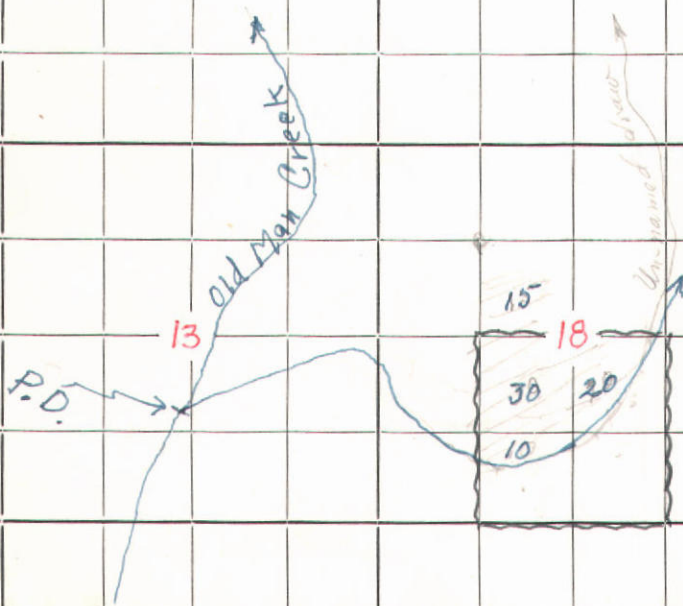


R-5W.

R-4W.

T.
7.
S.



24

25

Sub division: four

Area = 75 acres.

$Q = 1.5 \text{ cfs.}$

Send amendments for P.D. area.

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss.

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

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 20 day of Nov., 1958, and the last publication being on the 11 day of Dec., 1958;

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 16 day of Dec., 1958.

Leona S. Hawes
NOTARY PUBLIC.

My commission expires 9-10-60

(SEAL)

RECEIVED
DEC 18 1958

Department of Reclamation

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

Notice is hereby given that at 10:00 A. M. on the 16th day of December, 1958, at Marsing, County of Owyhee, State of Idaho, before Leona S. Hawes, Notary Public, proof will be submitted of the application to beneficial use of 1.8 cubic feet per second of the waters of Old Man Creek in accordance with the terms and conditions of Permit No. 27461 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Ray Pershall, Marsing, Idaho.

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

The amount applied to beneficial use is 1.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18, Twp. 7 S., Rge. 4 W. B. M.

Point of Diversion - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, Twp. 7 S., Rge. 5 W. B. M.

The right to take water from such works is based upon Permit No. 27461.

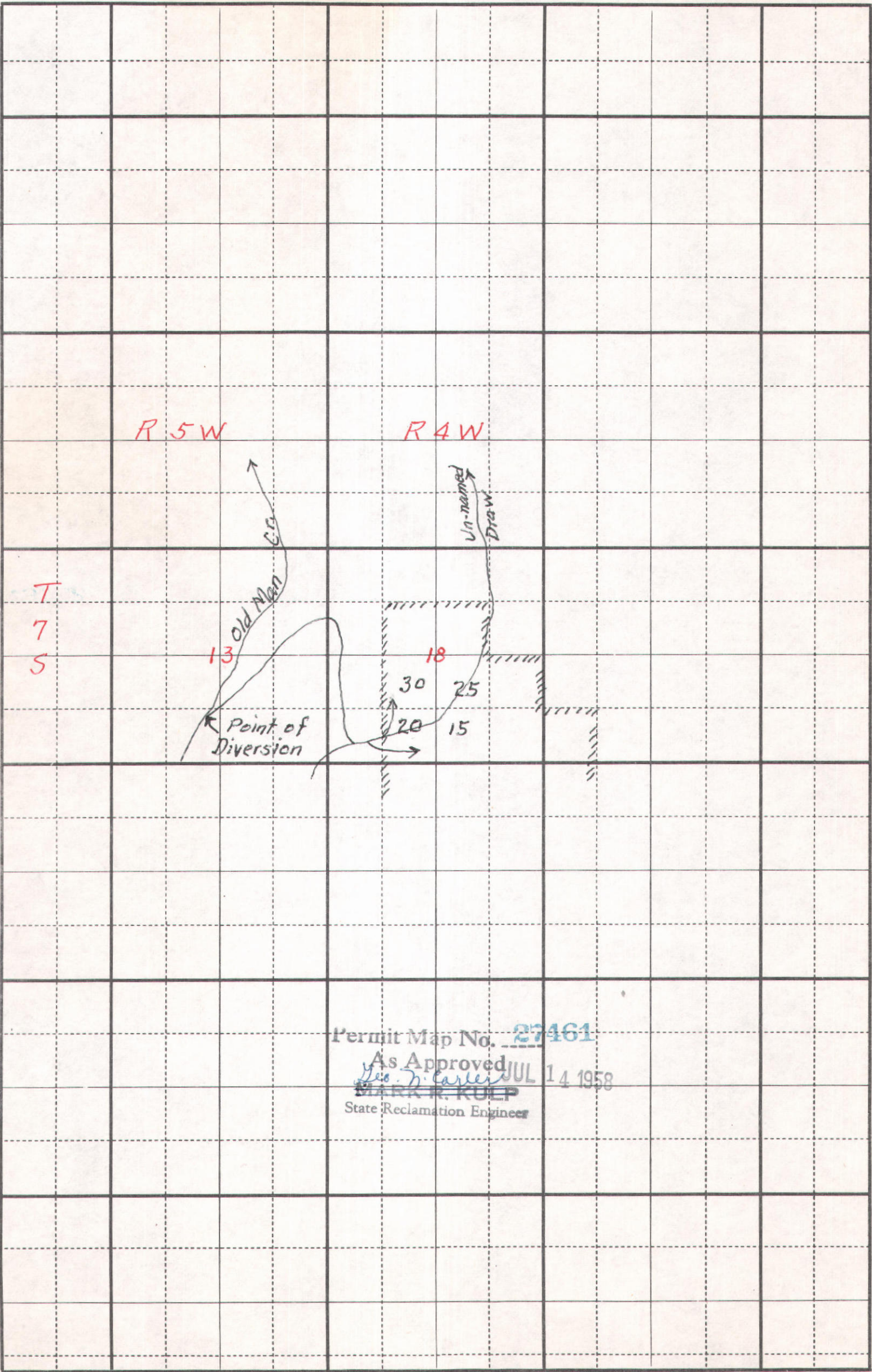
The source of supply from which such water is diverted is Old Man Creek.

The date of priority which said user is prepared to establish is July 7, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
(Nov. 23 — Dec. 11)

NAME OF APPLICANT Ray Pershall

Form No. 0



Permit Map No. 27461

As Approved
Dec. J. Carley JUL 14 1958
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 27461

Amount 1.5 c.f.s.

Water District No.

Priority July 7, 1958

THIS IS TO CERTIFY that RAY PERSHALL
of Marsing, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 7, 1958; that Permit No. 27461
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.8 second feet, was issued thereunder on November 14, 1958, showing that said works
were completed on the 10 day of November, 1958; and that on the 16th
day of December, 1958,

RAY PERSHALL

of Marsing, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Old Man
Creek, a tributary of Big Boulder Creek, for the purpose of irrigation
, under Use Permit No. 27461 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6639, on the 11 day of May, 1959;

The right hereby confirmed dates from July 7, 1958;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 13, Tp. 7 S., R. 5 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	4 W.	18	SE 1/4 NW 1/4	40	15
			NE 1/4 SW 1/4	30	30
			SE 1/4 SW 1/4	20	10
			NW 1/4 SE 1/4	25	20
			Total Number of Acres Irrigated:		75

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
11th day of May, 1959.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-24680

Amount .68 c.f.s.

Water District No.

Priority January 22, 1954

THIS IS TO CERTIFY that C. BICANDI
of Marsing, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 22, 1954; that Permit No. G-24680
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.68 second feet, was issued thereunder on May 12, 1959, showing that said works
were completed on the 30th day of March, 1959; and that on the 30
day of March, 1959,

C. BICANDI
of Marsing, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation & domestic
use, under Use Permit No. G-24680 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6640, on the 12 day of May, 1959;
The right hereby confirmed dates from January 22, 1954;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 19, Tp. 2 N, R. 4 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .68 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	4 W.	19	NE 1/4 SE 1/4 NW 1/4 SE 1/4	35 40	2 32
			Total Number of Acres Irrigated:		34

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
12 day of May, 1959.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

55-2145

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

APPLICATION No. 35395
PERMIT No. 27461
DISTRICT No.

Ray Pershall
Marsing, Idaho

1. Name of Applicant: RAY PERSHALL

Postoffice address: Marsing

County: Owyhee

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: 1.8 cubic feet per second.

3. Source of water supply: Old Man Creek which is a tributary of Big Boulder Creek

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
of section 13 , T. 7 S. , R. 5 W. , B. M., County of Owyhee

5. Water is to be used for Irrigation

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

- (a) Point of use of water: feet distant from corner of Section
T. , 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: \$ 500.00

8. Kind of works: Diversion and ditch

9. Height of dam 1 feet; length of dam at top 10 feet; length of dam at bottom 10
feet; material used in dam: rock and brush

10. Size of headgate: Width None feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1 feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 1.3 miles.

Average grade per mile 10 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 0 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: This water has been used to irrigate this land for 10 years or more.

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.

/s/ Ray Pershall
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 4:15 P. M. July 7, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27461

Recorded in Book 97 Page 27461 Approved July 14, 1958

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

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

Work to begin on or before September 14, 1958

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 14, 1961

The whole of said work to be completed on or before July 14, 1963

Beneficial use of water appropriated in accordance herewith, to be made on or before July 14, 1963

WITNESS My hand this 14th day of July, 1958

/s/ GEO. N. CARTER
State Reclamation Engineer.

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

and JAS. H. YOUNG 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.....14th.....

day of July 1958

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS:

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 $\frac{1}{4}$	
7 S.	4 W.	18									30			20		25	15	90	
Permit No. 27461																			
Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that RAY PERSHALL of Marsing, County of Owyhee, and State of Idaho, the holder of Permit No. 27461, issued upon Application No. 35395 bearing date of priority of July 7, 1958, authorizing the diversion of 1.8 second feet of waters of Old Man Creek, tributary of Big Boulder Creek County of Owyhee, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.8 second feet of the waters of Old Man Creek to the point of diversion of said waters SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13, Township 7 South, Range 5 West, BM and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 90 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18, Township 7 South, Range 4 West, BM Proof of Completion of Works made: November 10, 1958																			
Witness my hand this 14th day of November, A.D. 1958																			
/s/ Geo. N. Carter State Reclamation Engineer																			
Proof of Completion of Works made: November 10, 1958 Certificate of Completion of Works issued: November 14, 1958.																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS ✓
OF THE STATE OF IDAHO, NO. 27461

Comes now Ray Pershall and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 27461, and requests that the list of lands to be irrigated, as described in said permit be changed to read as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 7 S., R. 4 W., B. M.

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

Signed at Marsing, this 6th day of May, 1959.

s/ Ray Pershall

Date of Receipt at office of Department of Reclamation: May 11, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27461. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: May 11, 1959

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS ✓
OF THE STATE OF IDAHO, No. 27461

Comes now Ray Pershall and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 27461.

That the point of diversion is described in said permit as being located: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 7 S., R. 5 W., B. M.

That he now requests that the point of diversion be changed to a point located: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 7 S., R. 5 W., B. M.

That the reason for desiring to make such change is as follows: error in original application.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Marsing, this 6th day of May, 1959.

s/ Ray Pershall

Date of Receipt at Department of Reclamation: May 11, 1959.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer, of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27461. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s. GEO. N. CARTER
State Reclamation Engineer

Recorded: May 11, 1959

100% ISSUED FOR 1/2 SEC. FT

Page 6639

May 12, 1959

Re: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

Enclosed are amendments to the point of diversion and
land list which have been recorded and License and Certificate
of Water Right issued on Permit No. 27461.

We also enclose department receipt No. 29598 covering
6.00 in fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew
Enc.
License
amendments-2
receipt

74 RT

11 MAY 1 1959
Department of Reclamation

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 27461

Comes now Ray Pershall and
represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 27461.

That the point of diversion is described in said permit as being located ;

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T7S R5W BM

That he now requests that the point of diversion be changed to a point

located NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13 T7S R5W BM

That the reason for desiring to make such change is as follows:

error in original application

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Idaho, this 11 day of May, 1959

Ray Pershall

Date of receipt at Department of Reclamation May 11, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27461. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 97 of
Permits, at Page 27461
May 11, 1959

Geo. N. Carter
State Reclamation Engineer

27461

To Permit to appropriate the Public Waters
of the State of Idaho, No. 27461

RECEIVED
MAY 1 11959
Department of Reclamation

Comes now Ray Pershall, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 27461, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18 T7S R1W BM

making a total of _____ acres.

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

Signed at Marsing, this 6th day of May, 1959

Ray Pershall

Date of receipt at office of Department of Reclamation May 11, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27461. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

GEO. N. CARTER

April 29, 1959

Re: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

Enclosed are the amendments I promised would be sent
for your signature.

Upon receipt of these along with the fees specified in
the Chief Clerk's letter a license will be sent to you.

Yours truly,

GEO. W. CARPIS
State Reclamation Engineer

BY:

E. N. HUMPHREY, Deputy
State Reclamation Engineer

ENH:ew
Enc.

April 29, 1959

Re: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

Our field engineer's report on his inspection of proof of water to beneficial use under the terms of Permit No. 27461 shows the works are capable of conveying 75 miner's inches or 1.5 c. f. s. of water for irrigation of 75 acres.

Upon receipt of the statutory fee of \$6.00 (fee based on \$2.00 for each 40-acre subdivision) we will issue the License and Certificate of Water Right confirming the right with priority of July 7, 1958 to the use of 1.5 second feet of surface water, with the point of diversion in the NE¹SW¹, Sec. 13, for irrigation of 75 acres in the SE¹NW¹, E¹SW¹, NW¹SE¹, Sec. 18, T. 7 S., R. 4 W., B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew

RECEIVED
APR 28 1959
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. -27461

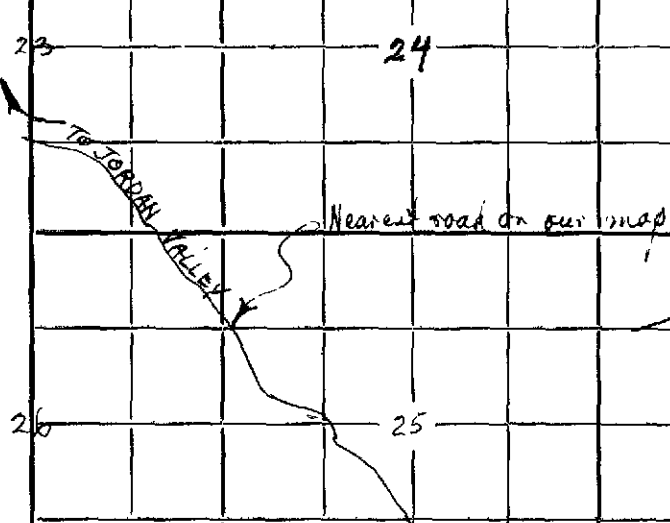
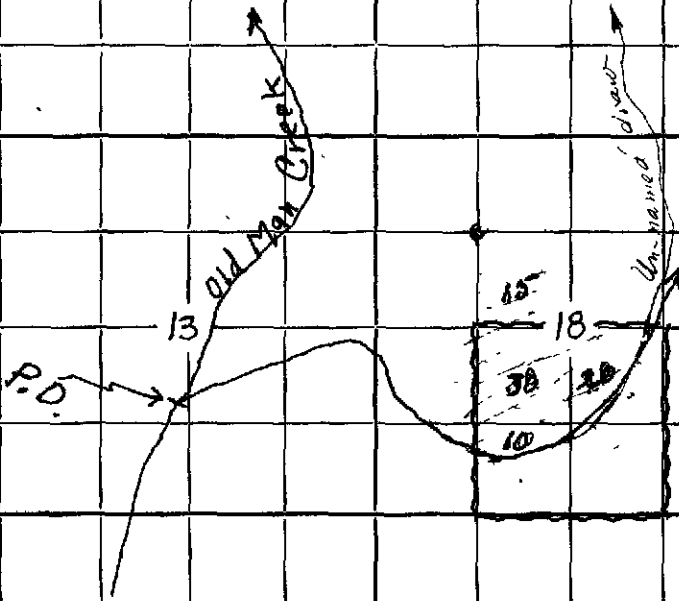
REPORT ON PROOF OF Beneficial Use

Ray Pershall, Marsing, Idaho

R-5W.

R-4W.

T.
7
S.



Sub division: four
Area = 75 acres.
 $Q = 1.5 \text{ cfs.}$

Send amendments for P.P.T. Area.

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

Permit No. 27461This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Ray Pershall2. Source of water supply: Old Man Creek3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13T. 7 S R. 5 W., B.M. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: At P.D. they merely split the stream or use a small dam to control unit going into ditch. Ditch was made with an angle dzer has plenty of fall especially at head end. Can easily carry this unit of water.

5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: yes

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

E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 18., Twp. 7 S., Rge. 4 W., B. M.

This is pasture land way back off the road. Water is changed occasionally by man who looks after the cattle.

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

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

Remarks: _____

This is mainly irrigation of sage brush ground along with some natural meadow. There has been no preparation of the land with tillage machinery. Sage brush dies and grass increases.

Pershall along

This examination was made on the 21 day of April, 1959

(Signed) E. N. Humphrey Examiner.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Mr. ^{Leight} Ray Pershall
Marsing, Idaho
Permit No. 27161
Examination for Beneficial Use

County Owyhee
13-7S.-5W.

Q = 1.8 a.f.s.

S = Old Man Creek

P.D. = SE. SW, Sec. 13, T. 7S. - R. 5W.

Use = Irrigation

Filed = July 7, 1958

Due = July 14, 1963

W = 71-14-58

no other right.

At P.D. stream is approx
10' to 12' wide 2' to 3' deep

approx. 25' to 30' water

today

Small rock & ea. th dam

ditch 12" to 18" wide in

bottom 30" deep. lots

of fall

P.D. is approx 7 mi. fr.

McKenzie river

April 15, 1959

Re: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

An inspection and report is required by law in connection with any permit for use of water being brought to license in the State of Idaho before same can be licensed.

I intend to call on you on April 21, probably between 9:00 and 9:30 A. M. to make the inspection. Please be prepared to accompany me or have someone familiar with the irrigation works to do so for you.

If for any reason inspection cannot be made on Tuesday, please advise me by telephone. The office number is Boise 4-5811, Ex. 563 and my home number is Boise 2-7624 in case you call in the evening.

Yours truly

GEO. W. CARTER
State Reclamation Engineer

By:

A. H. HUFFNEY, Deputy
State Reclamation Engineer

ENH:ew

January 16, 1959

RE: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

We acknowledge receipt of the Deposition of the Holder and two Witnesses, also affidavit of publication in the Owyhee Nugget, all submitted in proof of beneficial use on Permit No. 27461.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR

RECEIVED
JAN 15 1959

State of Idaho
County of Cwyhee S. S.

Department of Reclamation

The reason that the hearing on Permit No. 27461 was published to be heard before Leona S. Hawes, Notary Public is because I asked that it be heard before her when I made preparations for the final proof. Mr. Rodney Hawes is not a Notary Public, and has never served in that capacity, therefore could not qualify to take the hearing.

Ray Marshall

Sworn to before me at ~~the~~ ^{the} Cwyhee, Idaho this 3th day
of January, 1959.

Leona S. Hawes
Notary Public

th

December 23, 1958

Re: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

This will acknowledge receipt of the Pro f of Application of Water to Beneficial Use, in connection with Permit No. 27461, together with the Affidavit of Publication.

We note that the depositions were all taken before Leona S. Hawes in place of Rodney Hawes, as stated in the Notice for Publication.

Therefore it will be necessary that we have an affidavit, signed before a notary, stating the reasons why the depositions were not taken before Rodney Hawes.

Please furnish this department with the required affidavit, as it is a necessary part of this file.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

SPR/lw

27461

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 18 1958
Department of Reclamation

Permit No. 27461

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ray Pershall, rancher, Marsing, Idaho

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

Ans. none

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

Ans. Permit No. 27461, date of priority July 7, 1958

7-14-58

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

Ans. Old Man Creek, SW 1/4 of S 1/4, Sec. 13, Twp. 7 South, Range 5 West, S.M.

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

Ans. Rock and brush dam for diversion, which is 1 ft. high and 10 ft. long. the ditch is 1.3 miles long, about 2 ft. wide, being 3 feet wide at the water line, capable of conveying 1.8 sec. ft. of water. No name.

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

Ans. Irrigation: 30 A. in NE 1/4 AND 20 A. in SE 1/4, both in S 1/4; 25 A. in NW 1/4 and 15 A. in S 1/2 of S 1/4, all in Twp. 7S. R. 4W. Sec. 13. All natural meadow land. Ditches have been built for necessary irrigation, reseeding of meadows

[Signature]

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

Ans. None

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

Ans. None

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

Ans. I am the original person to apply for this permit.

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

Ans. 1950, for irrigation, 1.8 sec. feet, in approximately 90 A.

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

Ans. In the 1880s water was diverted from South Mountain Creek, probably about 1.8 sec. ft. No rights are claimed thereunder.

(Sign)

Ray Marshall

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 Marsing County of Quincy State of Idaho, on this 16th day of December, A. D. 1958

Lena St. James

My commission expires 9-10-60

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 18 1958
Department of Reclamation

PERMIT NO 27461

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Dudley E. Mausling, age 38 yrs., rancher, Marsing, Idaho

Ques. 2. Are you acquainted with Ray Pershall, the holder of Permit No. 27461? How long have you known him and where does he reside? Yes. Known him 14 yrs., resides at Marsing, Idaho

Ans. _____

Ques. 3. Have you read or heard read said Permit No 27461, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Old Ben's Creek, Diverter at S¹/₂ of S¹/₂, S¹/₂ 13, Twp. 7 S., R. 5 W. B. Boise, Meridian. Dam made of rocks and brush, ten feet long and a foot high. A mile long ditch two to three feet wide.

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

Ans. 1.6 sec. ft. with about that amount being conveyed.

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

Ans. Irrigation: 30 A. in S¹/₂ of S¹/₂ and 20A. in S¹/₂ of S¹/₂; 25A. in S¹/₂ of S¹/₂ and 15 A. in S¹/₂ of S¹/₂, all in Twp. 7 S., R. 4 W. Sec. 18. Natural meadow land, improved by reseedin and ditches needed for irrigation.

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

Ans. no

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Rollin meadow lands, irrigable. Requiring about 1.0 acc. feet
of water.

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

Ans. No interest

Ques. 10 State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Twelve years, have cleaned its ditches, have irrigated it
occasionally.

(Signed)

Quincy E. Maxwell

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 Idaho,

County of Carboe, State of Idaho, on this 22 day of December,

A D 19 20.

Lena S. Hawes

Notary Public.

My commission expires 2-10-20.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 118 1958
Department of Reclamation

PERMIT NO 27461

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Clifford Beltwell, 48 yrs., Jordan Valley, Oregon, rancher.

Ques 2. Are you acquainted with Ray Pershall, the holder of Permit No 27461? How long have you known him and where does he reside?

Ans. Yes. Ten years, he resides at Marsing, Idaho

Ques 3 Have you read or heard read said Permit No. 27461, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques 4 State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Old Mars Creek, SW 1/4 of S 11, S. 13, Twp. 7 S, R. 5 W, S. 13. A 1/2 mile long ditch conveys the water from a brush and rock dam which is 1 foot high and ten feet long.

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

Ans. 1.8 sec. ft. Ditch seen conveying that amount.

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

Ans. Irrigation. on 30 A. in SW 1/4 and 20 A. in SW 1/4 of SW 1/4; 25A. in NW 1/4 and 15A. in SW 1/4 of SW 1/4, all in Twp. 7 S. R. 4 W. S. 13. All natural meadow land. Ditches made and land reseeded.

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

Ans. None

Ques 8 (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Bottom, and some cornus rock, meadow lands. 1.8 sec. ft.

needed.

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

Ans. No.

Ques 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. have irrigated it for two years in 1957 and 1958.

(Signed)

Philip F. Feltwell

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 Merida,

County of Cwyhee, State of Idaho, on this 15 day of October,

A. D. 1959

Leona S. Hawes

Notary Public.

My commission expires 2-10-60

PROOF OF PUBLICATION

STATE OF IDAHO)
County of Owyhee) ss.

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

That the annexed notice was published in said newspaper once each week and every week for _____ consecutive weeks, the first publication being on the _____ day of _____, 195____, and the last publication being on the _____ day of _____, 195____;

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.

[Signature]
PUBLISHER.

Subscribed and sworn to before me this _____ day of _____, 195_____.

[Signature]
NOTARY PUBLIC.

My commission expires _____.

(SEAL)

RECEIVED

Department of Reclamation

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

Notice is hereby given that at 10.00 A. M. on the 16th day of December, 1958, at Marsing, County of Owyhee, State of Idaho, before Leona S. Hawes, Notary Public, proof will be submitted of the application to beneficial use of 1.8 cubic feet per second of the waters of Old Man Creek in accordance with the terms and conditions of Permit No. 27461 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Ray Pershall, Marsing, Idaho.

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

The amount applied to beneficial use is 1.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18, Twp. 7 S., Rge. 4 W. B. M.

Point of Diversion - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, Twp. 7 S., Rge. 5 W. B. M.

The right to take water from such works is based upon Permit No. 27461.

The source of supply from which such water is diverted is Old Man Creek.

The date of priority which said user is prepared to establish is July 7, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
(Nov. 28 — Dec. 11)

27461

November 14, 1958

Re: Permit No. 27461

Mr. Ray Pershall
Marsing
Idaho

Dear Mr. Pershall:

Enclosed is the Certificate of Completion of Works issued under
Permit No. 27461, also, departmental receipt #29366 for fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc. (2)

27461 R1

November 12, 1958

Re: Permit No. 27461

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

This acknowledges the Notice of Proof of Application of Water to Beneficial Use under Permit No. 27461. The proofs are to be made at 10:00 A. M. on the 16th day of December, 1958, before Rodney Hawes, Notary Public at Marsing, Idaho.

As of this date we have mailed the Notice to the Owyhee Nugget, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then to mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, at the time and before the Notary, as advertised. It is very important and necessary, that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions (Hawes and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (3)
cc: Rodney Hawes
Marsing, Idaho

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: November 12, 1958

Re: Permit No. 27461
Ray Pershall

Owyhee Nugget
Marsing, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to December 16, 1958 the date set for proof; the expense of the publication is to be paid by the applicant

Ray Pershall of Marsing, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

ER/lw

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

Notice is hereby given that at 10:00 A. M. on the 16th day of December, 1958,
 at Marsing, County of Owyhee, State of Idaho, before
Rodney Hawes, Marsing, Idaho, proof will be submitted of the
 application to beneficial use of 1.8 cubic feet per second of the waters of Old Man Creek
 in accordance with the terms and conditions of Permit No. 27461
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Ray Pershall, Marsing, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1.8 cubic feet per second

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

1.34, 1.51 Sec. 15, T. 3, R. 4, E. 1

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

The right to take water from such works is based upon Permit No. 27461

The source of supply from which such water is diverted is Old Man Creek

The date of priority which said user is prepared to establish is July 7, 1958

State Reclamation Engineer.

RECEIVED
FEB 10 1955

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Nov. 10, 1955

(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Boise Target of Laramie, Idaho published in
the county in which the works are situated.

Ray L. Marshall

(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.

Permit No. 27461STATE OF IDAHO
Department of ReclamationRECEIVED
NOV 10 1958
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cwyhee } ss.

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

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 27461, and that his postoffice address is Marion State of Idaho.Second: That the name of the stream from which said water is to be diverted is Colofman Creek.Third: That the point of diversion of said water is SE 1/4 T. 12 N. 4 E. Sec 13
T. 7 N. R. 5 W.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 14, 1963.Fifth: That the use for which said water is intended is Irrigation.

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

I. Kind of works: Diversion Litch
(Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work: Diversion(a) Height of dam 1 feet, length of dam at top 10 feet, length of dam at bottom 10 feet. Material used in construction Rock & Brush

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir None acre feet.(c) Size of headgate: Width None feet, height None feet.(d) Conduit Ditch width at bottom 2 feet, width at water line 3 ft
(State whether ditch, flume or pipe)feet, depth of water 1 feet; diameter of pipe None inches, average grade per mile is 10 feet. Length of conduit is 1.3 miles.Seventh: That said works are capable of conducting to the place of intended use 1.8 second feet of water.Eighth: That water appropriated under said permit is available for 90.9 acres of land described as follows: E 1/2 T. 12 N. 4 E. Sec 13
T. 7 N. R. 5 W.

Ninth: Remarks: That

* Ray Marshall
(Sign Here)Subscribed and sworn to before me this 10 day of November, 1958My commission expires March 25-1961

Notary Public.

XXXXXXXXXX

July 25, 1958

Re: Permit No. 27461

Mr. Ray Pershall
Marsing,
Idaho

Dear Mr. Pershall:

We enclose Permit No. 27461 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

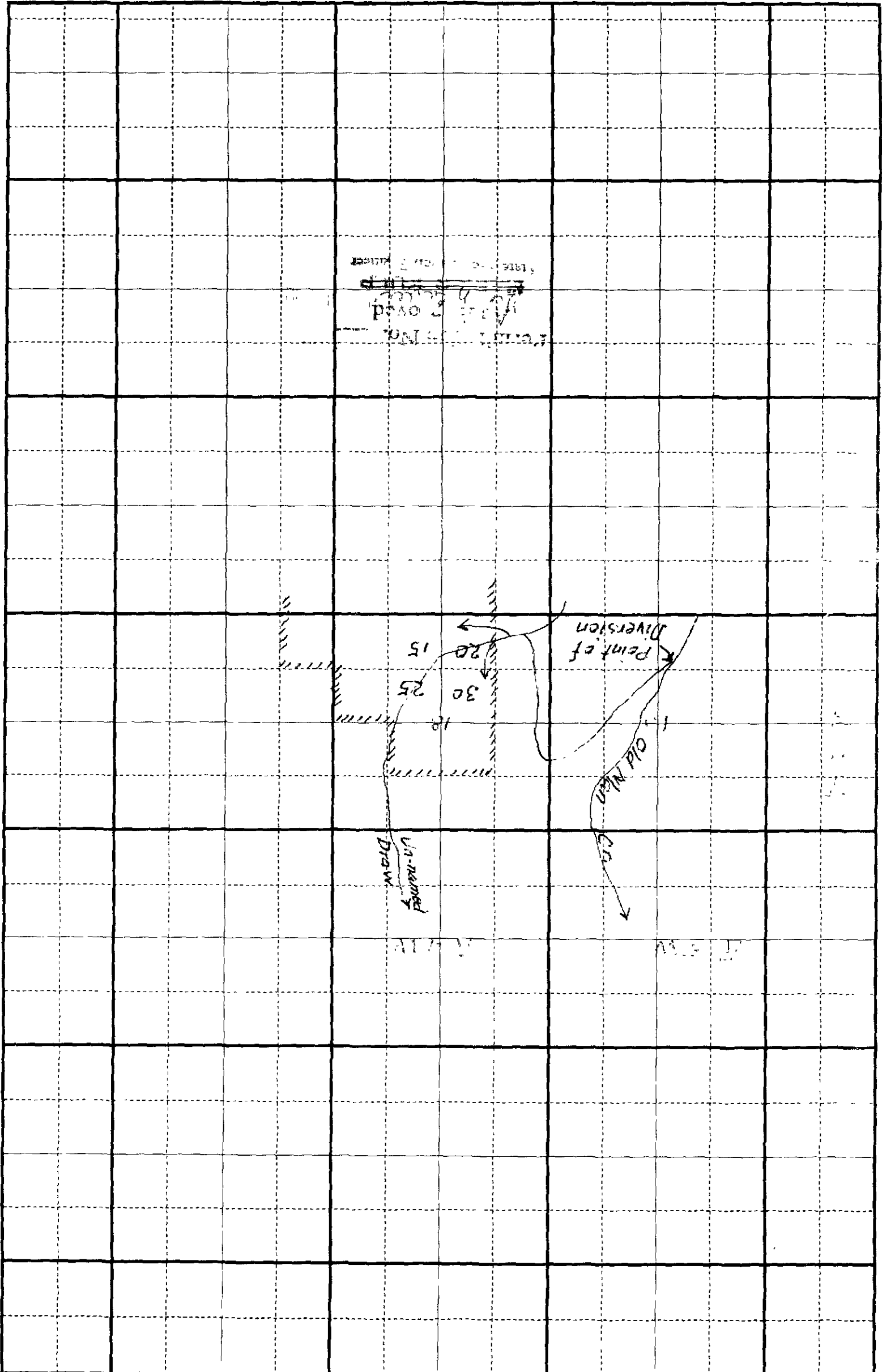
We also enclose departmental receipt No. 29178 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

E. H. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

ENR:lw
Encls. (2)



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

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

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The name and postoffice address of the person or corporation holding said permit is Ray Pershall, Marsing, Idaho.

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

The amount applied to beneficial use is 1.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18, Twp. 7 S., Rge. 4 W. B. M.

Point of Diversion - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, Twp. 7 S., Rge. 5 W. B. M.

The right to take water from such works is based upon Permit No. 27461.

The source of supply from which such water is diverted is Old Man Creek.

The date of priority which said user is prepared to establish is July 7, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
(Nov. 29 — Dec. 11)

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The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) $E\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$ Sec. 18, Twp. 7 $\frac{1}{2}$ S., Rge. 4 W. B. M.

Point of Diversion - $SE\frac{1}{4}SW\frac{1}{4}$ Sec. 13, Twp. 7 S., Rge. 5 W. B. M.

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

The amount applied to beneficial use is 1.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) $E\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$ Sec. 18, Twp. 7 S., Rge. 4 W. B. M.

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(Nov. 29 — Dec. 11)