERMA WATER LATER
01-86 12'
15' - 17' "

#2 EARTH & ROCK FILL ACROSS JORDAN CR
4' - 8' HIGH - 36" HEADGATE EARTH
DITCH - CONVEYS ENTIRE FLOW

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR. RICHARD STAPLE

Recommended allowance for licensing .7 c.f.s.

Description of required amendments. Comments.

Report checked? _____

Examination date 10-2-69

Signature Don Reynolds

PLATE
1

Permit No. 31400 58 21 50 ~~SE~~ Memorandum in four

Name of Applicant Richard R. Staples

Source of Water Jordan Creek
a tributary of Owyhee River

Location of P.D. 1 - NW 3/4, sec. 18, T. 6 S, R. 5 W, B.M.
2 - NE 1/4, sec. 13, T. 6 S, R. 5 W, B.M.
Owyhee County

Water is used for Irrigation

Quantity of water claimed: Permit .7 c.f.s. Depositions 200 inches

Type of measuring device installed or method of measurement and general description
of diversion works private ditch, pump (full capacity of pump is
170 inches), and gravity irrigation

16 SE 1/4
13

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
6 S	5 W	18	Lot 1 (NW 1/4);
6 S	6 W	12	NE 1/4
		13	SE 1/4, NE 1/4

Total acreage 37

Filed - September 25, 1963
Due - c/w September 28, 1968
b/u September 26, 1974

Made - September 6, 1968
Priority - September 25, 1963

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
acreage covered by subdivision; also show land covered on the map.)
none

Soil Conservation District Owyhee

Owner Dick Staples

Farm No. Date

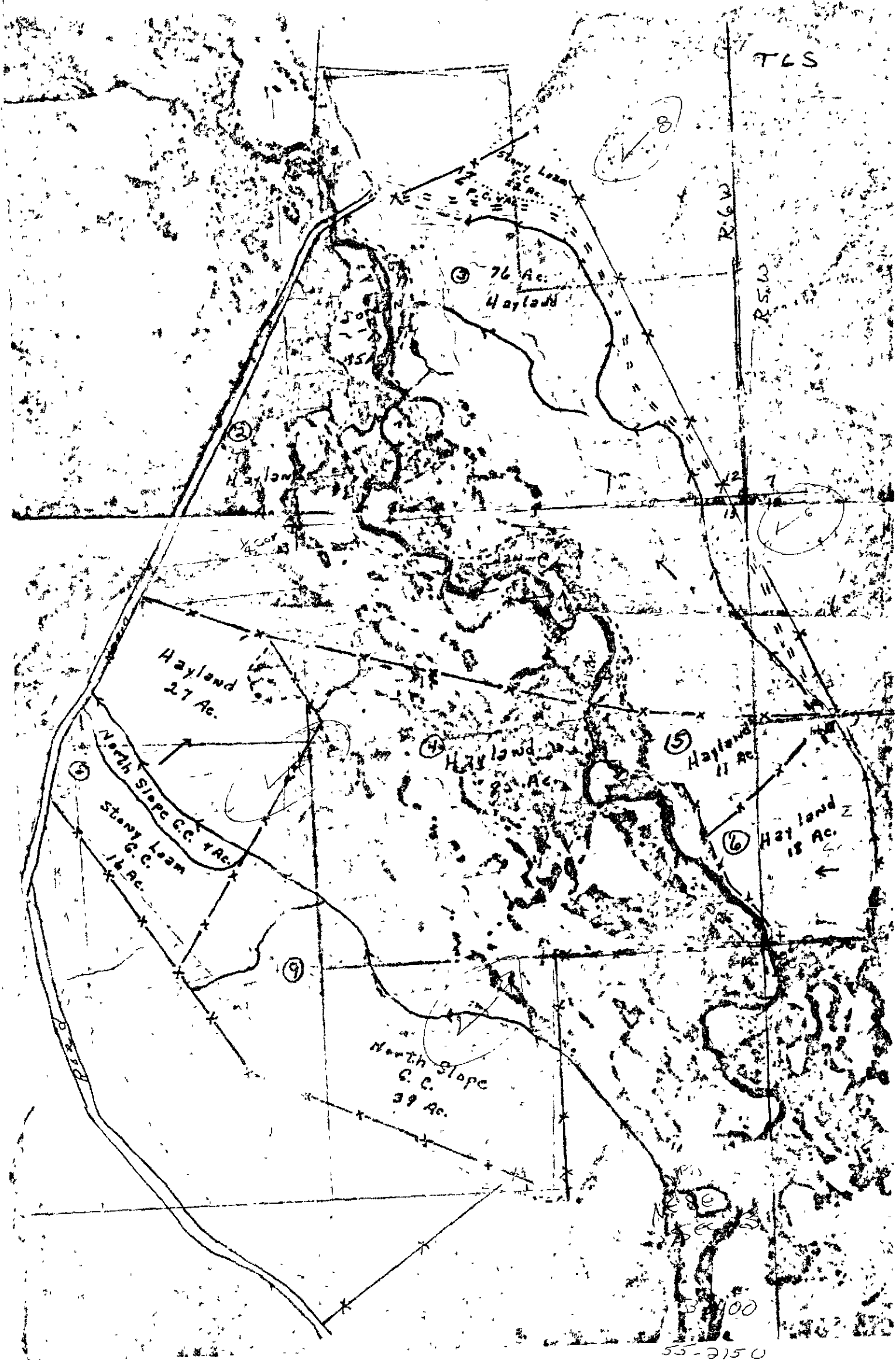
Operator

Scale $1" = 440'$ Acres
Approximate

Owyhee
County

Idaho
State

Photo No.



CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

OWNER *Dick Staples*
OPERATOR

OPERATOR

anyone

Idaho
STATE

FARM NO

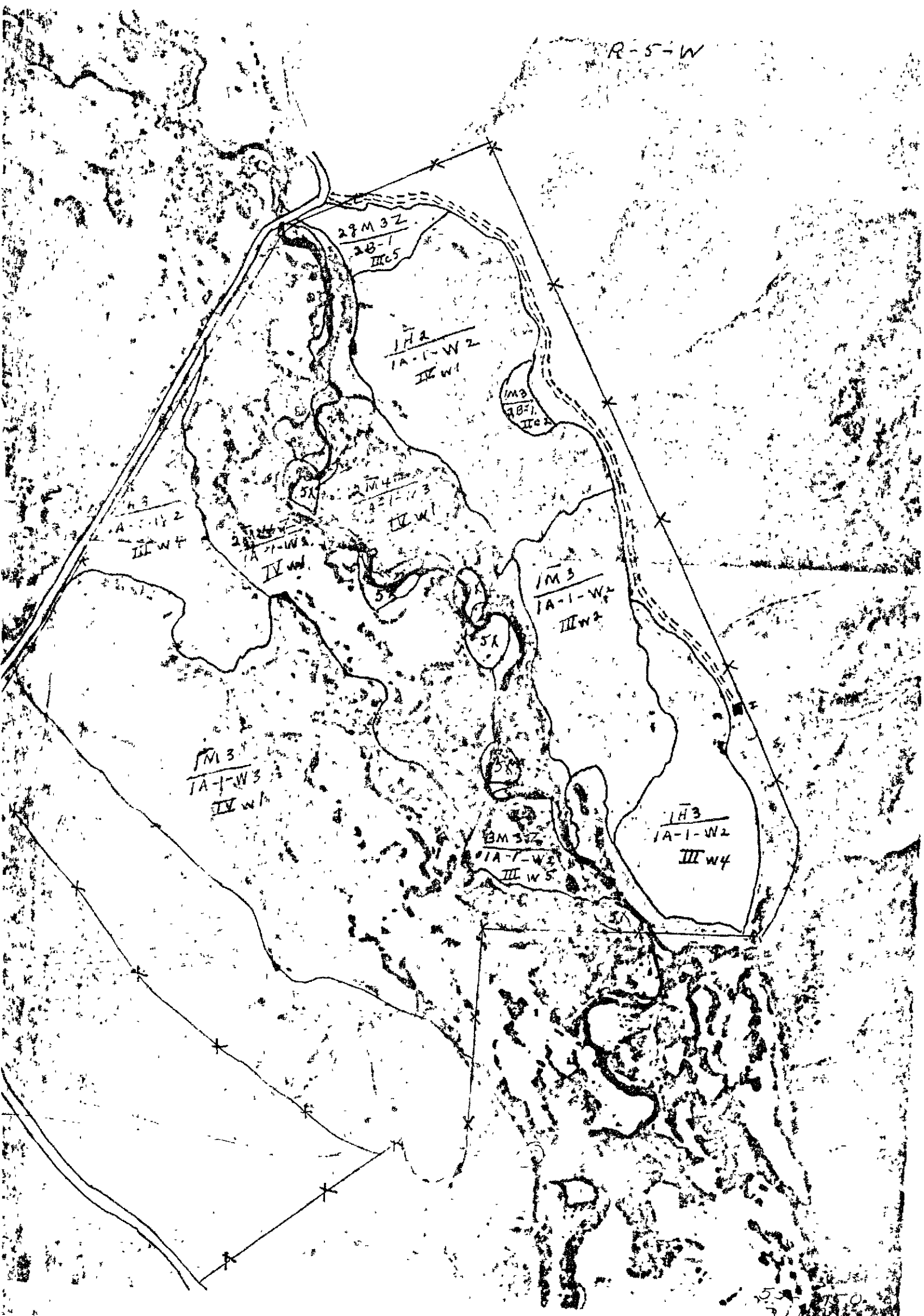
SCALE

PHOTO NO G S C R-13-214

DATE 5-2-61

ACRES

APPROXIMATE



October 6, 1969

Re: Photograph of Owyhee County

Dick Staples
Jordan Valley
Oregon

Dear Mr. Staples:

I wish to thank you for the use of the enclosed photograph. After researching our files we find that there is no claim filed on this area. The department will proceed to license the permit following an evaluation of situation.

If we may be of further assistance, please advise.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:JMB

Enc. Photo of Owyhee County - Hayland

55- 3156

31400

R-1177

4 ~~Reed~~

2 1/4 acre lot

SESE 24 - 1960

all 1960

NESW 21 7 1960

SESW 21 - 3

R-1178

3 - 200 ft

~~1960~~

R-1179

3 - 1/4 ac

1960

R-1181

3 - 2-1/4 acre lot

1960

S

31400

Total Use From Reservoir		Supplemented By Pumps	Total Gravity And Pumps For Project
1947	488,189	12,930	498,119
1948	414,149	115,006	529,155
1949	502,536	104,535	607,071
1950	529,348	67,476	596,824
1951	531,665	61,545	593,210
1952	538,048	65,196	603,244
1953	532,119	57,683	589,804
1954	491,091	104,443	595,534
1955	416,254	110,115	526,369
1956	525,631	64,916	590,547
1957	493,364	56,088	549,462
1958	526,629	53,276	579,905
1959	441,949	92,981	534,930
1960	478,775	102,508	581,283
1961	398,630	119,981	518,611
1962	435,679	99,832	535,511
1963	412,417	104,799	517,216
1964	455,974	62,786	518,760
1965	496,007	54,803	550,810
1966	505,953	107,562	613,515
1967	466,656	79,076	545,732

Computed Inflow Per Year		Amount Spilled	Maximum Storage And Date	
1947	353,713	000	4-20	636,610
1948	395,377	000	5-13	488,360
1949	592,450	0000	6-7	603,120
1950	597,058	000	5-25	656,170
1951	856,863	2/20 325,046	4-1	715,000
1952	1,659,559	3/18 1,074,223	4-12	715,000
1953	476,666	000	4-10	579,580
1954	240,291	000	4-6	537,020
1955	473,562	000	5-14	357,730
1956	834,543	000	6-4	704,590
1957	935,025	3/4 451,328	5-22	715,000
1958	985,649	3/2 436,150	5-15	715,000
1959	175,776	000	4-8	532,570
1960	468,250	000	4-18	537,020
1961	269,155	000	4-18	361,950
1962	568,708	000	6-9	418,200
1963	478,685	000	6-28	424,210
1964	828,486	000	5-11	698,900
1965	886,923	1/6 483,775	5-29	715,000
1966	248,903	000	4-6	656,900
1967	532,000	000	6-20	548,780

Irrigable Acreage of Districts In Owyhee Project

	Gravity	Pumped	Gravity or Pumped
Owyhee District	49,543		
Ontario-Mysa District			5,938
Advancement District			700
Payette-Oregon Slope District		4,659	
Crystal District		1,280	
Bench District		2,342	
Slide District		1,144	
Old Gem District		15,492	5,164
New Gem District	12,798		
Ridgeview District	6,159		
Owyhee Ditch Co.	3,960		10,000
	72,460 Ac.	24,917 Ac.	21,802 Ac.

21,802

Hearing 11-15-68 Annex 2
R. Staples Permit # 31400

025 Stun opening hearing (continuation
030 Green - stipulation
082 Ringert - yes ans Green
Mrs Staples (always has been)
088 Green - I cross Tribunal to Owyhee R.
090 Ringert - many trib to Owyhee
093 ~~Alfred~~ - question
95 Ringert
97 Green - Ringert

31400

ROSTER OF ATTENDANCE

Hearing of November 15, 1968

R. Staples - Permit No. 31400

Department of Reclamation, 614 State Street

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Tom Cotton	Homedale, Ida.	South board of Control
M. J. Greene	Boise, Idaho	South Board of Control
A. F. Ringert	Boise, Idaho	Richard Staples
Nick Staples	Jordan Valley, Oregon	

31400.

March 11, 1969

Mr. John Coleman
Attorney at Law
P.O. Box 525
Twin Falls, Idaho

Dear Mr. Coleman:

Enclosed are six (6) beneficial use forms and instructions for your use in submitting proof of beneficial use. Also enclosed is a copy of the Rules of Practice and Procedure, adopted on August 1, 1968.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Beneficial use forms
Rules of Practice and Procedure

31400

INSTRUCTIONS TO DELIVERING EMPLOYEE

☒ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

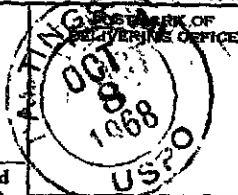
31400

655-16-71648-10 GPO

57-7019

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

Department of Reclamation
STREET AND NO. OR P.O. BOX Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE Boise, Idaho 83707

31400

57-7019

NAME AND ADDRESS OF SENDER

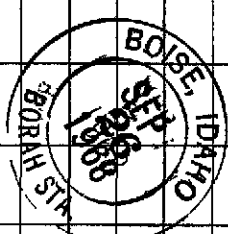
Wheat St. Corporation

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	IF C. O. D.	MENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE
1	Box 349 J. J. King Route #1 Harris Plains, Nebraska	6	30			10			37-7019
2	Box 350 Edw. Stenrod, Chairman Farmington, Mont.								31400
3	Box 351 James Smith Harris Plains, Nebraska								31400
4	Box 352 Maurice Stenrod Harris Plains, Nebraska								31400
5	Box 353 William J. Stenrod Harris Plains, Nebraska								31400
6	Box 354 George H. Stenrod Harris Plains, Nebraska								31400
7									
8									
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14									
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16									
17									
18									
19									
20									



TOTAL NUMBER OF
PIECES LISTED
BY SENDER

6

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE

6

POSTMASTER, PER (Name of receiving employee)

W. J. King

1 Mark "P" if "Perishable," "F" if "Fragile," "H" if "Hazardous," "B" if "Butter," "FL" if "Fragile-Liquid," and "PLU" if "Fragile-Liquid-This Side Up."
2 Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

31400

October 17, 1968

Re: Permit No. 31400

Mr. Richard R. Staples
Jordan Valley,
Oregon

Dear Mr. Staples:

You are hereby advised that at 3:00 p.m. on October 15, 1968 at the Department of Reclamation, Capital Annex #2, hearing officer C. Stephen Allred, Assistant State Reclamation Engineer, conducted an informal conference followed by a formal hearing, pursuant to the Administrative Procedures Act. The hearing and conference were to review the matter of protest in opposition to the issuance of the license for Permit No. 31400.

The first order of business in the hearing was a motion of dismissal of the protest filed in behalf of the permit holder. The petition for dismissal was denied by the hearing officer.

The counsel for the protestant then moved that the hearing be continued to November 15, 1968. The counsel for the applicant agreed.

The hearing officer ordered the hearing to be continued on November 15, 1968 at 1:30 p.m. at Capital Annex #2, 614 State Street, Boise, Idaho. All parties are required to be in attendance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

cc: Mr. William F. Ringert, Attorney at Law
Box 2773
Boise, Idaho 83701

31400

October 17, 1968

Re: Permit No. 31400
Mr. Richard R. Staples

George A. Greenfield
Attorney at Law
Simplot Building
Boise, Idaho

Dear Mr. Greenfield:

You are hereby advised that at 3:00 p.m. on October 15, 1968 at the Department of Reclamation, Capital Annex #2, hearing officer C. Stephen Allred, Assistant State Reclamation Engineer, conducted an informal conference followed by a formal hearing, pursuant to the Administrative Procedures Act. The hearing and conference were to review the matter of protest in opposition to the issuance of the license for Permit No. 31400.

The first order of business in the hearing was a motion of dismissal of the protest filed in behalf of the permit holder. The petition for dismissal was denied by the hearing officer.

The counsel for the protestant then moved that the hearing be continued to November 15, 1968. The counsel for the applicant agreed.

The hearing officer ordered the hearing to be continued on November 15, 1968 at 1:30 p.m. at Capital Annex #2, 614 State Street, Boise, Idaho. All parties are required to be in attendance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

31400

October 17, 1968

Re: Permit No. 31400
Richard R. Staples

Mr. Edwin Stansel, Chairman
Tom Cotton, Secretary-Manager
South Board of Control and Gam Irrigation District
Homedale, Idaho

Gentlemen:

You are hereby advised that at 3:00 p.m. on October 15, 1968 at the Department of Reclamation, Capital Annex #2, hearing officer C. Stephen Allred, Assistant State REclamation Engineer, conducted an informal conference followed by a formal hearing, pursuant to the Administrative Procedures Act. The hearing and conference were to review the matter of protest in opposition to the issuance of the license for permit 31400.

The first order of business in the hearing was a motion of dismissal of the protest filed in behalf of the permit holder. The petition for dismissal was denied by the hearing officer.

The counsel for the protestant then moved that the hearing be continued to November 15, 1968. The counsel for the applicant agreed.

The hearing officer ordered the hearing to be continued on November 15, 1968 at 1:30 p.m. at Capital Annex #2, 614 State Street, Boise, Idaho. All parties are required to be in attendance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

cc: Maurice Green
Attorney at Law
Box 334, First Security Bank Building
Boise, Idaho

31400

Attendance at conference and/or hearing held October 15, 1968,
Statehouse Annex #2, Boise Idaho. Permit no. 31400 Richard Staples

Not of Mr. Leuchan

Box 2574

Boise, Idaho

Representing Ray Gluck

Mr & Mrs Richard Staples
Jordan Valley, Oregon

William F. Ringert

Box 2773 Boise Idaho 83701

Attorney for Richard Staples

Maurice N. Seene

334 - 1st Security Bank Bldg

Boise Idaho

Representing San Jo. Dist. and South Board
of Control, Owyhee Project.

Tom Cotton, Mgr. South Board of Control
Homedale, Idaho

Tape of Denial of motion to Dismiss
is filed with Eleanor Withman

31400

CONFERENCE

RICHARD R. STAPLES

1. WATER AVAILABLE 3

~~2.~~

Protestants & Applicant HAVE Agreed to

Letter in 57-7003

from Chris wheelan to R&H 12/1/67

31400

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20353

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

SEP 26 1968

655-16-71548-10

GPO

21400

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

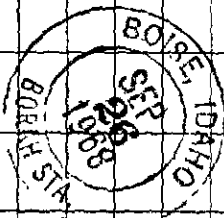
Boise, Idaho 83707

21400

55-10-71648-10

POD Form 3811 Apr. 1967

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		Indicate type of mail		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.		POSTMARK AND DATE OF RECEIPT		RESTRICTED DELIVERY FEE	
NUMBER OF ARTICLE				INSURED	C. O. D.	CERTIFIED					
1	20349 J. J. King Route #1										37-7219
2	20350 J. J. King Route #1										31400 K.S.
3	20351 J. J. King Route #1										31400
4	20352 J. J. King Route #1										31400
5	20353 J. J. King Route #1										31400
6	20354 J. J. King Route #1										31400
7	20355 J. J. King Route #1										31400
8	20356 J. J. King Route #1										31400
9	20357 J. J. King Route #1										31400
10	20358 J. J. King Route #1										31400
11	20359 J. J. King Route #1										31400
12	20360 J. J. King Route #1										31400
13	20361 J. J. King Route #1										31400
14	20362 J. J. King Route #1										31400
15	20363 J. J. King Route #1										31400
16	20364 J. J. King Route #1										31400
17	20365 J. J. King Route #1										31400
18	20366 J. J. King Route #1										31400
19	20367 J. J. King Route #1										31400
20	20368 J. J. King Route #1										31400



1. Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EHT" if "Eggs for Hatching," "B" if "Batter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." Special handling charges apply only to fourth-class parcels. Special-delivery service also includes special handling service.

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20354

1

Burge McEnfield

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Hammer

DATE DELIVERED

SEP 26 1968

SHOW WHERE DELIVERED *(only if requested)*

31400

655-16-7154B-10

GPO

21400

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

**Department of Reclamation
Annex # 2 Statehouse**

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

NAME AND ADDRESS OF SENDER

Art. 21 21-1-1951

NUMBER OF ARTICLE

NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS

POSTAGE

FEE

DUE SENDER ENDORSEMENT

R. R. FEE

S. D. FEE

S. H. FEE

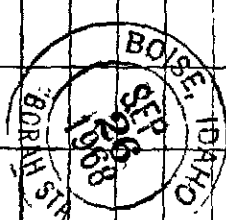
RESTRICTED DELIVERY FEE

Indicate type of mail:
☐ INSURED
☒ CERTIFIED
☐ C. O. D.

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

1	20349	J. J. King Route #1	6	30			10			37-7019
2		Spec. Payment to Ada								
3	20350	Edw. Stenrod Chgo. Ind.								31400
4		Wm. Cotton, Dept. - Mgr.								
5		Smith Board of Control &								
6		Wm. Livingston District								
7		Harold J. Ada								
8	20351	Maui. Stenrod Attorney at								59-7019
9		Law. Bruce Ada								31400
10	20352	Richard J. Stenrod								31400
11		Madam Valley Oregon								
12	20353	Adair Land & Appraisal								31400
13		Box 1003 Boise Ada								
14	20354	George A. Stenrod, Attorney								31400
15		at Fair Airport Building								
16		Boise, Idaho								
17										
18										
19										31400
20										



31400

TOTAL NUMBER OF PIECES LISTED BY SENDER

6

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

6

POSTMASTER, PER (Name of receiving employee)

Mark "E" if "Eagle", "P" if "Permissible", "R" if "Registered", "S" if "Special", "T" if "Teletype", "U" if "Urgent", "V" if "Voucher", "W" if "Weight", "X" if "Extra", "Y" if "Year", "Z" if "Zone".
 If "Batter", "ET", if "Fragile-Liquid", and "FLU" if "Fragile-Liquid-This Side Up".
 Special handling charges apply only to fourth-class parcels. Special-delivery service also includes special handling service.

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Not always be filled in*)

CERTIFIED NO.

20350

1

Oliver J. J. J. J.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

9/27/68

3

e55-10-71548-10 GPO

21400

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Reclamation
Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE Boise, Idaho 83707

31407

NAME AND ADDRESS OF SENDER

Sept. 29 1968

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE

NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS

POSTAGE

FEE

DUE SENDER/ENDORSE-IF C. O. D.

MENT

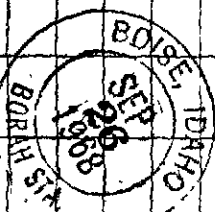
R. R. FEE

S. D. FEE

S. H. FEE

RESTRICTED DELIVERY FEE
 Remarks

1	203499	King Route #1	6	30					10			87-7019
2		John Thompson, Ada										
3	20350	John Thompson, Ada										
4		John Thompson, Ada										
5		John Thompson, Ada										
6		John Thompson, Ada										
7		John Thompson, Ada										
8	20351	John Thompson, Ada										57-7019
9		John Thompson, Ada										31400
10	20352	John Thompson, Ada										31400
11		John Thompson, Ada										
12	20353	John Thompson, Ada										31400
13		John Thompson, Ada										
14	20354	John Thompson, Ada										31400
15		John Thompson, Ada										
16		John Thompson, Ada										
17		John Thompson, Ada										
18		John Thompson, Ada										
19		John Thompson, Ada										
20		John Thompson, Ada										



TOTAL NUMBER OF
 PIECES LISTED
 AT SENDER

6

TOTAL NUMBER OF
 PIECES RECEIVED
 AT POST OFFICE

6

POSTMASTER, PER (Name of receiving employee)

Mark "P" if "Fragile," "P" if "Perishable," "E" if "Eggs," "BH" if "Eggs for Handling," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." Special-handling charges apply only to fourth-class parcels. See "Notice" for special-handling services.

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20352

1

Richard R. Staples

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Aileen Staples

DATE DELIVERED

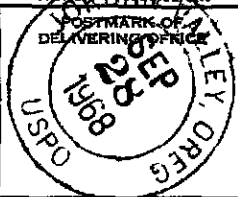
SHOW WHERE DELIVERED *(only if requested)*

3

C.S.

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Reclamation
Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

NAME AND ADDRESS OF SENDER		Indicate type of mail ☐ INSURED ☐ C. O. D. ☒ CERTIFIED		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.					POSTMARK AND DATE OF RECEIPT		RESTRICTED DELIVERY FEE	
NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. O. FEE	S. H. FEE	REMARKS			
1	20348 J. J. King Route #1	6	30			10			37-7019			
2	New Plymouth, Ida.											
3	20350 Edwin Stangel, Chairman								31400			
4	Tom Cotton, Secy - Mer.											
5	South Board of Control &											
6	Irrigation District											
7	Hamden, Ida.											
8	20351 Maurice Green, Attorney at								37-7019			
9	Law, Boise, Idaho								31400			
10	20352 Richard E. Staples								(31400) K.S.			
11	Jordan Valley, Oregon											
12	20353 Idaho Land & Appraisal								31400			
13	Box 1003 Boise, Ida.								31400			
14	20354 George H. Greenfield, Attorney								31400			
15	at Law, Simplex Building											
16	Boise, Idaho											
17												
18												
19												
20									31400			

TOTAL NUMBER OF PIECES LISTED Y SENDER 6	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE <i>Six</i>	POSTMASTER, PER (Name of receiving employee) <i>Styals</i>	* Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." * Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.
--	--	---	--

U S GOVERNMENT PRINTING OFFICE

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*MUST always be filled in*)

CERTIFIED NO.

20351

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

SEP 27 1964

655-16-71545-10 GPO

21400

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

**POSTMARK OF
DELIVERING OFFICE**

**SEP 27
1968**

BORAH ST.

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

**Department of Reclamation
Annex # 2 Statehouse**

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

655-16-71649-10

7. 1967

POD Form

714117

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		Indicate type of mail		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.				POSTMARK AND DATE OF RECEIPT		RESTRICTED DELIVERY FEE	
NUMBER OF ARTICLE				INSURED	C. O. D.								
						POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	REMARKS
1	20355	William J. Grogan, Lindwood											
2		Thurman, Lindwood & Grogan											
3		Thurman, Lindwood Building											
4		Brady, Dated 83701				06 30							57-7019
5													31400
6													
7													
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19													
20													
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE											

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20235

INSURED NO.

DATE DELIVERED

9/11/68

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED *(only if requested)*

e55-16-71548-10 GPO

31400

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Dept. of Reclamation
Box 2 - Statehouse
Boise, Idaho

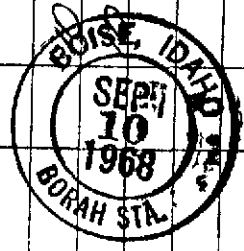
NAME AND ADDRESS OF SENDER

Dept. of Information

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY
1 202229	Paul W. Friedman - Springfield, Mass.	.06	.30			10			02-2014
2 202230	Springfield Mutual Insurance Co.								
3	Box 132 A - Springfield, Mass.								
4 202231	William I. Wright - Springfield, Mass.	.06	.30			10			02-2014
5	Wrightman Insurance, Springfield								
6	Wrightman Insurance, Springfield								
7	Wrightman Insurance, Springfield								
8 202232	Paula Marie Wright	.06	.30						02-2014
9 202233	Paula Marie Wright - Springfield, Mass.	.06	.30						02-2014
10	Wrightman Insurance, Springfield								
11	Wrightman Insurance, Springfield								
12	Wrightman Insurance, Springfield								
13 202234	Wrightman Insurance, Springfield	.06	.30			10			02-2014
14	Wrightman Insurance, Springfield								
15 202235	Wrightman Insurance, Springfield	.06	.30			10			02-2014
16	Wrightman Insurance, Springfield								
17	Wrightman Insurance, Springfield								
18	Wrightman Insurance, Springfield								
19 202236	Wrightman Insurance, Springfield	.06	.30			10			02-2014
20	Wrightman Insurance, Springfield								



POSTMASTER, PER (Name of receiving employee)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

TOTAL NUMBER OF PIECES LISTED BY SENDER

* Mark "P" if "Perishable," "F" if "Fragile," "E" if "Eggs," "H" if "Hazardous," "B" if "Butter," "L" if "Liquid," and "FLU" if "Fragile Liquid - This Side Up."
 * Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

BEFORE THE STATE RECLAMATION ENGINEER OF

THE STATE OF IDAHO

IN THE MATTER OF PROOF OF COMPLETION OF WORKS AND)
APPLICATION OF WATER TO BENEFICIAL USE ON PERMIT NO.)
31400 - Richard R. Staples)

NOTICE OF CONFERENCE
AND/OR HEARING FOR PROTEST

On July 26, 1963, Mr. Richard R. Staples, holder of Permit No. 31400, submitted to the Department of Reclamation notice of his intent to make proof of Completion of Works and Application of the Water to Beneficial Use.

On August 22, 1968, the Department of Reclamation received a protest filed in opposition to the issuance of the license for Permit 31400. The protest was submitted by Edwin Stansel, Chairman and Tom Cotton, Secty-Mgr of the South Board of Control and Gem Irrigation District. A copy of the protest is enclosed. Please be advised that the Department of Reclamation has rescheduled the previous conference and/or hearing and the same will now be held in the State Department of Reclamation, Statehouse, Annex 2, Boise, Idaho at 3:00 p.m. on October 15, 1968.

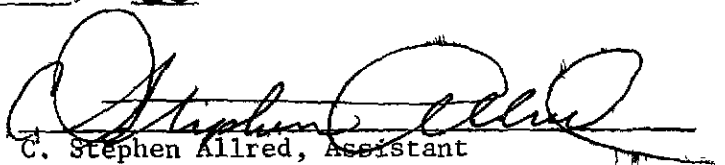
Any hearing will be held in accordance with the rules and regulations of the Idaho Code and adopted rules of practice and procedure of the Department of Reclamation.

Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. The burden of proof is with the protestant.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or any part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant, may allow the Department of Reclamation without prejudice to dismiss the protest or application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 30th day of Sept, 1968.


C. Stephen Allred, Assistant
State Reclamation Engineer

Mailed to:

George A. Greenfield, Attorney at Law, Simplot Building, Boise, Idaho by No. 20354
Idaho Land and Appraisal, Box 1603, Boise, Idaho by No. 20353
Richard R. Staples, Jordan Valley, Idaho by No. 30252
and Maurice Green, Attorney of Law, Boise, Idaho by No. 20351 and
Tom Cotton, Secty-Mgr and Edwin Stansel, Chairman, South Board of Control and Gem
Irrigation District by No. 30250

Anderson, Kaufman & Anderson

 31400

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

September 18, 1968

RECEIVED

SEP 19 1968

Department of Reclamation
State House - Annex No. 2
Boise, Idaho

Department of Reclamation

Re: Richard R. Staples
Permit No. 31400

Gentlemen:

Herewith is Reply to Protest and Motion to Dismiss,
which please file in the records of your office pertaining
to the above numbered permit.

I note that the protest of South Board of Control and
Gem Irrigation District has been scheduled for a conference
or a hearing, or both, on September 24, 1968, at 1:00 P.M.
at the Court House in Murphy. My schedule is such that I
doubt that I will be able to be in Murphy at that time, and
I respectfully request that the hearing be postponed to a
later date.

In any event, it seems to me that the protest is insuf-
ficient as a matter of law, and that a hearing would only
impose additional and unnecessary expense upon the parties.

Please advise me of your views in this matter.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

William F. Ringert
William F. Ringert

WFR:b

Encl.

cc: Idaho Land & Appraisal Service
Richard R. Staples

31400

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

20236

1

Idaho Land & Appraisal Serv.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

Donley, J. W. S. Sarnell

SHOW WHERE DELIVERED (only if requested)

SEP 11 1948

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

NAME OF SENDER

Dept. of Reclamation

STREET AND NO. OR P.O. BOX

Box 2 - Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho

NAME AND ADDRESS OF SENDER

Dept. of Reclamation

Indicate type of mail

☐ INSURED

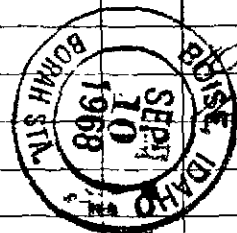
☐ C. O. D.

☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE	REMARKS
1	20229 Paul W. Frederick - Grandview - Ida.	.06	30			10				02-7014
2	20230 Grandview Mutual Canal Co.									
3	Box 132 A - Grandview, Ida.	.06	30			10				02-7014
4	20231 William J. Bergert - Anderson,									
5	Krummen Anderson, Bergert -									
6	Atkinson at Hwy 503 Idaho									
7	Bldg - Boise Idaho	.06	30							02-7014
8	20232 J J Bergert Bldg 1 - New Plymouth,	.06	30							57-7019
9	20233 Edwin Harold, Chm & Son									
10	Cotton, Scty - Tru - So Board									
11	of Central & Hum Inc.									
12	Hum Inc. Idaho	.06	30			10				57-7019
13	20234 Richard B. Staples, Jerome									
14	Valley, Idaho	.06	30			10				31400
15	20235 Edwin Harold, Chm & Son									
16	Cotton, Scty - Tru - So Board									
17	of Central & Hum Inc.									
18	Tru - Same date, Idaho	.06	30			10				31400
19	20236 Idaho Land & Appraisal,									
20	Box 1623 - Boise - Idaho	.06	30			10				31400



TOTAL NUMBER OF
PIECES LISTED
BY SENDER

8

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE

8

POSTMASTER, PER (Name of receiving employee)

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "H" if "Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid - Thin & Light."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

20234

INSURED NO.

DATE DELIVERED

9/11/68

1

2

3

Richard R. Staples

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Virginia R. Stanford

SHOW WHERE DELIVERED (only if requested)

655-16-71548-10 GPO

31400

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

QUALITY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$900

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

STREET AND NO. OR P.O. BOX

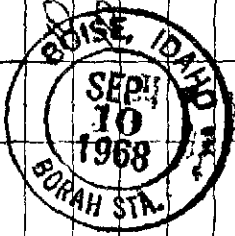
POST OFFICE, STATE, AND ZIP CODE

Dept. of Education

Annex 2 - Posthouse

Busin, Idaho 83400

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		Indicate type of mail ☐ INSURED ☐ C. O. D. ☒ CERTIFIED		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.					POSTMARK AND DATE OF RECEIPT		RESTRICTED DELIVERY SERVICE	
NUMBER OF ARTICLE				POSTAGE	FEE	IF C. O. D. SENT	R. R. FEE	S. D. FEE	S. H. FEE				REMARKS	
1	202229	Paul W. Indrick - ~~Springfield~~	Quincy, Ill.	.06	.30		10						02-2014	
2	202230	Springfield Mutual Credit Co.												
3	202231	Box 1324 - Springfield, Ill.		.06	.30		10						02-2014	
4	202232	William L. Berger - ~~Springfield~~												
5	202233	Frederick Anderson, ~~Springfield~~												
6	202234	Anderson at Box 503 ~~Springfield~~												
7	202235	Paula Quise ~~Springfield~~		.06	.30								02-2014	
8	202236	J. J. Berg - ~~Springfield~~		.06	.30								57-2019	
9	202237	William Anderson, ~~Springfield~~												
10	202238	Robert, ~~Springfield~~												
11	202239	Robert D. Anderson, ~~Springfield~~		.06	.30		10							
12	202240	Paula Quise ~~Springfield~~		.06	.30									
13	202241	William Anderson, ~~Springfield~~		.06	.30									
14	202242	Robert D. Anderson, ~~Springfield~~		.06	.30									
15	202243	William Anderson, ~~Springfield~~		.06	.30									
16	202244	Robert D. Anderson, ~~Springfield~~												
17	202245	William Anderson, ~~Springfield~~		.06	.30									
18	202246	Robert D. Anderson, ~~Springfield~~		.06	.30									
19	202247	William Anderson, ~~Springfield~~		.06	.30									
20	202248	Robert D. Anderson, ~~Springfield~~		.06	.30									
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		31400										
POSTMASTER, PER (Name of receiving employee)		31400												



31400

Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "L" if "Liquid," "H" if "Hazardous," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid." Special handling charges apply only to fourth-class parcels. Special handling service also includes special handling service.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Department of Reclamation

Permit No. 31400

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

And Other Beneficial Works

DEPOSITION OF HOLDER

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

R. Staples, Jordan Valley, Oregon, rancher

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

individual

Ques. 3. State number, approval date of permit, and date of priority: 31400

approved September 26, 1963; priority date is September 25, 1963

Ques. 4. State source of water supply: Jordan Creek, tributary of Owyhee River
Give location of point of diversion, showing subdivision, section, township and range

No. 1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Township 6 South, Range 5 West; No. 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13,
Township 6 South, Range 6 West

xQues. 5. Describe your works of diversion: 1 diversion is a rock and earth dam, the
other diversion is a pump, ditching system to get water to the land
pump is on No. 2 location-NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; state amount of water they are capable of con-

veying from point of diversion to place of use: 200 inches Give name of canal or ditch

or other works by which water is conducted to such place of use: private ditch

_____; if a well, state depth of well -0-; depth and size of
casing -0-; depth to water -0-; if pump is used,

state discharge of pump: full capacity of pump is 170 inches
/; tell how it was measured or determined this is

what it is designed for; if sprinkler irrigation, give number and size
of nozzles and operating pressure: gravity irrigation

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

Township 6 South, Range 5 West, Section 18 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) - 6 acres;

Township 6 South, Range 6 West, Section 12 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 8 acres; Section 13 -

SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 14 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 7 acres.

31400

State nature of all improvements which have been made as a direct result of said use:

All improvements made are a result of the use of this water.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: -0-

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

irrigation only

Ques. 8: 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:

original holder

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: irrigation season 1943 - Time used since first use:

Used it on this land ever since then. The water used under this permit

is in addition to my 500 inches with priority of November 6, 1882.

Ques. 10. Describe all other water rights appurtenant to same place of use: none

(sign)

Richard Staples

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

Boise,

County of

Ada

State of Idaho, on this 6th day of September, A. D. 1968.

My commission expires: 8/12/70

Laura J. Henderson

31400

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31400

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and for the purpose of works

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:

Terry Warn, 27, Jordan Valley, rancher

Ques. 2 Are you acquainted with Richard Staples, the holder of Permit No. 31400? How long have you known him and where does he reside?

20 years - I know he lives in Jordan Valley

Ques. 3. Have you read or heard said Permit No. 31400 read, and are you familiar with its provisions and conditions: Yes XX No.

Ques. 4. State source of water supply: Jordan Creek

Give location of place of diversion, showing subdivision, section, township and range

No. 1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Twp. 6S, Rge 5W, No. 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Twp 6S, Rge 6W

Describe works for conveying water to place of use: Rock and dirt dam, No. 1; No. 2

is a pump - ditches to the place of use

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 200 inches How much water have you seen being so conveyed? I have seen that much used

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Twp. 6 S, Rge. 5 W, Section 18 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) - 6 acres; Twp. 6 S, Rge. 6W,

Section 12 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 8 ac., Section 13 SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 14 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 7 ac.

31400

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

Sandy loam soil and should have at least 1 inch per acre for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? Guess I first saw it used in 1961

Other times you have seen such use: each irrigation season since.

(Signed):

Larry Warn

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

Boise, County of Ada, State of Idaho, on
this 6th day of September, A. D. 1968

Laura Henderson

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 8/12/70

31400

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31400

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Continuation of Works

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:

Leland Stanford, 44, Jordan Valley, rancher

Ques. 2 Are you acquainted with Richard Staples, the holder of
Permit No. 31400? How long have you known him and where does he reside?

35 years He lives in Jordan Valley.

Ques. 3. Have you read or heard said Permit No. 31400 read, and are you familiar
with its provisions and conditions: Yes XX No.

Ques. 4. State source of water supply: Jordan Creek

Give location of place of diversion, showing subdivision, section, township and range

No. 1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Township 6 South, Range 5 West; No. 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13,
Township 6 South, Range 6 West

Describe works for conveying water to place of use: Rock, earth, hay, diversion point No. 1,
pump in No. 2 diversion, earth ditches to the land

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 cfs How much water have you seen being so-
conveyed? about that much

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Township 6 South, Range 5 West, Section 18 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ (lot 1) - 6 acres;

Township 6 South, Range 6 West, Section 12 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 8 acres; Section 13 -

SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 14 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 7 acres.

31400

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

This is a sandy loam soil and should have at least one inche per acre for top production.

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

Ques. 10. When did you first see this water used? first saw it used here in the 1948 irrigation season
Other times you have seen such use: off and on ever since that time

(Signed):

Leland G. Stanford

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

Boise, County of Ada, State of Idaho, on this 6th day of September, A. D. 1968

Laura J. Henderson

Notary Public for the State of Idaho
Residing Boise, Idaho

My commission expires 8/12/68

31400

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 1st day of August, 1968, and the last publication being on the 2nd day of August, 1968;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 22 day of Aug, 1968.

Forrest L. Hansen
NOTARY PUBLIC

My commission expires 4-12-68

(SEAL)

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on September 6, 1968, at Boise, County of Ada, State of Idaho, before notary public (name and address) Laura J. Henderson, Idaho Building, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 0.7 c.f.s. of the waters of Jordan Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 31400, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Richard R. Staples, Jordan Valley, Oregon.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 0.7 c.f.s.

4. The point of diversion of said water is No. 1 — NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, T. 6 S., R. 5 W., B. M. and No. 2 — NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 6 S., R. 6 W., B. M., Owyhee County.

5. The place where said water is used is Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T. 6 S., R. 5 W., B. M.; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 6 S., R. 6 W., B. M.

6. The date of priority which said user is prepared to establish is September 25, 1963.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published August 1, 8, 15 and 22, 1968
The Owyhee Nugget
Marsing, Owyhee County, Idaho

31400

September 18, 1968

Re: Permit No. 31400

Richard R. Staples
Jordan Valley, Oregon

Dear Mr. Staples:

We acknowledge receipt of the depositions and affidavit of publication in the Owyhee Nugget submitted as proof of completion of works and beneficial use on Permit No. 31400.

After the protest on this permit is resolved and before a water license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McElidowney
Appropriation Examiner

DWM:dj

31400

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF Proof of Completion of)
Works and Application of Water to Beneficial)
Use on Permit 31400; Richard R. Staples)

NOTICE OF CONFERENCE
AND/OR HEARING FOR PROTEST

On July 26, 1963, Mr. Richard R. Staples, holder of Permit No. 31400, submitted to the Department of Reclamation notice of his intent to make Proof of Completion of Works and Application of the waters to Beneficial Use.

On August 22, 1968, the Department of Reclamation received a protest filed in opposition to the issuance of the license for permit 31400. The protest was submitted by Edwin Stansell, Chairman and Tom Cotton, Secty-Mgr. of the South Board of Control and Gem Irrigation Dist. A copy of the protest is enclosed. Please be advised that the Department of Reclamation has set the matter of protest for conference and/or hearing on September 24, 1968, at 1:00 P.M. at the Owyhee County Court House, Murphy, Idaho.

Any hearing will be held in accordance with the rules and regulations of the Idaho Code and adopted rules of practice and procedure of the Department of Reclamation.

Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

The burden of proof is with the protestant.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or any part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant, may allow the Department of Reclamation without prejudice to dismiss the protest or application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

Dated this 10 day of Sept, 19 68



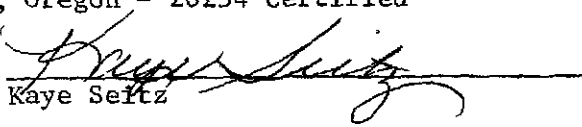
C. STEPHEN ALLRED
Assistant State Reclamation Engineer

Mailed this 10th day of September, 19 68 to _____

Idaho Land and Appraisal Service, Box 1603, Boise, Idaho - 20236 Certified

Edwin Stansell, Chairman and Tom Cotton, Secty-Mgr., So. Board of Control and
Gem Irrigation District, Homedale, Idaho - 20235 Certified
by Certified Mail No. _____

Richard R. Staples, Jordan Valley, Oregon - 20234 Certified



Kaye Seftz

31400

August 23, 1968

Re: Permit No. 31400
Richard R. Staples

South Board of Control, Owyhee Project and
Gem Irrigation District
Homedale, Idaho

Attention: Edwin Stansel, Chairman and Tom Cotton, Secretary-Manager

Gentlemen:

Please be advised that the Department of Reclamation is in receipt of your protest filed in opposition to the notice of proof of completion of works and application of the water to beneficial use for the above referenced permit. A copy of your protest has been forwarded to the applicant, Mr. Richard R. Staples, Jordan Valley, Oregon.

The Department of Reclamation will advise you at a later date as to the time, place, and date of a conference and/or hearing to be held to review the matters of protest.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: none

31400

August 23, 1968

Re: Permit No. 31400

Richard R. Staples
Jordan Valley,
Oregon

Dear Mr. Staples:

Enclosed is a copy of a protest received in opposition to your notice of proof of completion ~~of~~ works and application of water to beneficial use for the above referenced permit.

The Department of Reclamation will advise you at a later date as to the time, place and date of a conference and/or hearing to be held in order to review the matter of protest.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Protest

cc: Idaho Land and Appraisal Service
Box 1603
Boise, Idaho

31400

RECEIVED
JUL 26 1968
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 24, 1968

(P. O.) Box 1603, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Owyhee Nugget of
Marsing, Idaho Published in

the county in which the works are situated. Please send statement of charges
and Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box
1603, Boise, Idaho 83701 - Thank you.

Richard R. Staples
Richard R. Staples

(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

31400

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

RECEIVED
JUL 26 1968
Department of Reclamation

Notice is hereby given that at _____ A.M. on the 6th day of September, 1968,
at Boise, County of Ada, State of Idaho, before
Laura J. Henderson, proof will be submitted of the
application to beneficial use of .7 cubic feet per second of the waters of
Jordan Creek in accordance with the terms and conditions of
Permit No. 31400 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit _____

Richard R. Staples, Jordan Valley, Oregon 97910

The use to which said water has been applied is irrigation

The amount applied to beneficial use is .7 cfs

The point of diversion of said water is #1 - NW 1/4 SW 1/4, Sec. 18, T6S-R5W, B.M. and

#2 - NE 1/4 SE 1/4, Sec. 13, T6S-R6W, B.M.

The place where said water is used (LEGAL DESCRIPTION) T6S-R5W, B.M., Sec. 18 -

Lot 1 (NW 1/4 NW 1/4); T6S-R6W, B.M., Sec. 12 - NE 1/4 SE 1/4; Sec. 13 - SE 1/4 NW 1/4

The date of priority which said user is prepared to establish is September 25, 1963

State Reclamation Engineer

*tel call
to T L & A
Mr. Staples
wishes to
make both
proofs
now.*

31400

**NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that on September 6, 1968, at Boise,
County of Ada, State of Idaho, before notary public (name & address) Laura J. Henderson, Idaho Building, Boise, Idaho, proof will be
submitted of the completion of works for the diversion of 0.7 c.f.s. of the waters
of Jordan Creek, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 31400, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Richard R. Staples, Jordan Valley, Oregon.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 0.7 c.f.s.
4. The point of diversion of said water is Ex #1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 6 S, R. 5 W, B.M. and Ex #2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 6 S, R. 6 W, B.M., Owyhee County.
5. The place where said water is used is Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 18, T. 6 S, R. 5 W, B.M.; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 6 S, R. 6 W, B.M.
6. The date of priority which said user is prepared to establish is September 25, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

31400

**NOTICE OF PROOF
OF COMPLETION OF WORKS
AND
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on September 6, 1968, at Boise, County of Ada, State of Idaho, before notary public (name and address) Laura J. Henderson, Idaho Building, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 0.7 c.f.s. of the waters of Jordan Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 31406, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Richard R. Staples, Jordan Valley, Oregon.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 0.7 c.f.s.

4. The point of diversion of said water is No. 1 — NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 6 S., R. 5 W., B. M. and No. 2 — NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 6 S., R. 6 W., B. M., Owyhee County.

5. The place where said water is used is Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 18, T. 6 S., R. 5 W., B. M.; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; T. 6 S., R. 6 W., B. M.

6. The date of priority which said user is prepared to establish is September 25, 1963.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published August 1, 8, 15 and
22, 1968
The Owyhee Nugget
Marsing, Owyhee County, Idaho

July 26, 1968

Re: Permit No. 71400
Richard P. Staples

Owyhee Nugget
Marsing, Idaho 83609

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to September 6, 1968. The expense of the publication is to paid by Idaho Land & Appraisal Service, P. O. Box 1600, Boise, Idaho 83701

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

31400

Re: Permit No. 31400
Richard R. Staples

July 26, 1968

Idaho Land & Appraisal Service
P. O. Box 160
Boise, Idaho 83701

Gentlemen:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No.

1100.

We have mailed the notice to the Owyhee Nugget to be published once a week for four consecutive weeks prior to September 6, 1968, which is the hearing date when the permit holder

Richard R. Staples
and two disinterested witnesses must appear before

Laura J. Henderson, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Idaho Land & Appraisal Service. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

DWN:dj

Enc: Depositions

cc: Notary
Permit Holder

31400

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

Boise, Idaho

June 28, 1968

Re: Permit No. 31400

Richard R. Staples
Jordan Valley, Oregon

Dear Mr. Staples:

Under the terms of your Permit No. 31400 you are required to complete your diversion works on or before Sept. 26, 1968. I enclose 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 said 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, 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.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

Copy to: Idaho Land & Appraisal Service

31400



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

MAY 15 1964

L:VSS
I-014709

Department of Reclamation

NOTICE OF ALLOWANCE

Richard R. Staples
Jorann Valley
Oregon

MAY 12 1964

Dear Mr. Staples:

Your Desert Land Entry, Serial No. Idaho 014709,
Receipt No. 63271, for NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 6 S., R. 6 W., an. Lot 1, Section 13,
Township 6 S., Range 5 W., Boise Meridian, Idaho,
containing 160.30 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

Lot 1, Sec. 13 subject to Right-of-Way, Bl.-056240, Idaho
Power Company. Free Use Permit issued to Owyhee County on SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
13 for 10 years, 4-18-63 to 4-18-73 under Idaho-014106.

Sincerely yours,

31400
31400
(Signed) Orval G. Hadley
Orval G. Hadley
Acting Land Office Manager

cc: State Recl. Engr.

October 4, 1963

Re: Permit No. 31400
Richard R. Staples

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
P. O. Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. 31400 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. 31612, which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit, was mailed to you September 25, 1963.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl. - Permit
EPR:pmk
cc: Richard R. Staples
Jordan Valley, Oregon

31400

Conference - Soda Creek
Dam — Side No. 1

Statehouse, Boise, Idaho,
5-13-66

$\frac{17}{8}$ from 000 - 225
on counter; from
225 to 560, $\frac{15}{16}$

31400

25



INFORM

GEORGE A GREENFIELD

ATTORNEY AT LAW

Simplot Bldg

Boise -

3/400

IF CONFERENCE, -

" IS POSTPONED



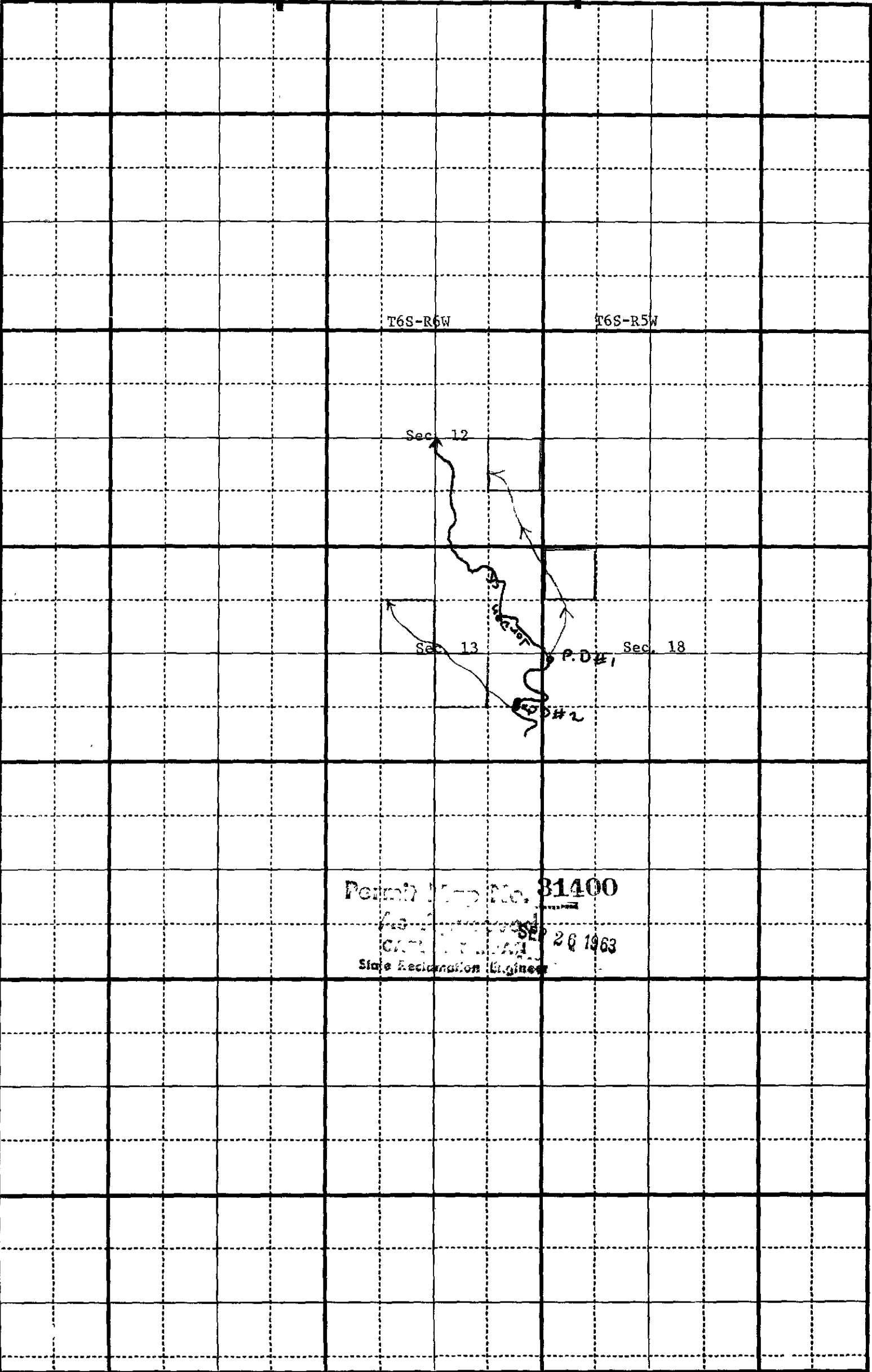
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Steve Allred

107 STATEHOUSE
BOISE, IDAHO 83701
PHONE 344-5811 EXT. 511

NAME OF APPLICANT.....Richard R. Staples.....

Form No. 0



SCALE: 2 inches Equal 1 Mile. Draw Plan In Ink.

31400