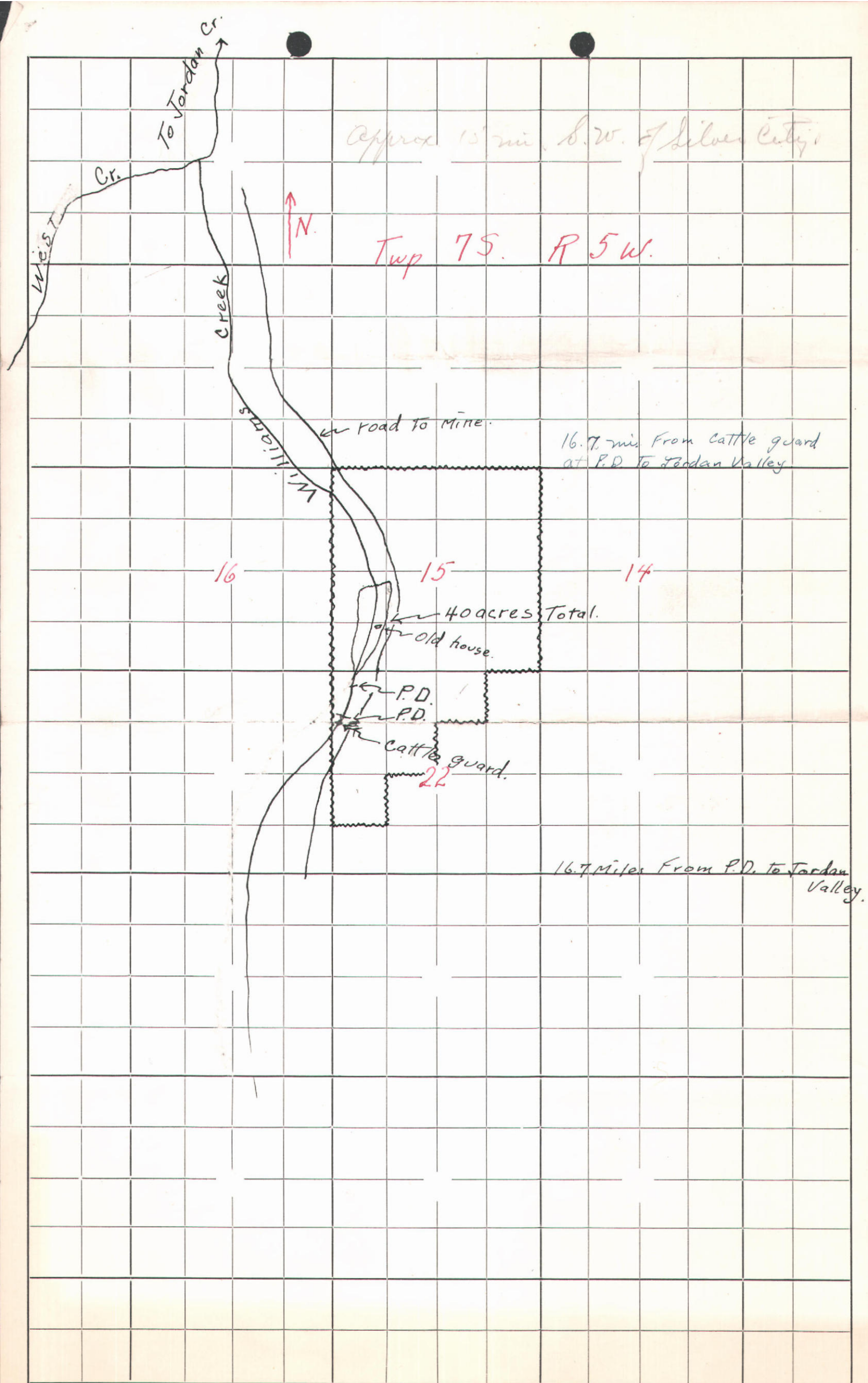




PROOF OF PUBLICATION

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 and every week for 4 consecutive weeks, the first publication being on the 11 day of May 1950, and the last publication being on the 1 day of June, 1950;

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 2nd day of

June, 19 50

Leona J. Hawes
Notary Public

My commission expires 9-10-52

(SEAL)

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

Notice is hereby given that at 11:00 A. M. on the 12th day of June, 1950, at Marsing, County of Owyhee, State of Idaho, before Leona Hawes, Notary Public, proof will be submitted of the application to beneficial use of Two cubic feet per second of the waters of Williams Creek in accordance with the terms and conditions of Permit No. 21444 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 Pedro Sumaeta, 1235 8th Street, Baker, Oregon.

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

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

The place where said water is used is All of Section 15; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; All in Township 7 South, Range 5 West, B. M.

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

The right to take water from such works is based upon Permit No. 21444.

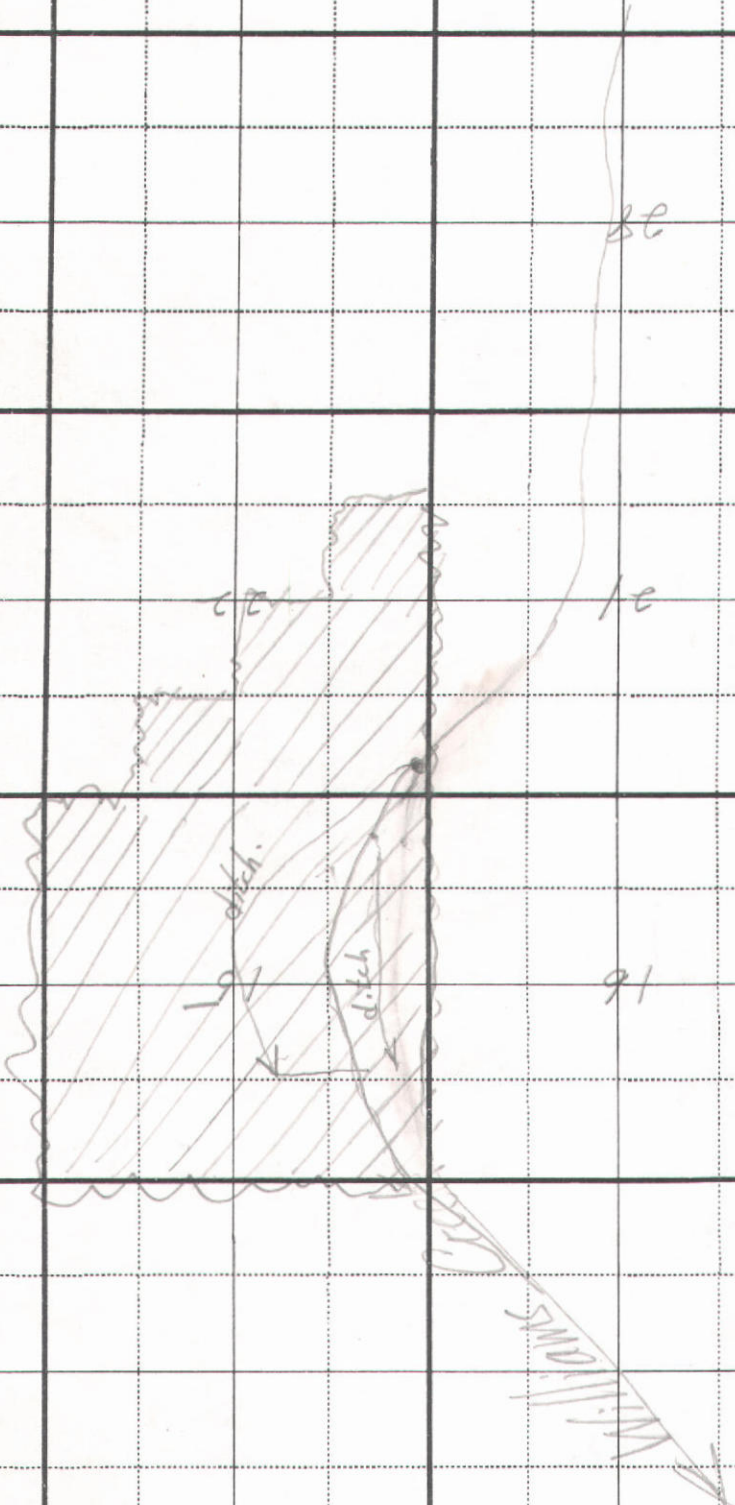
The source of supply from which water is diverted is Williams Creek, a tributary of Owyhee River.

The date of priority which said user is prepared to establish is April 3, 1950.

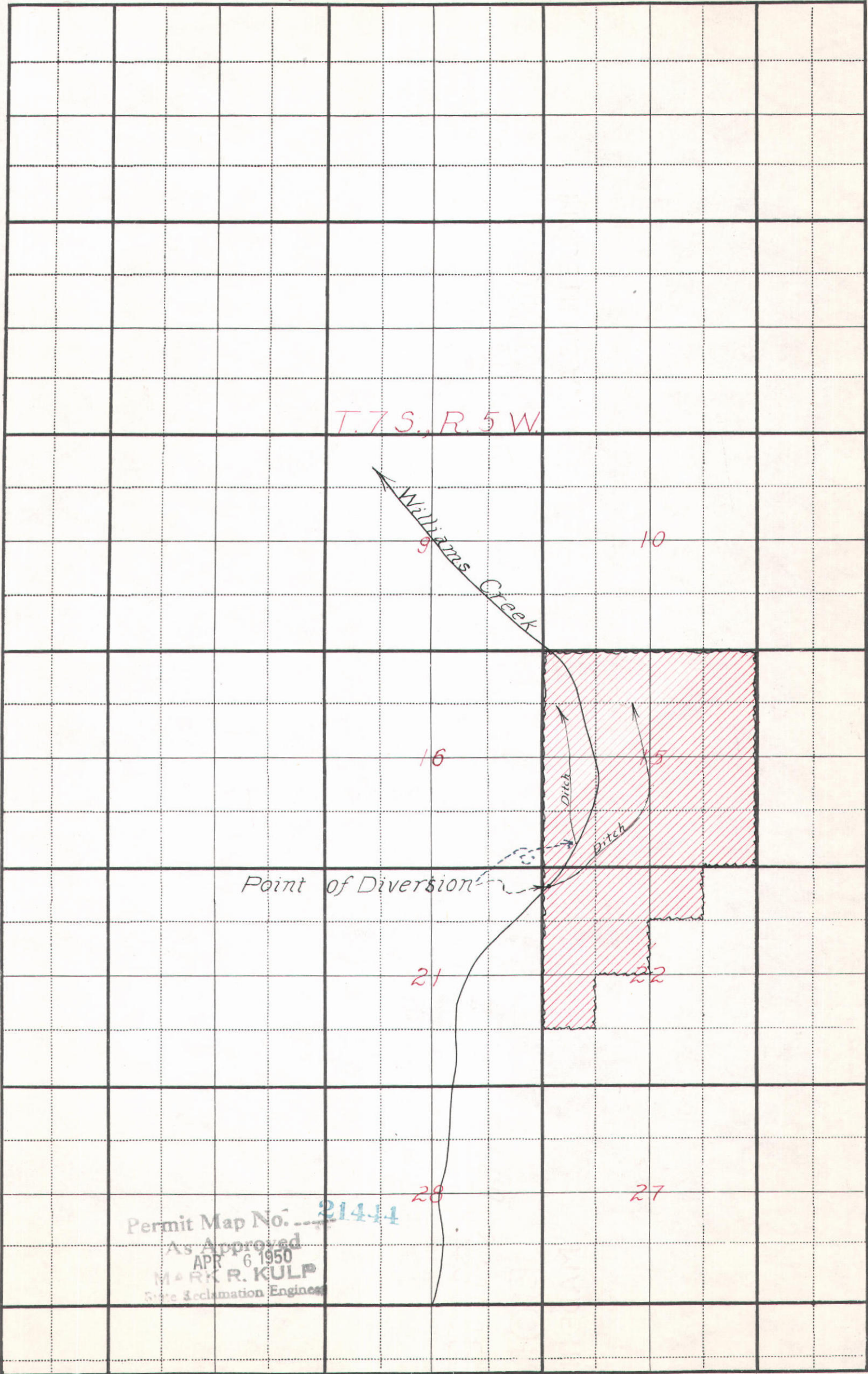
MARK R. KULP
State Reclamation
Engineer.

RECEIVED
JUN 3 1950
Department of Reclamation

21444



T 7 S, R 5 W



State of Idaho

License and Certificate of Water Right

Water License No. 21444Amount 0.8 second foot

Water District No.

Priority April 3, 1950

THIS IS TO CERTIFY that PEDRO SAMAETA
 of Baker, Oregon, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 3,, 19 50; that Permit No. 21444
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Two (2) second feet, was issued thereunder on May 15,, 19 50, showing that said works
 were completed on the 2nd day of May, 19 50; and that on the 12th
 day of June, 19 50,

PEDRO SAMEATA

of Baker, State of Oregon, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Williams
Creek, a tributary of Owyhee River, for the purpose of irrigation
, under Use Permit No. 21444 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4751, on the 4th day of May, 19 51;
 The right hereby confirmed dates from April 3,, 19 50;
 The Point of Diversion ^{are} ~~is~~ located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22,
~~in the~~ ~~1/4~~ ~~1/4~~ Sec. , 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 0.8 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.	5 W.	15	NE $\frac{1}{4}$	160	--	
			NW $\frac{1}{4}$	160	--	
			W $\frac{1}{2}$ SW $\frac{1}{4}$	80	40	
			E $\frac{1}{2}$ SW $\frac{1}{4}$	80	--	
		22	SE $\frac{1}{4}$	160	---	
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	--	
			NW $\frac{1}{4}$	160	--	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	--	
			Number of Acres Actually Irrigated			- - 40

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
4th day of May, 19 51.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 20383

Amount 1.4 second feet

Water District No.

Priority April 11, 1948

THIS IS TO CERTIFY that JESSE M. PIERCE
 of Malta, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 3, 1948; that Permit No. 20383
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.78 second feet, was issued thereunder on April 21, 1949, showing that said works
 were completed on the 7th day of April, 1949; and that on the 15th
 day of April, 1950,

JESSE M. PIERCE

of Malta, 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
~~tributary~~ (subterranean flow) for the purpose of irrigation
 under Use Permit No. 20383 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 8 of Licenses at page 4752, on the 5th day of May, 1951;

The right hereby confirmed dates from April 11, 1948;

The Point of Diversion is located in Lot 3

in the ~~1/4~~ ~~1/4~~ Sec. 30, Tp. 13 S., R. 27 E., B.M. Cessie 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 1.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	26 E.	25	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
13 S.	27 E.	30	Lot 3	49	49.51
Number of Acres Actually Irrigated				- -	69.51

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

5th day of May, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

N^o 21444
55-2141

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29133
PERMIT No. 21444
DISTRICT No.

1. Name of Applicant: PEDRO SUMAETA

Postoffice address: 1235 8th St., Baker

County:

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:

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

2. Quantity of water claimed: Two (2) cubic feet per second.

3. Source of water supply: Williams Creek which is a tributary of Owyhee River

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

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 , 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 , 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: \$

8. Kind of works: Earth and rock diversion and ditches

9. Height of dam 2 feet; length of dam at top 6 feet; length of dam at bottom

feet; material used in dam: Earth and rock

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is None 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: No filings

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.

PEDRO SUMAETA

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:15 A. M. April 3, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21444

Recorded in Book 77

Page 21111

Approved April 6, 1950

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	Completed
----------------------------	-----------

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 - -

The whole of said work to be completed on or before July 6, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before July 6, 1950

WITNESS My hand this 6th day of April, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE... C. A. ROFINS

, Governor of the State of Idaho,

J. D. "CY" PRICE

and _____, 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 6th ...

day of April 19 50

STATE OF IDAHO

Countersigned:

(SEAL)

By _____ C. A. ROBINS

Governor,

By J. D. "CY" PRICE

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.	5 W.	15 22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640 240	
Total Number of Acres to be Irrigated - - 880																			
Permit No. 21444 CERTIFICATE OF COMPLETION OF WORKS.																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that PEDRO SUMAETA of Baker, County of _____, and State of Oregon, the holder of Permit No. 21444, issued upon Application No. 29133 bearing date of priority of April 3, 1950, authorizing the diversion of Two (2) second feet of the waters of Williams Creek, a tributary of the Owyhee River, 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 Two (2) second feet of the waters of Williams Creek; that the points of diversion of said waters are in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 7 South, Range 5 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All of Section 15; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 7 South, Range 5 West, B.M.																			
Witness my hand this 15th day of May, A. D. 1950.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made May 2, 1950. Certificate of Completion of Works issued May 15, 1950.																			
LICENSE ISSUED FOR 0.8 SEC. FT. Page 4751																			

✓
May 10, 1951

Re: Permit No. 21444

Mr. Ray E. Pershall
Marsing, Idaho

Dear Mr. Pershall:

We enclose License and Certificate of Water Right issued under Permit No. 21444, confirming the right of Pedro Samsets to the use of 0.8 second foot of water from Williams Creek with points of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 7 South, Range 5 West, B.M. and priority of April 3, 1950, for the irrigation of 40 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15, Township 7 South, Range 5 West, B.M.

We also enclose Departmental Receipt No. 23328 for the \$4.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

21444

✓
Re: Permit No. 21444

Mr. Ray E. Pershall
Marsing, Idaho

Dear Mr. Pershall:

The report of our field engineer on examination for beneficial use under Permit No. 21444, in the name of Pedro Samaeta, shows that approximately forty acres have been irrigated, in the $W\frac{1}{2}$ $SH\frac{1}{4}$ Section 15, Township 7 South, Range 5 West, B.M.

Therefore, upon receipt of the statutory fee of \$4.00, a license will be issued for 40 inches, or 0.8 second foot of water from Williams Creek.

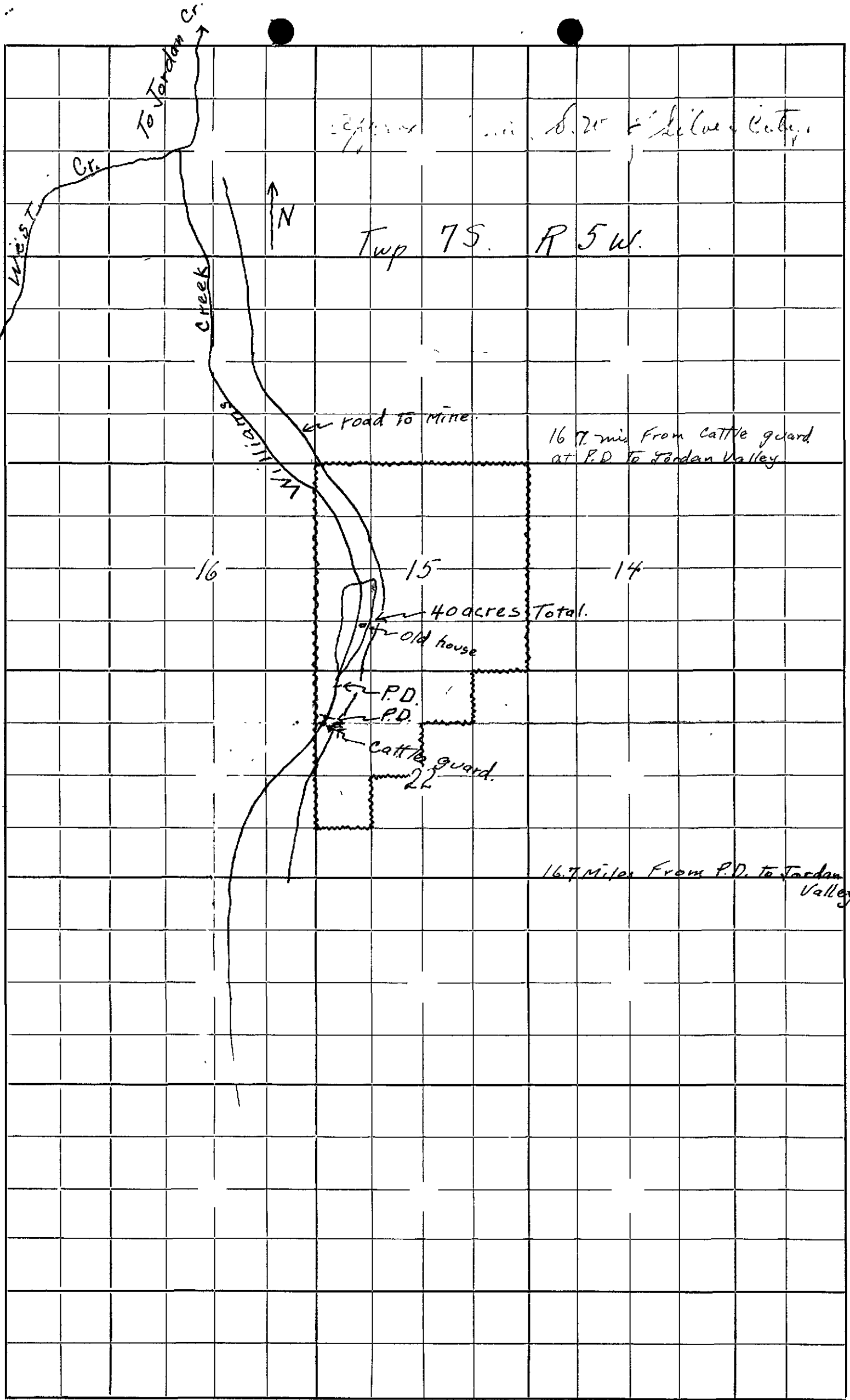
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

21444



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21144

REPORT ON PROOF OF Beneficial use

*.8 cfs
over*

App. 20, 25.

110 acres

2028-402

Pedro Samaeta,
C/o Roy Pershall, Agent
Marsing, Idaho
Permit No. 21444

Examination for.....Beneficial use.....

County.....Owyhee.....

Q = 2 cfs.
L. = Williams Cr.
P.D. = SW SW S15°
= NW NW = 22

Use = 840 acres.

Go in thru Nevada
or Triangle.

RECEIVED
APR 27 1951
Department of Reclamation

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.

Lower diversion. Stream
separates for approx 60'
then rise log and rod down
ditch 2' w. in bottom

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

Permit No. 21444This proof is for Beneficial use In Water District No. _____1. Name of applicant Pedro Samaeta, Baker, Oregon. Ray Pershall, Agent, Marsing, Idaho2. Source of water supply: Williams Creek, a tributary of Owyhee River.3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15T. 7 S. ~~5 N.~~ R. 5 W. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: The diversion dams are both low rock and sod dams. High water can take them out quite easily. One ditch is on the East side and one on the West side of the draw. Very little of the land is flat. It is mostly steep hillside and used now for grazing; though formerly hay was cut off it. There is an abundance of water in the stream. This is Williams Creek proper and two branches come in below before it enters Jordan Valley Creek, one is called West Creek and the other Pole Creek. Both enter from the South. The Metzker map lists it differently. Approximately 40 acres are irrigated. Both ditches are approx. 2' wide in the bottom and have lots of fall.

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

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

All Section 15;NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22;Township 7 South, Range 5 West, B. ..See map. A total of 40 acres are irrigated.

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

8. What large stream would the water here appropriated finally reach? Jordan Valley Creek to Owyhee River

Remarks: _____

This is all part of a large cattle pasture. Mr Pershall runs 700 head of cattle and uses this for summer pasture.

This examination was made on the 25th day of April, 19 51.(Signed) E. J. Humphrey

Examiner.

21444

✓
March 7, 1951

Re: Permit No. 21444

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

Will you please drop me a line as soon as road conditions are satisfactory for traveling so that inspection can be made for Beneficial Use Proof on your Permit No. 21444.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bh

21444

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

Ans. 2 cu. ft. per sec.

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

Ans.

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

Ans. Yearly, for irrigation, 2 cu. ft. per sec. when needed.

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

Ans. None

(Sign)

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 Blaine, State of Idaho, on this 12 day of June, A. D. 1950.

My commission expires 9-10-52

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21444

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 Lausling, rancher, Marsing, Idaho - age 29 yrs.

Ques. 2. Are you acquainted with Pedro Sumaeta, the holder of Permit No. 21444? How long have you known him and where does he reside?

Ans. Five years, he lives at Baker, Oregon

Ques. 3. Have you read or heard read said Permit No. 21444, 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. Williams Creek, tributary of Snake River. 2 Dirt and rock dams and irrigation ditches, at head of the ranch.
Points of diversion on the: 1st 1/2 S. 22 R. 7 S. 5 E. B. and at
S. 4 S. 22 R. 7 S. 5 E. B.

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. 250 inches, have seen 150 inches running.

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. Natural meadow irrigated by waters; ⁴⁵⁻25 acres on said described
land. Water has caused the growth of the meadow. Located in Sec. 15:
N. 1/2, 1/2, N. 1/2 S. 22: all in Township 7 S., R. 5 E. B/ N.

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

Ans. _____

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

Ans. Rolling meadow land, should require 2 cu. ft. per sec.

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 said land, and frequently passed by the ranch.

(Signed) Dudley Mansing

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 Larsing, Owyhee,
County of Owyhee, State of Idaho, on this 12th day of June,
A D. 19 50

Leona L. Shaw
Notary Public.

My commission expires 9-10-52

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21444

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. Max Bloyd, 34, Marsing, Idaho, rancher.

Ques. 2. Are you acquainted with Pedro Sumasta, the holder of Permit No. 21444? How long have you known him and where does he reside? Not known personally nor where he lives

Ans. Personally know Ray Marshall, his agent, for six years. He lives in Marsing, Idaho, Route 1.

Ques. 3. Have you read or heard read said Permit No. 21444, 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. Allians Creek, off of Caysee River, 25 ft. north of the line fence (approx.) Rock and dirt dams. Ditches.

Points of diversion are: 1/4 Sec. 22, R 7S T4N; also at SW 1/4 Sec. 15 R 7 S T4N.

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. Can convey 2 cu. ft. per sec.; have seen from one to two cu. ft.

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 of meadow land, about 25 acres; natural meadow.

Irrigation necessary for a meadow to grow. Located in Sec. 15; NE 1/4, NW 1/4, W 1/2 Sec. 22; all in Township 7 S, R. 5 W, B/M

21444

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

Ans. _____

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

Ans. Rolling land, needs about two cu. ft. per second of water
for use.

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 done by said lands frequently the past ten years.

(Signed) Wm B. Bley

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 Marsing,
County of Cwyhee, State of Idaho, on this 12 day of June,
A D 1950.

My commission expires 9-10-52 Leonard Hawes
Notary Public.

21444

✓
June 20, 1950

Re: Permit No. 21444

Mr. Ray E. Pershall
Marsing, Idaho

Dear Mr. Pershall:

We return the depositions of yourself and two witnesses submitted in Proof of Beneficial Use under Permit No. 21444 in the name of Pedro Sumaeta for correction as follows:

1. Question 4 in all the depositions should give the legal description of the point of diversion by subdivision, Section, Township and Range.

2. Question 6 only described 25 acres in Section 15 whereas the application and Permit include all of Section 15.

3. Max Bloyd's deposition states that he does not know Pedro Sumaeta. If he is acquainted with you, Question 2 may so state.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21444

PROOF OF PUBLICATION

State of Idaho, { ss.
County of Owyhee,

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 and every week for . 4 . consecutive weeks, the first publication being on the 11 day of July, 1950, and the last publication being on the 1 day of August, 1950;

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 3rd day of August, 1950.

Mark R. Kulp
Notary Public

My commission expires 8-2-52

(SEAL)

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

Notice is hereby given that at 11.00 A. M. on the 12th day of June, 1950, at Marsing, County of Owyhee, State of Idaho, before Leona Hawes, Notary Public, proof will be submitted of the application to beneficial use of Two cubic feet per second of the waters of Williams Creek in accordance with the terms and conditions of Permit No. 21444 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 Pedro Sumaeta, 1235 8th Street, Baker, Oregon.

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

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

The place where said water is used is All of Section 15; NW¹/₄ NE¹/₄, NW¹/₄, NW¹/₄SW¹/₄ Section 22; All in Township 7 South, Range 5 West, B. M.

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

The right to take water from such works is based upon Permit No. 21444

The source of supply from which water is diverted is Williams Creek, a tributary of Owyhee River.

The date of priority which said user is prepared to establish is April 3, 1950

MARK R. KULP
State Reclamation
Engineer.

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, June 2, 1950

Re: Permit No. 21144
Pedro Sumaeta

Mrs. Leona Hawes
Notary Public
Marsing, Idaho

Dear Madam:
~~DEAR SIR:~~
~~XXXXXX~~

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 21144.....

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On ~~June 12, 1950~~....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at.....
~~Marsing, Idaho~~..... before ~~Leona Hawes, Notary Public,~~.....

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

~~MARK R. KULP~~
~~Commissioner of Reclamation~~
State Reclamation Engineer

21144

May 15, 1950

Re: Permit No. 21444

Mr. Ray Pershall
Marsing, Idaho

Dear Mr. Pershall:

We enclose Certificate of Completion of Works issued under Permit No. 21444 in the name of Pedro Sumeta, for the diversion of two (2) second feet of water from Williams Creek for the irrigation of Section 15, NW 1/4 NE 1/4, NW 1/4 SW 1/4 Section 22, Township 7 South, Range 5 West, B.M., together with Departmental Receipt No. 22329 for the \$5.00 fee paid in connection with this proof.

We have sent to the Owyhee Nugget, Notice of Beneficial Use Proof to be made under this Permit before Leona Hawes, Notary Public, at 11:00 A.M., June 12, 1950, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send the Affidavit of Publication, together with statement of costs, to Pedro Sumeta, in your care.

As we understand that you intend to make Beneficial Use Proof as agent for Mr. Sumeta, you should appear before the Notary at the time set for proof, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder, for the purpose of executing the depositions.

We think we handed you the forms required for making this proof, but to be on the safe side, we shall send another set of forms to Mrs. Hawes so that she will have them in ample time for the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

CC: Mr. Pedro Sumeta

P.S. This proof should be made at Marsing where the witnesses are available, but it will not be necessary for Mr. Sumeta to appear, as you can act as his agent.

21444

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 41111

Date: May 9, 1950

Owyhee Nugget

Marsing, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 12, 1950** the date set for proof, the expense of the publication to be paid by the applicant, **Pedro Sumasta** of **Baker, Oregon**, to whom you should furnish proof of publication on or prior to the date set for proof. **C/o Ray Pershall, Marsing, Idaho**

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Chief Clerk.

21444

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

Notice is hereby given that at 11:00 A. M. on the 12th day of June, 1950,
at Marsing, County of Owyhee, State of Idaho, before
Leona Hawas, Notary Public, proof will be submitted of the
application to beneficial use of Two cubic feet per second of the waters of Williams
Creek in accordance with the terms and conditions of Permit No. 21114
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
Pedro Sumate, 1231 1/2 W. 3rd, Baker, Oregon.

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

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

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) All of Section 15; NE 1/4, NW 1/4, SW 1/4 Section 22; All in Township
7 South, Range 5 West, N. M.

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

The right to take water from such works is based upon Permit No. 21114.

The source of supply from which such water is diverted is Williams Creek, a tributary
of Owyhee River.

The date of priority which said user is prepared to establish is April 3, 1950.

MARK R. KULP

State Reclamation Engineer.

21114

RAY PERSHALL
MARSING
IDAHO

May 5 - 50

MAY 8 1950

Dept. of Reclamation

Dear Sirs;

In regard to the adv. on water filing
if you get the notice to the Owyhee
Nugget Marsing Ida. not later than
May 11th four weeks later the hearing
could be held or if the notice was
later the hearing would be that much
later.

The Notary ^{at Blaine, Ore} that notarized the
proof of completion of works could
hold the hearing or if there had to
be witnesses Leon H. James at
Marsing. He must come to
Marsing for the hearing.

Yours truly,

Ray Pershall.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....

(P. O.).....

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.

signature P. Pedro Sumatra

(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.

2444

Permit No. 21444STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER
Oregon
STATE OF ~~IDAHO~~County of Baker } ss.Pedro Sumaeta, 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. 21444, and that his postoffice address is 1235 8th St., Baker State of OregonSecond: That the name of the stream which said water is to be directed is Williams Creek, a tributary of Owyhee RiverThird: That the points of diversion of said water ~~is~~ are in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Twp. 7 S., Range 5 W., B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 6, 19 50Fifth: 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: Earth and rock diversion, and ditches
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 2 feet, length of dam at top 6 feet, length of dam at bottom feet. Material used in construction Earth and rock

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width None feet, height feet.(d) Conduit Ditch width at bottom 3 feet, width at water line
(State whether ditch, flume or pipe)feet, depth of water 2 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.Seventh: That said works are capable of conducting to the place of intended use two second feet of water.Eighth: That water appropriated under said permit is available for 880 acres of land described as follows: All Section 15; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; All in Twp. 7 S., Range 5 W., B.M.Ninth: Remarks: That X Pedro Sumaeta

(Sign Here)

Subscribed and sworn to before me this 2nd day of May, 19 50My commission expires NOTARY PUBLIC FOR OREGON
My Commission Expires July 15, 1952

21444

April 12, 1950

Re: Permit No. 21444

Mr. Ray Pershall
Parsing, Idaho

Dear Mr. Pershall:

We enclose Permit No. 21444 issued to Mr. Pedro Sumsets. We are sending this to you because it is our understanding that you will make the proofs required to complete this water right, but are sending a copy of the letter to Mr. Sumsets for his information.

Since the application states that the works are completed, we have allowed three months or until July 6, 1950, within which to make the two statutory proofs necessary to complete the water right. These proofs, however, may be made at any time prior to that date.

The first proof or proof of completion of works is made by executing Form 6 enclosed before a Notary Public, and returning to this Department with a statutory fee of \$5.00, upon receipt and approval of which, a Certificate of Completion of Works will be issued.

The final or beneficial use proof requires publication once a week for four consecutive weeks in a county newspaper, prior to the date set for making proof. Notice should be made in duplicate of Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set, you should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this Department.

Very truly yours,

MARK R. TULP
State Reclamation Engineer
By

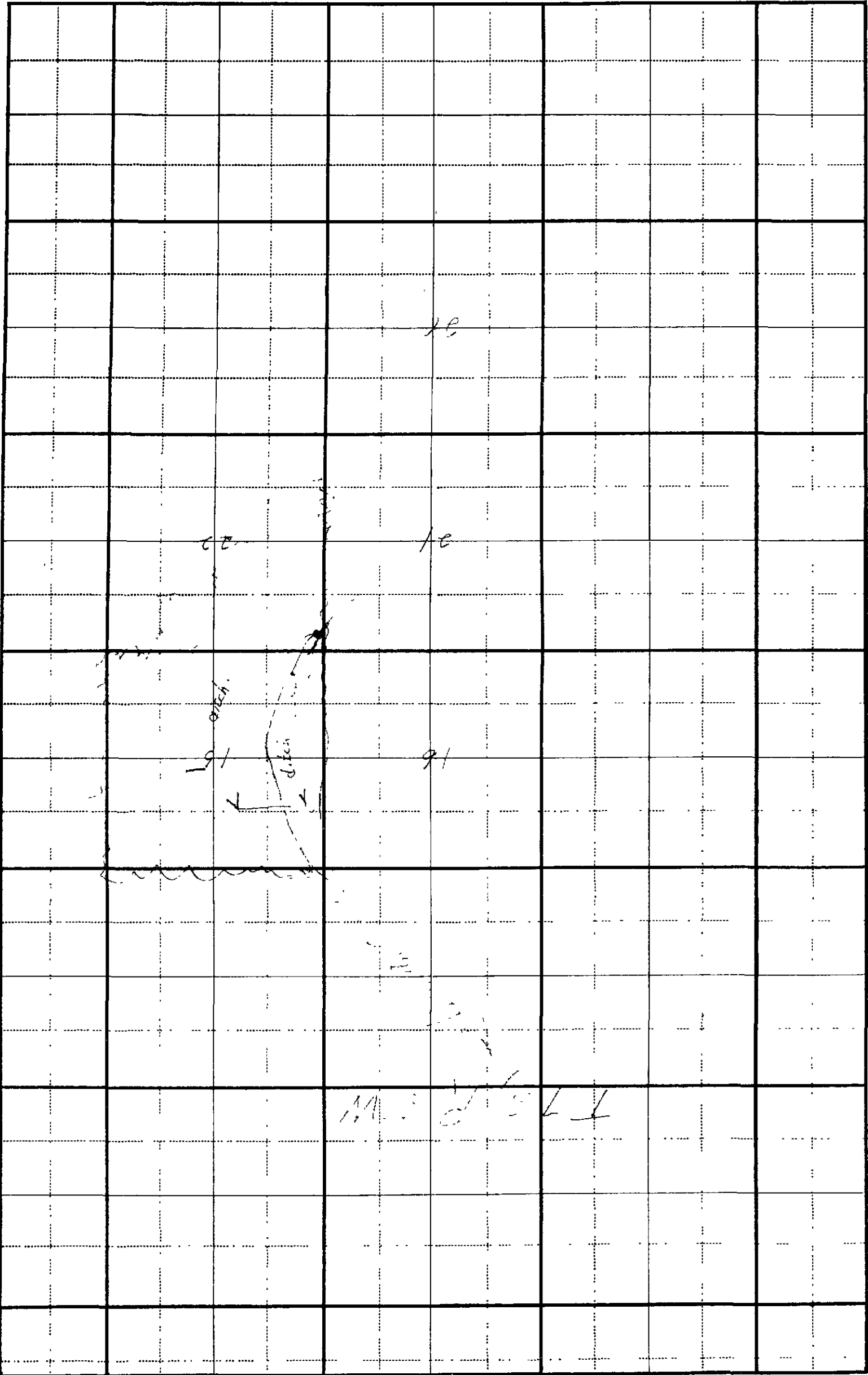
A:bn
Enc.

Chief Clerk

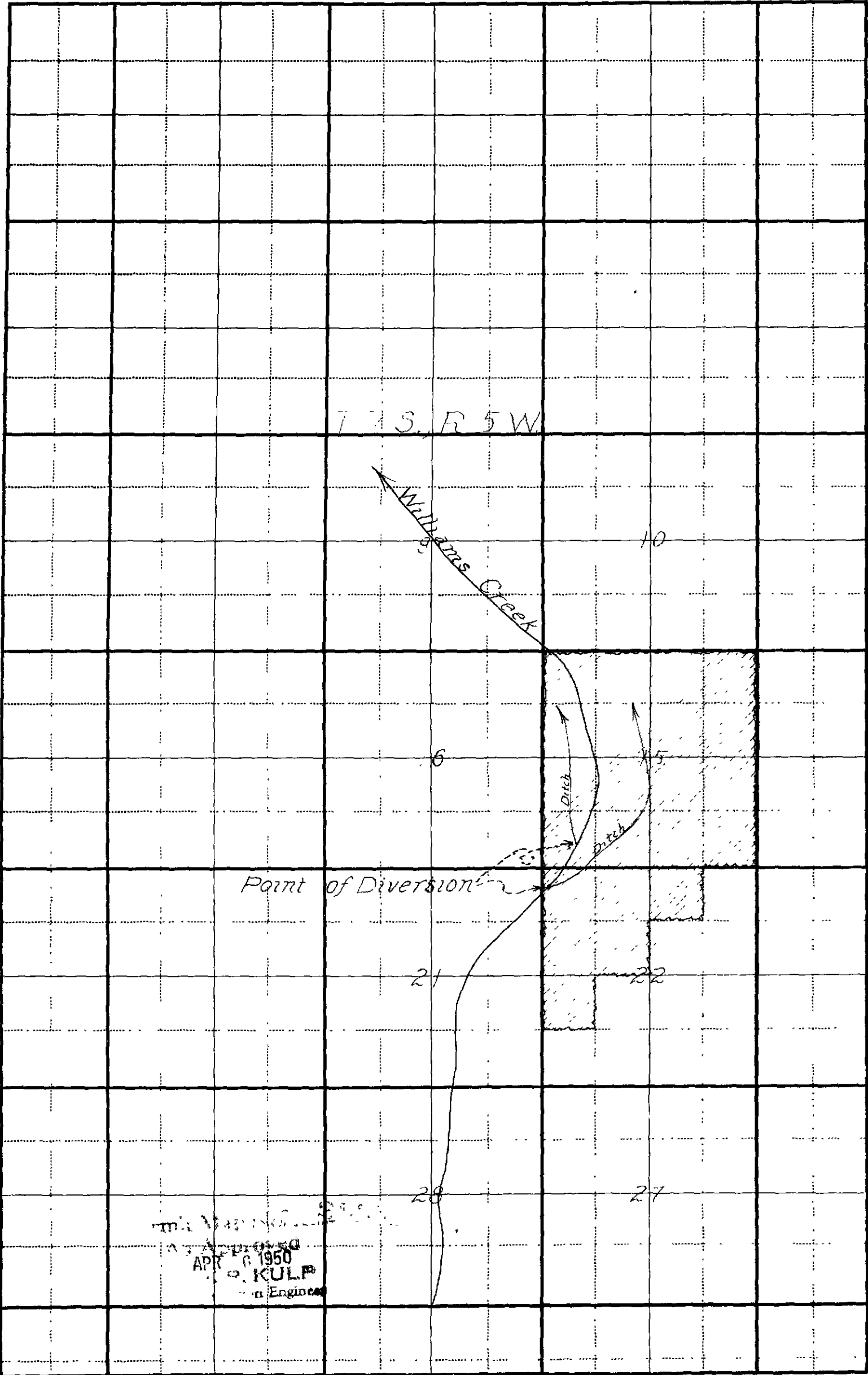
21444

NAME OF APPLICANT _____

FORM No. 0



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 Pedro Sumaeta, 1235 8th Street, Baker, Oregon.

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

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

The place where said water is used is All of Section 15; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22; All in Township 7 South, Range 5 West, B. M.

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

The right to take water from such works is based upon Permit No. 21444.

The source of supply from which water is diverted is Williams Creek, a tributary of Owyhee River.

The date of priority which said user is prepared to establish is April 3, 1950.

MARK R. KULP
State Reclamation
Engineer.

(May 11) — April 1)