

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

This is to certify that: OWSLEY CANAL CO
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00327 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	110.00 CFS	
Priority: 00/00/0000			
Right No. 31-00328 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	100.00 CFS	
Priority: 00/00/0000			
Right No. 31-00329 :			
IRRIGATION	04/15 to 10/15	** 50.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	50.00 CFS	
Priority: 00/00/0000			
Right No. 31-00330 :			
IRRIGATION	04/15 to 10/15	** 80.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	80.00 CFS	
Priority: 00/00/0000			
Right No. 31-00331 :			
IRRIGATION	04/15 to 10/15	24.00 CFS	
Priority: 09/10/1928			
Right No. 31-00332 :			
IRRIGATION STORAGE	01/01 to 12/31		5000.0 AF
Priority: 01/25/1930			

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State of Idaho

License and Certificate of Water Right

Permit
Water License No. **17262**
Water District No. _____

Amount **40.0 c.f.s.**
Priority **Jan. 25, 1930**

THIS IS TO CERTIFY that **OWSLEY CANAL COMPANY**
of **TERRETON, IDAHO**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **Jan. 25, 1930**, 19 ; that Permit No. 17262
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
40.0 second feet, was issued thereunder on **Sept. 24, 1935**, 19 , showing that said works
were completed on the **23rd** day of **March**, 19 **35**; and that on the **24th**
day of **March**, 19 **41**,

OWSLEY CANAL COMPANY

of **Terreton**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **North Lake &**
subterranean water tributary of, for the purpose of **irrigation and domestic**
purposes, under Use Permit No. **17262** of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7**
of Licenses, at page **4084**, on the **8th** day of **January**, 19 **42**;

The right hereby confirmed dates from **Jan. 25, 1930**, 19 ;

The Point of Diversion is located
in the **SE 1/4 SE 1/4, Sec. 23**, Twp. **7 N**, R. **34 E**, B. M. Jefferson 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 **40.0**
cubic feet per second.

Description and location of use: **Carey Act lands and additional lands under the Owsley Canal Project.**

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	35 E	8	W ¹ / ₂ SW ¹ / ₄ All of Secs. 17, 18, 19		
		20	W ¹ / ₂ NE ¹ / ₄ , NW ¹ / ₄ , SW ¹ / ₄		
		29	W ¹ / ₂ NW ¹ / ₄ , N ¹ / ₂ W ¹ / ₂ SW ¹ / ₄		
		30	NE ¹ / ₄ , W ¹ / ₂ NW ¹ / ₄		
6 N	34 E	4	SW ¹ / ₄		
		5	S ¹ / ₂ NW ¹ / ₄ , NW ¹ / ₄ , SW ¹ / ₄ , SE ¹ / ₄		
		7	E ¹ / ₂ NE ¹ / ₄ , E ¹ / ₂ SE ¹ / ₄		
			All of Sec. 8, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 29		
		9	NW ¹ / ₄ , SW ¹ / ₄ , SE ¹ / ₄		
		10	SW ¹ / ₄ SW ¹ / ₄		
		13	SW ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ , SE ¹ / ₄		
		14	SE ¹ / ₄ NE ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄		
		15	SW ¹ / ₄		
		28	NE ¹ / ₄ , NW ¹ / ₄ , SE ¹ / ₄ , SW ¹ / ₄ , NW ¹ / ₄ , SE ¹ / ₄		
		35	NE ¹ / ₄ , NW ¹ / ₄		
					13,480 acres irrigated.

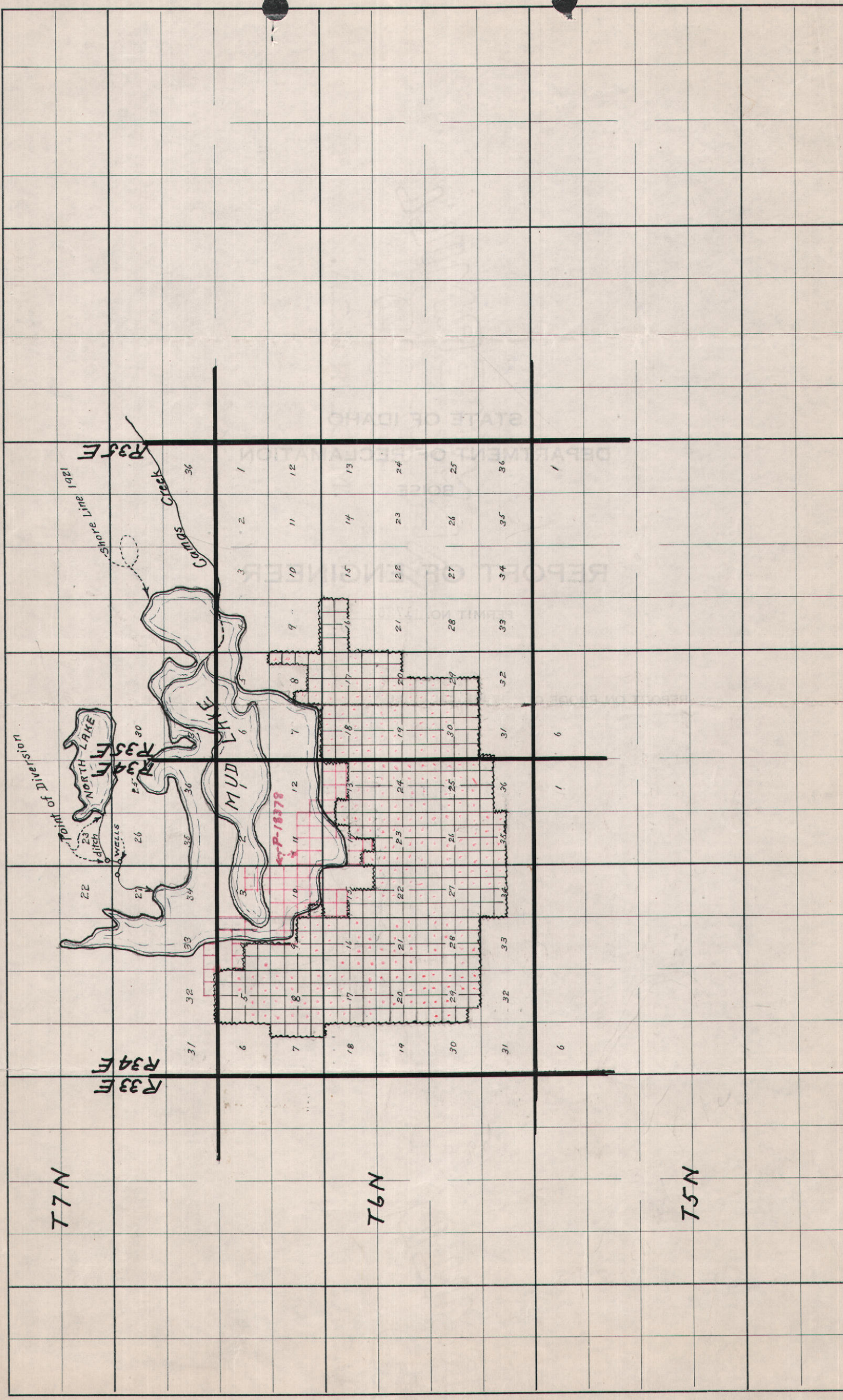
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

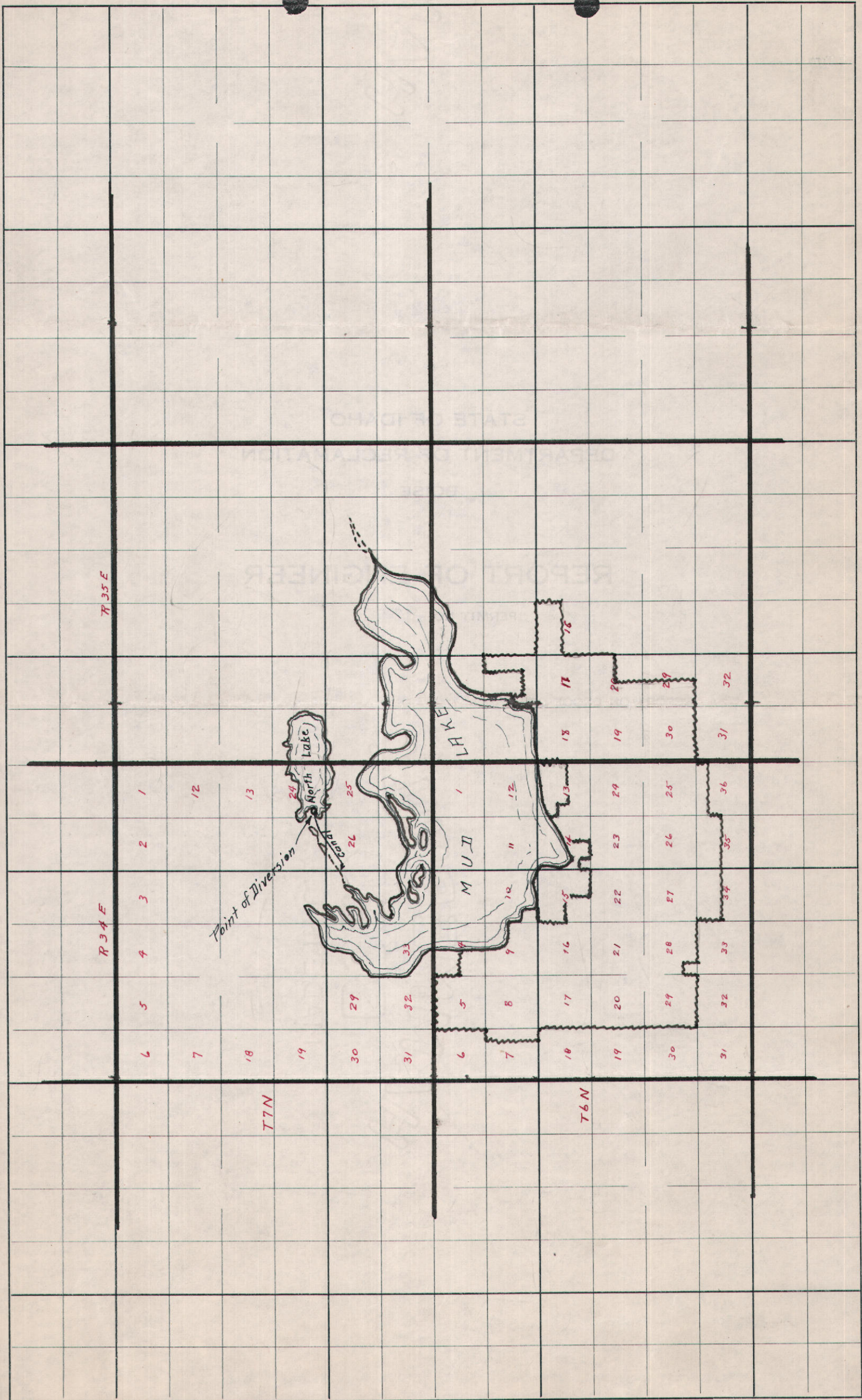
WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **8th** day of **January**, 19 **42**

E. V. BERG.

Commissioner of Reclamation

(SEAL)





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

This is to certify that: OWSLEY CANAL CO
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has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00327 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	110.00 CFS	
Priority: 00/00/0000			
Right No. 31-00328 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	100.00 CFS	
Priority: 00/00/0000			
Right No. 31-00329 :			
IRRIGATION	04/15 to 10/15	** 50.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	50.00 CFS	
Priority: 00/00/0000			
Right No. 31-00330 :			
IRRIGATION	04/15 to 10/15	** 80.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	80.00 CFS	
Priority: 00/00/0000			
Right No. 31-00331 :			
IRRIGATION	04/15 to 10/15	24.00 CFS	
Priority: 09/10/1928			
Right No. 31-00332 :			
IRRIGATION STORAGE	01/01 to 12/31		5000.0 AF
Priority: 01/25/1930			

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WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00336B :			
IRRIGATION	04/15 to 10/15	11.05 CFS	
Priority: 04/27/1932			
Right No. 31-00337B :			
IRRIGATION	04/15 to 10/15	17.00 CFS	
Priority: 12/15/1932			
Right No. 31-00371 :			
IRRIGATION	04/15 to 10/15	23.00 CFS	
Priority: 09/10/1928			
Right No. 31-02239 :			
IRRIGATION	04/15 to 10/15	40.00 CFS	16899.4 AF
Priority: 01/25/1930			
Right No. 31-02265 :			
IRRIGATION	04/15 to 10/15	64.40 CFS	23375.9 AF
Priority: 05/22/1940			
Right No. 31-02289 :			
IRRIGATION	04/15 to 10/15	3.20 CFS	560.0 AF
Priority: 01/13/1949			
Right No. 31-02290 :			
IRRIGATION	04/15 to 10/15	3.60 CFS	840.0 AF
Priority: 02/14/1949			
Right No. 31-02297 :			
IRRIGATION	04/15 to 10/15	6.00 CFS	1190.0 AF
Priority: 12/29/1949			
Right No. 31-02310 :			
IRRIGATION	04/15 to 10/15	5.80 CFS	1015.0 AF
Priority: 09/24/1952			
Right No. 31-02317A :			
IRRIGATION	04/15 to 10/15	8.08 CFS	1414.0 AF
Priority: 02/28/1953			

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 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-02317B :			
IRRIGATION	04/15 to 10/15	1.90 CFS	332.5 AF
Priority: 10/27/1956			
Right No. 31-02321 :			
IRRIGATION	04/15 to 10/15	1.92 CFS	336.0 AF
Priority: 04/25/1953			
Right No. 31-02341 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02342 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02343 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02344 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02345 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-07005 :			
IRRIGATION	04/15 to 10/15	13.26 CFS	4939.4 AF
Priority: 12/04/1967			

TOTAL: *** 643.21 CFS

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 13, Township 07N, Range 34E
 SESE , Sec. 13, Township 07N, Range 34E
 NENE , Sec. 23, Township 07N, Range 34E
 NENE , Sec. 24, Township 07N, Range 34E
 NWNE , Sec. 24, Township 07N, Range 34E

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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 24, Township 07N, Range 34E
 SWSW , Sec. 13, Township 07N, Range 35E
 SESE , Sec. 14, Township 07N, Range 35E
 Lot 4 (SESW), Sec. 18, Township 07N, Range 35E
 Lot 1 (NWNW), Sec. 19, Township 07N, Range 35E
 SWNW , Sec. 19, Township 07N, Range 35E
 SENW , Sec. 19, Township 07N, Range 35E
 NESE , Sec. 22, Township 07N, Range 35E
 NWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 25, Township 07N, Range 35E
 SESW , Sec. 25, Township 07N, Range 35E
 NWSE , Sec. 25, Township 07N, Range 35E
 SESE , Sec. 26, Township 07N, Range 35E
 NWNE , Sec. 27, Township 07N, Range 35E
 NENW , Sec. 36, Township 07N, Range 35E
 JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	34E	3	NENW 26	NWNW 35	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	461
		4	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		5	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		
			NENE 40	NWNE 40	SWNE 40	320
		8	SENE 40	NENW 40	NWNW 40	

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 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
10			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 20	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			620
11			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
13			NWNW 40	SWNW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			400
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 27	SESE 37	460
15			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 40	SESE 40	476
16			NENE 40	NWNE 40	SWNE 40	
			SENE 25	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
17			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 20	NWSE 40	SWSE 10	
			SESE 10			560
20			NENE 30	NWNE 35	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			615
21			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 25	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
22			NENE 20	NWNE 20	SWNE 40	
			SENE 40	NENW 36	NWNW 20	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			576
23			NENE 15	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			610
24			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 10	NWNW 30	
			SWNW 40	SENW 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			590
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
26			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
27			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
28			NENE 40	SWNE 40	SENE 40	
			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	600
29			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
34			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		560
35			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
35E	1		NWNW 4			4
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 8	NESW 32	NWSW 40	
			SWSW 40	SESW 38	NWSE 40	
			SWSE 40			358
3	Lot 1	(NENE) 41.9	Lot 2 (NWNE) 41.7		SWNE 40	
		SENE 40	Lot 3 (NENW) 41.5	Lot 4 (NWNW) 35		
		SWNW 40	SENW 40	NESW 40		
		NWSW 40	SWSW 40	SESW 40		
		NESE 40	NWSE 40	SWSE 40		

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PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SESE	40			640.1
4	Lot 4 (NWNW)	7		NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	327
5	Lot 1 (NENE)	41.2		Lot 2 (NWNE)	38	
		SENE	40	NESW	40	
		NESE	40	NWSE	40	
		SESE	40			399.2
8		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
9		NENE	40	NWNE	40	
		SENE	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	
10		NENE	40	SWNE	40	
		SENW	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	
11		NENW	40	NWNW	30	
		SENW	40	NESW	40	
		SESW	40			270
14		NESW	10	NWSW	40	50
15		NENE	34	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			634
16		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
17		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	

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FEB 11 1988

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
18			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
19			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
20			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
22			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		440
29			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 10	SESW 40		290
30			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
07N 34E	32		SESW 40	SWSE 40	SESE 40	120
	33		NWSW 10	SWSW 20	SESW 40	
35E	32	Lot 8 (SWSE)	2	Lot 7 (SESE)	18	20
	33		SWSW 1			1
	35		NESE 38	NWSE 34	SWSE 34	
			SESE 38			144
	36		NESW 40	NWSW 40	SWSW 38	118

Total number of acres irrigated: * 24261.3

MCCORMICK & CO.

FEB 11 1900

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- *** 9. The total instantaneous diversion of water from all points of diversion under Transfer 5335 shall not exceed 503.21 cfs during the irrigation season.
10. Approval of Transfer 5335 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ** 11. Rights 31-00327, 31-00328, 31-00329 and 31-00330 when combined shall not exceed a total diversion rate of 200.00 cfs during the irrigation season, and may be diverted at their full authorized rate of diversion into Mud Lake for storage purposes during the non-irrigation season.
- * 12. Right 31-02289 is limited to irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 13. Right 31-02290 is limited to irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- * 14. Right 31-02297 is limited to irrigation of 340.0 acres in the place of use described above in a single irrigation season.

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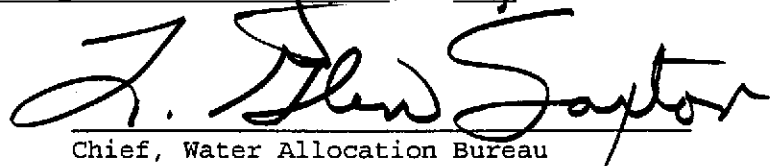
TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

- * 15. Right 31-02310 is limited to irrigation of 290.0 acres in the place of use described above in a single irrigation season.
- * 16. Right 31-02317A is limited to irrigation of 404.0 acres in the place of use described above in a single irrigation season.
- * 17. Right 31-02317B is limited to irrigation of 95.0 acres in the place of use described above in a single irrigation season.
- * 18. Right 31-02321 is limited to irrigation of 96.0 acres in the place of use described above in a single irrigation season.
- * 19. Rights 31-00336B, 31-00337B, 31-02289, 31-02290, 31-02297, 31-02310, 31-02317A, 31-02317B and 31-02321 when combined shall not exceed the irrigation of 3107.2 acres in the place of use described above in a single irrigation season.
- * 20. Right 31-02239 is limited to the irrigation of 13,480.0 acres in the place of use described above in a single irrigation season.
- * 21. Right 31-07005 is limited to the irrigation of 17,088.0 acres in the place of use described above in a single irrigation season.
- * 22. Rights 31-02239, 31-02265, 31-02341, 31-02342, 31-02343, 31-02344, 31-02345 and 31-07005 when combined shall not exceed the irrigation of 17,240.0 acres in the place of use described above in a single irrigation season.
- 23. Two points of diversion are located within SESE, S14, T07N, R35E.
- 24. Two points of diversion are located within Lot 1(NWNW), S19, T07N, R35E.
- 25. Five points of diversion are located within SWSW, S25, T07N, R35E.
- 26. Seven points of diversion are located within NWSE, S25, T07N, R35E.
- 27. Two points of diversion are located within SESE, S26, T07N, R35E.

Dated this 8th day of February, 19 99.


Chief, Water Allocation Bureau

ENCLOSURE

FEB 11 1999

X = 40 acres

LAND LIST ATTACHMENT

Description and location of place of use: A

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	
6N	35E	8											X	X					80
6N	35E	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	35E	18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	35E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	35E	20		X	X		X	X	X	X	X	X	X						400
6N	35E	29		X	X				X										120
6N	35E	30	X	X	X	X		X	X										240
6N	34E	4									X	X	X	X					160
6N	34E	5			X	X	X	X	X	X	X	X	X	X	X	X	X	X	560
6N	34E	7	X			X									X			X	160
6N	34E	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
6N	34E	9					X	X	X	X	X	X	X	X	X	X	X	X	480
6N	34E	10											X						40
6N	34E	13							X		X	X	X	X	X	X	X	X	360
6N	34E	14				X							X		X	X	X	X	240
6N	34E	15									X	X	X	X					160
6N	34E	28	X	X	X	X	X	X	X	X	X	X		X	X	X	X		540
6N	34E	29	X	X	X	X	X	X	X	X									320

Total number of acres irrigated 13,460

RECORDED
FEB 11 2006

State of Idaho

License and Certificate of Water Right

Water License No. 17262

Amount 40.0 c.f.s.

Water District No.

Priority Jan. 25, 1930

THIS IS TO CERTIFY that **OWSLEY CANAL company** of **Terreton, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **Jan. 25, 1930**, 19 ; that Permit No. 17262 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **40.0** second feet, was issued thereunder on **Sept. 24, 1935**, 19 , showing that said works were completed on the **23rd** day of **March**, 19 **35**; and that on the **24th** day of **March**, 19 **41**,

OWSLEY CANAL COMPANY

of **Terreton**, State of **Idaho**, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of **North Lake & subterranean water tributary of**, for the purpose of **irrigation and domestic purposes**, under Use Permit No. 17262 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7** of Licenses, at page **4084**, on the **8th** day of **January**, 19 **42**;

The right hereby confirmed dates from **Jan. 25, 1930**, 19 :

The Point of Diversion is located in the **SE 1/4 SE 1/4, Sec. 23**, Tp. **7 N**, R. **34 E**, B. M. Jefferson 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 **40.0** cubic feet per second.

Description and location of use: **Carey Act lands and additional lands under the Owsley Canal Project.**

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	35 E	8	SW 1/4	All of Secs. 17, 18, 19	
		20	ENE 1/4, NW 1/4, SW 1/4		
		29	WNW 1/4, N 1/2 SW 1/4		
		30	NE 1/4, WNW 1/4		
6 N	34 E	4	SW 1/4	All of Sec. 8, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 29	
		5	SE 1/4, NW 1/4, SW 1/4, SE 1/4		
		7	ENE 1/4, E 1/2 SE 1/4		
		9	NW 1/4, SW 1/4, SE 1/4		
		10	SW 1/4 SW 1/4		
		13	SW 1/4 NW 1/4, SW 1/4, SE 1/4		
		14	SE 1/4 NE 1/4, SW 1/4, SE 1/4		
		15	SW 1/4		
		24	NE 1/4, NW 1/4, E 1/2 SE 1/4, SE 1/4		13,480 acres irrigated.
		35	NE 1/4 NW 1/4		

herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **8th** day of **January**, 19 **42**

E. V. BERG.

Commissioner of Reclamation

(SEAL)

31-2239

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

Application No. 24275

Permit No. 17262

District No.

1. Name of Applicant: Owsley Canal Company

Postoffice address: Terreton, County: Jefferson, State: Idaho.

I. If applicant is a corporation, give:

(a) Date and place of incorporation: May 15, 1914. Idaho

(b) Amount of capital stock: \$20,000.00

(c) Amount paid in: \$15,320.00

(d) Names and addresses of directors: Leslie Quayle, H. A. Englund, L. M. Colson,
J. W. Curd, Chas. H. Rickman. All of Terreton, Idaho.

II. The financial resources of the applicant are:

(a) Cash on hand: \$3,000.00

(b) Treasury stock: None.

(c) Bonds to be issued: None.

(d) Other resources: Property \$10,500.00; Notes \$12,000.00; Assessments

2. Quantity of water claimed: 40 cubic feet per second.

3. Source of water supply: North Lake. Also under-~~ground water in Section 23, NW $\frac{1}{4}$~~
of Section 26, NE $\frac{1}{4}$ of Section 27, Township 7 N., Range 34 E. B.M.4. Location of point of diversion: N 9° 45' W 660 feet distant from the southeast
corner of Section 23, T. 7 N., R. 34 E., B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 23, T. 7 N., R. 34 E., B. M., County of Jefferson (See remarks)

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

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

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

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

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 3,500.00

8. Kind of works: Ditch, Drilled well.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 feet; height feet.

11. Ditch: Width at bottom 20 feet; width at water line 24.8 feet; depth of water 1.6
feet; dimensions of flume

Diameter of pipe inches; length of conduit 1.403 miles.

Average grade per mile 2.0 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. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Owsley Canal Co. Applicant.

By Edwin Snow Agent.

Date of first receipt at Department of Reclamation: 9 A. M., January 25, 1930.

Returned to applicant for correction: February 24, 1930.

Corrected application received: March 18, 1930.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17262
 Recorded in Book 62 Page 17262 Approved March 24, 1930.
 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 \$ 1000.00 to be filed on or before May 23, 1930.
 Work to begin on or before 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 September 24, 1932.
 The whole of said work to be completed on or before March 24, 1935.
 Beneficial use of water appropriated in accordance herewith, to be made on or before March 24, 1941.

Witness my hand this 24th day of March, 1930.

GEO. N. CARTER
 Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 N	35 E	8	40			40					40	40	40		40			40	320
"	"	16	40	40	40	40	40	40	40	40									320
"	"	17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	20	40	40	40	40	40	40	40	40	40	40	40	40					480
"	"	29					40	40	40	40	40	40	40	40					320
"	"	30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	34 E	4									40	40	40	40					160
"	"	5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	7	40			40									40			40	160
"	"	8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	9					40	40	40	40	40	40	40	40	40	40	40	40	480
"	"	10										40							40
"	"	13							40		40	40	40	40	40	40	40	40	360
"	"	14				40							40		40	40	40	40	240
"	"	15									40	40	40	40					160
"	"	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	28	40	40	40	40	40	40	40	40	40	40		40	40	40	40	40	600
"	"	29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	34	40	40	40	40	40	40	40	40					40	40	40	40	320
"	"	35	40	40	40	40	40	40	40	40									320
"	"	36	40	40			40	40											160

Total Number of Acres to be Irrigated - 15,320

It is proposed to divert the water claimed under this application from its natural water course at the point described under Paragraph 4 of said application, and convey same through artificial channels to Mud Lake, thence through Mud Lake to the present point of diversion of the Owsley Canal Company, located N. 42° 30' E. 3935 feet from the north quarter corner of Section 14, and is in the Southwest quarter of the Northwest quarter of Section 12, Township 6 North, Range 34 East, Boise Meridian, from whence said water will be conveyed to the existing irrigation system of the Owsley Canal Company.

PERMIT NO. 17262

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that the OWSLEY CANAL CO., acting through John L. Hutton, Secretary, of Terraton, County of Jefferson, and State of Idaho, the holder of Permit No. 17262, issued upon Application No. 24275, bearing date of priority of January 25, 1930, authorizing the diversion of 40 second feet of the waters of North Lake and subterranean water, County of Jefferson, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 40 second feet of the waters of North Lake and subterranean water, that the point of diversion of said waters is N. 9° 45' W. 660' distant from the SE corner of Section 23, T. 7 N., R. 34 E., B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 7 N., R. 34 E., B. M., County of Jefferson; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; NE $\frac{1}{4}$ & NW $\frac{1}{4}$, Sec. 16; all of Secs. 17, 18, & 19; NW $\frac{1}{4}$ & SW $\frac{1}{4}$, Sec. 20; NW $\frac{1}{4}$ & SW $\frac{1}{4}$, Sec. 29; all of Sec. 30; T. 6 N., R. 35 E.; SW $\frac{1}{4}$ Sec. 4; all of Sec. 5; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7; all of Sec. 8; NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$ Sec. 14; SW $\frac{1}{4}$, Sec. 15; all of Secs. 16, 17, 20, 21, 22, 23, 24, 25, 26 & 27; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 28; all of Sec. 29; NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$ & NW $\frac{1}{4}$, Sec. 35; E $\frac{1}{2}$ NE $\frac{1}{4}$ & N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36; all in T. 6 N., R. 34 E., B. M., 15,320 acres.

Witness my hand this 24th day of September, A. D. 1935.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made March 23, 1935.

Certificate of Completion of Works issued September 24, 1935.

LICENSE ISSUED FOR 40.0 SEC. FT.
JAN * 1942 # 4084

MEMORANDUM

TO: Files 31-00327/00328/00329/00330/00331/00332/00336B/00337B/00371/02239/
02265/02289/02290/02297/02310/02317A&B/02321/02341/02342/02343/
02344/02345/07005

FROM: Pam Skaggs²⁹/State Office

SUBJECT: Transfer 5335

DATE: February 9, 1999

Transfer 5335 combines the groundwater rights of the Holley Water Users, Jackett Canal Co, and Owsley Canal company. These three companies have combined under the Owsley Canal Company name and will operate a single combined system.

The application identifies 34 points of diversion and a combination of the land lists evidenced under each company's SRBA claims or 24261.3 acres. The decreed rights are vague, while the licensed rights identify specific acres and limits. SRBA review of all these rights through the adjudication process will provide specifics and verify the validity of all of these rights.

Review of these rights found that Right 31-02317 was actually licensed in two parts with separate rates and priority dates. These rights were more accurately entered as Parts A & B on the database and the additional 8.08 cfs added to the total diversion rate under this transfer. Also, a combined limit of 200.00 cfs during the irrigation season was identified under Rights 31-00327/00328/00329 & 00330. Right 31-02259 was listed on the application, however this right was superseded by Right 31-00330. After making these adjustments, the total rate of diversion under these rights is 643.21 cfs limited to 503.21 cfs during the irrigation season and 5,000 af storage.

Season of use and diversion volume were adjusted to current standards where specific acres were identified. Recommended conditions include watermaster control, supplemental groundwater, irrigation overlap, measuring/lockable controlling works, right-of-way, permissible place of use, combined limits and standard transfer conditions.

MICROFILMED

FEB 11 1999

MEMORANDUM

TO: FILE 31-02239

FROM: PAM SKAGGS

RE: TRANSFER # 5335

DATE: 11-5-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 31-00327.

MICROFILMED
FEB 11 1999

February 25, 1960

Re: Water Rights in the name of
Owaley Canal Company

Mr. H. R. Harn,
Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Upon your request of February 23rd for the Owaley Canal Company, we find, as taken from our records, the following list of decreed water rights and permit rights. In the case of Ernest Saave, Plaintiff, vs. W. H. Abbott, et al, Defendants, dated November 1, 1930, by Charles C. Cavannah, U. S. District Judge, the following rights were decreed to the Owaley Canal Company out of Mad Lake:

Priority of March 9, 1911, for 1.6 c.f.s.
" " April 15, 1912, for 80.8 c.f.s.
" " December 2, 1916, for 72.6 c.f.s.
" " May 1, 1921, for 25.0 c.f.s.
" " August 11, 1924, for 75 c.f.s.

Total of 255.0 c.f.s.

In the above stated decree, we find from our abstract of decreed rights, the following water rights out of Mad Lake decreed to the following persons and now in the name of the Owaley Canal Company:

November 3, 1910 - 1.6 cfs decreed to Carl Nordstrom
November 14, 1912 - 2.68 cfs decreed to Clara Walchman
July 21, 1913 - 4.0 cfs decreed to James A. Melton
September 6, 1913 - 2.5 cfs decreed to H. A. & Mary L. England
October 18, 1913 - 3.0 cfs decreed to Henry Jennett
December 15, 1913 - 1.6 cfs decreed to Mary A. Jennett
June 1, 1915 - 1.0 cfs decreed to George E. Monroe
June 24, 1916 - 2.44 cfs decreed to William H. Miller
December 3, 1916 - 1.0 cfs decreed to George E. Monroe
August 28, 1926 - 6.4 cfs decreed to Ernest Saave

In the case of the Owaley Canal Company, a corporation, Plaintiff, vs. Ernest Saave, et al, Defendants, dated October 14, 1940, by C. J. Taylor, District Judge, the plaintiff was awarded an amount not exceeding in the aggregate the equivalent of 200 cubic feet per second flowing continuously

during the irrigation season from May 1st to November 1st of each year, from all or any of the wells constructed, or to be constructed, under permits Nos. 17611, 17612, 17640 and 18378.

A water license was issued by the Department of Reclamation on Permit No. 17262 for 40 cubic feet of water with priority of January 25, 1930. No mention was made in the last above entitled case of water license No. 17262 in the name of Owsley Canal Company, with priority of January 25, 1930, for 40 cubic feet from North Lake and subterranean sources. The point of diversion from North Lake is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 23, Township 7 North, Range 3 $\frac{1}{2}$ East, and evidently three artesian wells were drilled along the canal to Mud Lake; - no information as to the capacity of the wells.

We have checked our records in this office thoroughly and to the best of our belief, this is a complete list of all valid water rights in the name of the Owsley Canal Company. This list does not include the water being applied for under Permit No. G-25544, G-25546, G-25547, G-25548, G-25549, G-25550 and G-25551; also G-25545.

There will be no charge for this information. Copy of this letter is being furnished you in triplicate.

Very truly yours,

CHD. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT:pmk

17262

MEMORANDUM

Elmer:

In regards to valid water rights from wells in the name of Owsley Canal Co., I find:

P-17262 for 40.0 c.f.s. from North Lake and subterranean water from 3 1/4 wells in sections 23, 26, & 27, 7 N., 34 E.

Priority: 1/25/30 (This was not included in the Bauerle Decree mentioned below.)

P-17640 for 50.0 c.f.s. from wells (12) in Sec. 25, 7 N., 35 E.

Priority: 1/8/32

P-18378 for 30.0 c.f.s. from 24 wells in Sec. 12, 6 N., 34 E. Sec. 25, 7 N., 35 E.

Priority: 6/26/36

Shown in Tolman's report but not in and license

A letter from Roy to H. E. Harn concerns Owsley Canal water rights and refers to Decree, Owsley vs Bauerle, October 1940, which includes permits 17640 & 18378 as well as permits 17611 & 17612 (now cancelled.)

The only wells on record in Sections 13 & 24, 7 N., 34 E. were relinquished February 6, 1956. They were:

G-21890, G-21891 and G-21892.

They may have been drilled later but our records do not show this.

H. Petri

17262

March 18, 1942

RECEIVED

MAR 19 1942

Department of Reclamation

Department of Reclamation,
State Capitol,
Boise, Idaho.

Attention Mr. Thompson.

Gentlemen: Re: License No. 4084 - Permit 17262,
 License No. 4085 - Permit 18378,
 Owsley Canal Company.

In checking over the fees payable upon issuance of the above licenses on final proof of beneficial use some months ago, it appears that there are in the aggregate 396 40-acre tracts embraced in the two licenses. Upon the rate of fees applicable to mutual-cooperative projects; that is, \$1.00 per 40-acre subdivision, the total fees payable (if no previous water licenses had been issued for the same lands) would be \$396.00.

However, under the provisions of Section 41-215, Idaho Code Annotated, no fees are payable where the right sought is additional to the existing water right. In the case of Owsley Canal Company project, it appears that license fees have been paid by the company as follows:

Permit No. 4713 (two licenses), 279 tracts, \$279.00

It also appears that upon various 40-acre subdivisions within the project, individual water rights have passed to license as follows:

License No. 7405,	Permit No. 2604,	Cutler,	2	40-acre tracts,
License No. 1933,	Permit No. 9522,	Nelton,	6	" " "
License No. 2606,	Permit No. 9575,	Englund,	4	" " "
License No. 1442,	Permit No. 8378,	Jennett,	4	" " "
License No. 3405,	Permit No. 14443,	Staley,	2	" " "
License No. 2067,	Permit No. 8419,	Welchman,	4	" " "
Total,			22	" " "

From the foregoing, it would appear that license fees have already been paid upon 301 of the 40-acre subdivisions embraced within the above captioned licenses just now about to be issued. This would leave a balance of \$95.00 in fees payable upon issuance of the present licenses. The above computation has been arrived at as a result of rather detailed checking

17262

D. R. #2.

with the records of your office. Kindly let me know if the foregoing is correct and satisfactory. If so, the Owsley Canal Company will at once forward check for \$95.00.

Very truly yours,

ES:FBJ

(Signed) EDWIN SEOW

COPY

17262

March 19, 1942

Mr. Edwin Snow
Lawyer
Idaho Building
Boise, Idaho

Re: License No. 4084 - Permit No. 17262
License No. 4085 - Permit No. 18378
Owaley Canal Company

Dear Mr. Snow:

We wish to acknowledge receipt of your letter of March 18, in which you submitted a detailed report of payments made and due on the various permits filed by the Owaley Canal Company, in connection with beneficial use proof.

A complete check of the lands of the project and of the payments made by the Owaley Canal Company in connection with beneficial use proof has been made by this Department, covering all permits that have gone to and are now ready for license.

We concur in the report as outlined by you in the amount due the Department of Reclamation on Permits Nos. 17262 and 18378.

A division of fees between the two permits to complete our records is hereby set as follows:

Due on Permit No. 17262	\$60.00
Due on Permit No. 18378	35.00

The above division is approximately correct, and can be changed by agreement, if not satisfactory to you.

Thanking you for your letter and your cooperation in checking into this matter, we are

Very truly yours,

E. V. MORG
Commissioner of Reclamation

By: ROY W. THOMPSON

RWT:djb

17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17262

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Owsley Canal Co.
2. Source of water supply: North Lake, also underground water in Section 23, NW $\frac{1}{4}$ of 26, NE $\frac{1}{4}$ of 27, 7 N, 34 E.
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23
T. 7 N R. 34 E County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: Dinersion is by means of a canal of 1 $\frac{1}{2}$ miles in length, and 16 Ft. wide X 2 $\frac{1}{2}$ Ft. deep which delivers the waters of North Lake, and also the waters of a groupe of artesian wells to a slough leading to Mud Lake, whence it is pumped into canals of the main irrigation system.
Works are of sufficient capacity to conduct 40 Sec. Ft. to place of use.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
Flow 10600 ±
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 for other than irrigation): E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{2}$ SE $\frac{1}{4}$, 8, ~~SW $\frac{1}{4}$ NE $\frac{1}{4}$~~ , N $\frac{1}{2}$, 16; all of 17, 18, 19; NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, 20; ^{W $\frac{1}{2}$} ~~NE $\frac{1}{4}$~~ of 29; All of 30; 6 N., 35 E; SW $\frac{1}{4}$, ~~SW $\frac{1}{4}$~~ , Sec. 4; All of 5; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, 7; All of 8; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, 9; SW $\frac{1}{2}$ SW $\frac{1}{4}$ 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, 13; SE $\frac{1}{2}$ NE $\frac{1}{4}$, ~~SW $\frac{1}{4}$ NE $\frac{1}{4}$~~ , SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, 14; SW $\frac{1}{4}$, 15; All of 16; All of 17, 20, 21, 22, 23, 24, 25, 26, 27; All of 28 except the SW $\frac{1}{2}$ SW $\frac{1}{4}$; All of 29; N $\frac{1}{2}$ of 34; N $\frac{1}{2}$ of 35; ~~NE $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{2}$ NW $\frac{1}{4}$~~ , 36; 6 N, 34 E.

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

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

Remarks

This examination was made on the 13Th. day of August, 19 41

(Signed)

17262

Fred H. Tolman
Examiner.

Permit No. 17262

Examination for Beneficial Use

County Jefferson

INSTRUCTIONS TO EXAMINERS

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

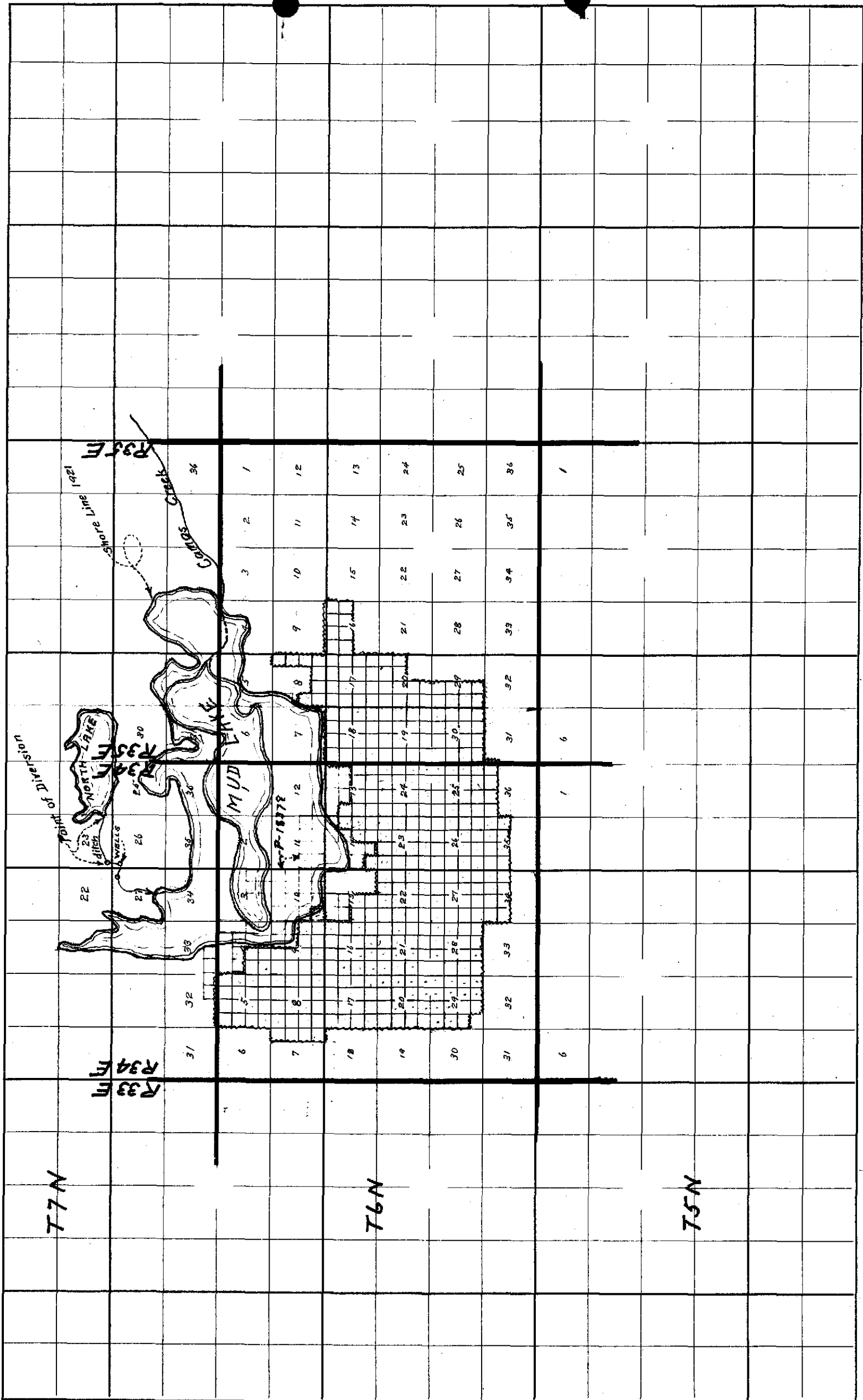
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17262

REPORT ON PROOF OF Beneficial Use

*40.0 c.f.s.
B.H. proof fees - \$ 10.00
R.H.T.*



March 31, 1941

Re: 17262

Owsley Canal Co.
John L. Hutton
Terreton, Idaho

Gentlemen:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the Rigby Star, all in connection with Beneficial Use proof under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, field engineer for the Department will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

The statutory fee in connection with Beneficial Use proof amounts to \$2.00 for each legal subdivision, but in your case of supplemental water, there is no fee.

When the engineer's report is filed, a license will be issued.

Very truly yours,

E. BERG.
Commissioner of Reclamation.

By
Chief Clerk.

ml.

17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE
January 14, 1941

17262

Owley Canal Co.
Terreton, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 17262, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is March 24, 1941, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

E. V. BERG.

Commissioner of Reclamation

17262

September 28, 1935

Re: Permit No. 17262
Owaley Canal Co.

MR. JOHN L. HUTTON, Secretary
Terreton,
Idaho

Dear Sir:

We are enclosing herewith Certificate of Completion of Works, issued under the above numbered permit, together with our office receipt in the amount of \$14.00, which was the fee due in connection therewith.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

~~Egg~~
Assistant Chief Clerk

Q
Encl.

17262

September 26, 1935

Re: Permit No. 17262
Owaley Canal Company

KNSION & KNSION, General Agents
Boise,
Idaho

Gentlemen:

This is to advise you that the fee of \$14.00, required in connection with proof of completion of works under the above permit, has been paid and a certificate of completion of works issued thereunder.

We presume that this letter will suffice to clear your records, insofar as the bond is concerned, but as you know we have no authority to release bonds filed under permits.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
cc - Mr. Edwin Snow, Attorney at Law,
Boise, Idaho

17262

September 19, 1935

Re: Permit No. 17862
Owaley Canal Company

KESIGN & KESIGN,
General Agents,
Boise, Idaho

Gentlemen:

In reply to your letter of September 11th, we wish to advise that the fee of \$14.00 due this department in connection with proof of completion of works, under the above permit, has not yet been paid nor have we had a reply from Mr. Hutton to our letter advising him of this fee.

Consequently, the certificate of completion of works has not been issued and the matter still rests where it did when we last communicated with you.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

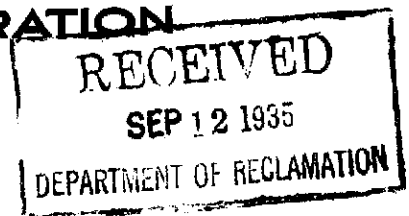
PLH/rg

17262

NATIONAL SURETY CORPORATION

NEW YORK, N. Y.

VINCENT CULLEN
PRESIDENT



ENSIGN & ENSIGN
GENERAL AGENTS
301-303 EASTMAN BLDG
BOISE, IDAHO

September 11, 1935

No

Department of Reclamation
State House
Boise, Idaho

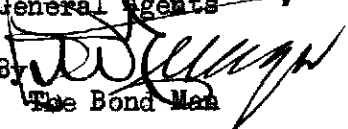
Re-Owsley Canal Company
Water Permit No. 17262

Gentlemen:

In further reference to
your letter of August 3d, to Mr. John L. Hutton of
Terreton, we are wondering if the \$14.00 fee has been re-
ceived and certificate of completion of works issued?
Will you kindly advise us the present status of this
case?

Yours very truly,

ENSIGN & ENSIGN
General Agents

By 
The Bond Man

HBK

17262

August 3, 1935

Re: Permit No. 17262
Owaley Canal Company

MR. JOHN L. HUTTON
Terreton,
Idaho

Dear Sir:

This is to inform you that we now have the engineer's report covering his examination made on the 19th day of June 1935, in connection with proof of completion of works under the above permit.

The report shows that the works have been constructed to a sufficient capacity to conduct 40 second feet of water and we shall, therefore, issue a certificate of completion of works upon receipt of a fee in the amount of \$14.00.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
cc - Mr. Edwin Snow, Boise, Idaho
Ensign & Ensign, Boise, Idaho

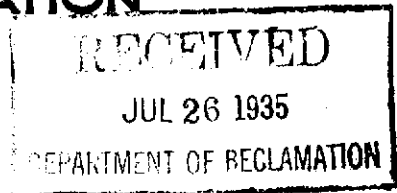
17262

NATIONAL SURETY CORPORATION

NEW YORK, N. Y.

VINCENT CULLEN
PRESIDENT

ENSIGN & ENSIGN
GENERAL AGENTS
301-303 EASTMAN BLDG.
BOISE, IDAHO



July 25, 1935

Department of Reclamation
State House
Boise, Idaho

Re-Owsley Canal Company
Water Permit No. 17262

Gentlemen:

Mr. Edwin Snow, attorney
for the Owsley Canal Company, advises us that completion
of works under the above named permit was made on March 23,
1935.

Will you please advise us
the date when formal certificate of completion of work was
issued by the Department of Reclamation? If such certifi-
cate has not been issued, will you please advise us?

Yours very truly,

ENSIGN & ENSIGN
General Agents

By 
The Bond Man

LWE:HBK

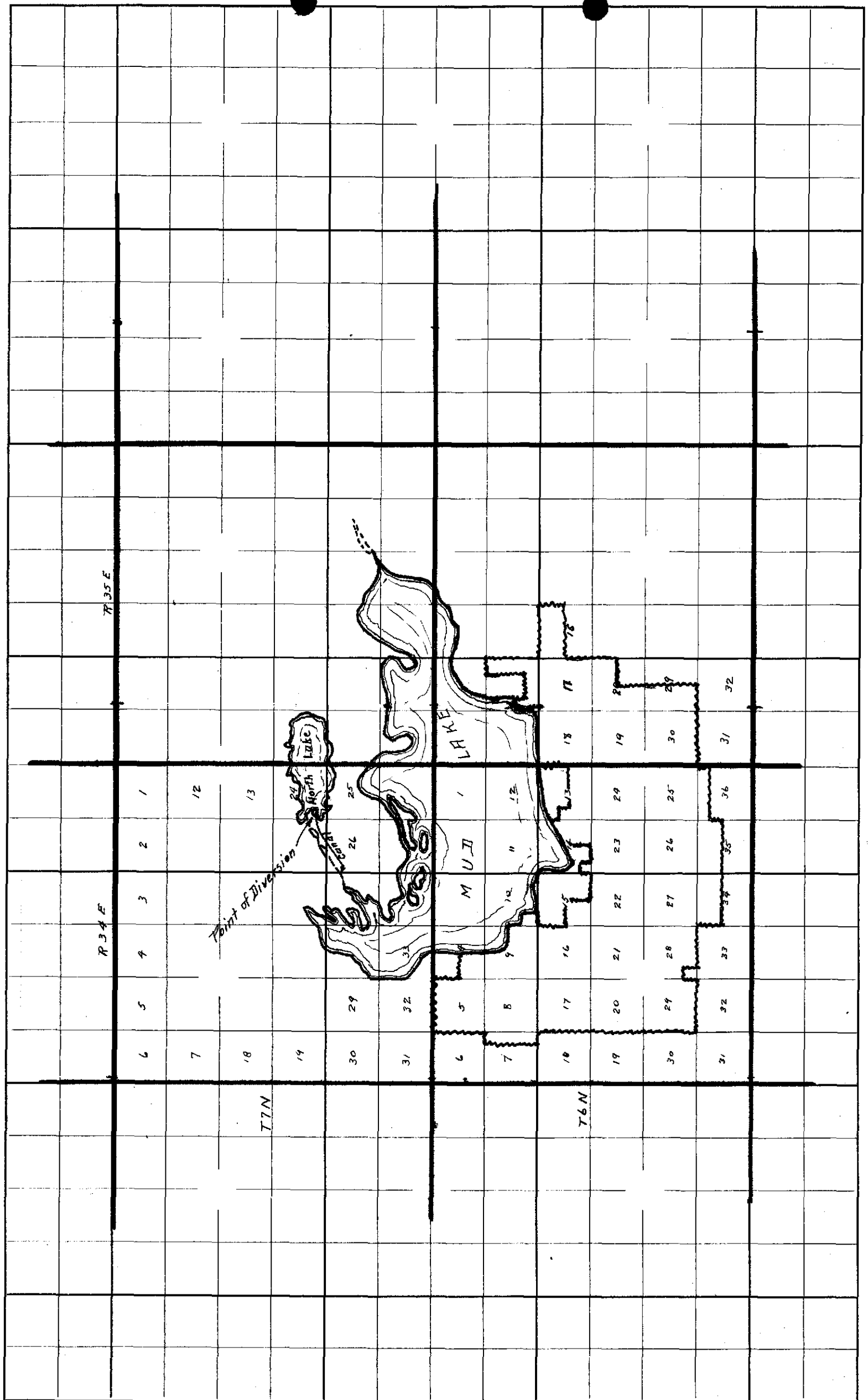
17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17262

REPORT ON PROOF OF COMPLETION OF WORKS



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17262

This proof is for Completion of Works

In Water District No.

1. Name of applicant Owsley Canal Co.

2. Source of water supply: North Lake and Subterranean Water

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23

T. 7 N. R. 34 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: Four drilled wells of 8" Diam² from 46 to 49 ft deep. Cased 23 ft from surface of ground. Canal of 16 ft bot. width x 2 $\frac{1}{2}$ ft deep $\frac{3}{4}$ 1 $\frac{1}{2}$ miles long discharges into slough $\frac{3}{4}$ thence 1000 ft. to Mud Lake. Works are of sufficient capacity to conduct 40 Cu. Ft.

5. Water is used for: irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: yes

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

tion): E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; NE $\frac{1}{4}$ & NW $\frac{1}{4}$ Sec. 16, all of Secs. 17, 18 & 19; NE $\frac{1}{4}$, NW $\frac{1}{4}$ & SW $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ & SW $\frac{1}{4}$ Sec. 29; all of Sec. 30; T. 6 N., R. 35 E.; SW $\frac{1}{4}$ Sec. 4; all of Sec. 5; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7; all of Sec. 8; NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$, Sec. 14; SW $\frac{1}{4}$, Sec. 15; all of Secs. 16, 17, 20, 21, 22, 23, 24, 25, 26, & 27; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$, Sec. 28; all of Sec. 29; NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$, & NW $\frac{1}{4}$, Sec. 35; N $\frac{1}{2}$ NE $\frac{1}{4}$, & N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36; all in T. 6 N., R. 34 E., B. M.

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

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

Remarks: At time of examination wells were not flowing. Was informed the canal had carried a maximum of 30 Cu. Ft.

This examination was made on the 19th day of June, 1935

(Signed)

Herbert Johnson

Examiner.

17262

OWSLEY CANAL COMPANY
Terreton, Idaho

Permit No. 17262

Examination for Completion of Works proof

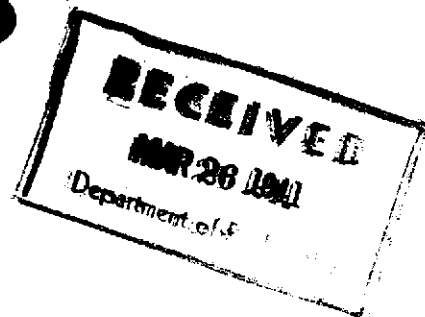
40

County Jefferson

INSTRUCTIONS TO EXAMINERS

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

Edwin Snow
Lawyer
Boise, Idaho



March 25, 1941

Department of Reclamation,
State Capitol Building,
Boise, Idaho.

Gentlemen: Re: Proof of Beneficial Use -
 Permit No. 17262 - Owsley
 Canal Company.

I am handing you herewith deposition
of holder and two witnesses, constituting the
proof of beneficial use on the above numbered
permit.

Also enclosed is affidavit of publi-
cation in the Rigby Star.

I assume that issuance of license will
follow field examination in due course.

Very truly yours,

ES:FBJ

A handwritten signature in cursive script, appearing to read "Edwin Snow".

Enc.

17262

Permit #17 262.

17262

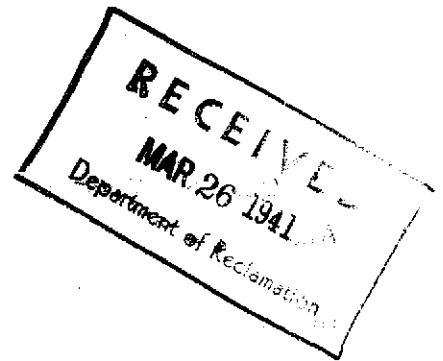
The place where said water is used is;

Stor
W $\frac{1}{2}$ N $\frac{1}{2}$ Section 8, All of sections, 17, 18 and 19, W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ and SW $\frac{1}{4}$; section 20, W $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$; Section 29, NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$; section 30, all being in township Six North Range 35 East Boise Meridian;
SW $\frac{1}{4}$, section 4, S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; SW $\frac{1}{4}$; SE $\frac{1}{4}$; section 5; E $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; section 7, all of section 8, NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$; section 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$; section 10 SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ and SE $\frac{1}{4}$; section 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$, section 14, SW $\frac{1}{4}$; section 15; All of section 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$, ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$~~ SW $\frac{1}{4}$ SE $\frac{1}{4}$; section 28; all of section 29, NE $\frac{1}{4}$ and NW $\frac{1}{4}$, section 35, all in township 6 North Range 34, East Boise Meridian, in Idaho.

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

C. H.
Properly required
J. H. H.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 17 262

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. John L. Hutton, Terreton, engineer, postoffice, Hamer, 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. Owsley Canal Company, Hamer, Idaho, I am its Secretary and Manager.

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

Ans. 17262- January 25th, 1930.

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

Ans. North Lake and Underground waters. in section 23 and 26 being the NW 1/4 section 23 and NE 1/4 section 26

Being all of section 23, NW 1/4; section 26, and NE. 27, All in Township 7 North Range 34 E.B.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.

Ans. Works consists of a ditch about 2 miles in length, bottom 16 feet, cost about \$3,000.00 drilled wells costing about \$350.00 they are capable of conducting 40 second feet. Owsley Canal system.

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 and domestic uses, see slip attached No natural meadow, all must be cleared and irrigated, various amounts on each subdivision.

Ques. 7. If for other than for 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. ~~two acre feet~~ two acre feet per acre.

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 agent of the corporation.

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

Ans. Beginning with the year 1930, in varying amounts up to 33 cu feet per second. The maximum amount is 33 cu ft per second, the amounts actually used have varied each year however.

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. We have other decreed rights used, they vary in amounts and priorities

(Sign)

John P. Hunter

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 Rigby, County of Jefferson, State of Idaho, on this 24 day of March, A. D. 1941.

Reuben R. Bennett

Notary Public, Rigby, Idaho.

My commission expires Nov 9th, 1942/

Permit #17 262.

The place where said water is used is;

^{510'}
W $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{2}$; Section 8, All of sections, 17, 18 and 19, W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ and SW $\frac{1}{4}$; section 20, W $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$; Section 29, NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$; section 30, all being in township Six North Range 35 East Boise Meridian;
SW $\frac{1}{4}$, section 4, S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; SW $\frac{1}{4}$; SE $\frac{1}{4}$; section 5; E $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; section 7, all of section 8, NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$; section 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$; section 10 SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ and SE $\frac{1}{4}$; section 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$, section 14, SW $\frac{1}{4}$; section 15; All of section 16, 17, 20, 21, 22, 23, 24, 25, 26 27, NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 28; all of section 29, NE $\frac{1}{4}$ and NW $\frac{1}{4}$, section 35, all in township 6 North Range 34, East Boise Meridian, in Idaho.

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17 262.

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. LeRoy Shuldberg, aged 41, farmer-stockman, Terreton, Idaho.

Ques. 2. Are you acquainted with J.L. Hutton, Secretary-Manager Owsley Canal Co., the holder of Permit No. 17262? How long have you known him and where does he reside?

Ans. At Terreton, Idaho, P.O. Hamer, Idaho, known him over 12 years.

Ques. 3. Have you read or heard read said Permit No. 17 262, and are you familiar with its provisions and conditions?

Ans. yes. 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. North Lake and Underground waters.

Canal about 2 miles long, 16 feet at the bottom I should judge, could carry about 40 cu ft per second.

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. About 40 cu ft per second. I have seen 33 cu ft. per second conveyed, so the Engineer advised me the amount that day in the ditch.

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

Ans. Irrigation and Domestic uses. various amount on each subdivision, there is some irrigated on every section, I could not recall offhand, just where and amounts of each, as this supplements land already irrigated. No natural meadow all must be reclaimed and irrigated.

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. Sandy loam land, is somewhat ~~irregular~~ unlevel being in ridges on some parts. will require about 2 acre foot per acre.

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

Ans. I am a stockholder in the Owsley Canal.

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

Ans. Saw water diverted in 1930 and every year since, varying amount but would say about 33 cu ft per second was the largest amount. The amounts varied each years but was used every year.

(Signed)

Leroy Shulberg

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Rigby, County of Jefferson, State of Idaho, on this day of March 24th, A. D. 1941.

Bash R. Bennett

Notary Public.

Rigby, Idaho.

My commission expires Nov. 9th, 1942

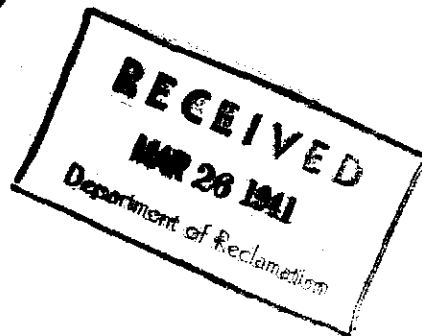
17262
Permit #17 262.

The place where said water is used is;

SW 1/4
W $\frac{1}{2}$ N $\frac{1}{2}$; Section 8, All of sections, 17, 18 and 19, W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ and SW $\frac{1}{4}$; section 20, W $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$; Section 29, NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$; section 30, all being in township Six North Range 35 East Boise Meridian;
SW $\frac{1}{4}$, section 4, S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; SW $\frac{1}{4}$; SE $\frac{1}{4}$; section 5; E $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; section 7, all of section 8, NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$; section 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$; section 10 SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ and SE $\frac{1}{4}$; section 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$, section 14, SW $\frac{1}{4}$; section 15; All of section 16, 17, 20, 21, 22, 23, 24, 25, 26 27, NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; section 28; all of section 29, NE $\frac{1}{4}$ and NW $\frac{1}{4}$; section 35, all in township 6 North Range 34, East Boise Meridian, in Idaho.

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17 262

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. Albert L. Burkey, aged 54, Terreton, P.O. Hamer, Idaho, a farmer.

Ques. 2. Are you acquainted with J.L. Hutton, Sec. Mgr. Ows;ey Canal Company, the holder of Permit No. 17 262? How long have you known him and where does he reside?

Ans. About 20 years, at Mud Lake, Terreton, postoffice Hamer, Idaho.

Ques. 3. Have you read or heard read said Permit No. 17 262, and are you familiar with its provisions and conditions?

Ans. yes. 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. North Lake and Underground waters, diversion are in section 23, and sect 26 and 27, in Twp. 7 North Range 34 E.M.

Canal about 16 feet at bottom, 2 miles long, will carry in my judgment about 40 cu. ft. per second.

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. I would say 40 cu ft per second.

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

Ans. Irrigation and domestic purposes, cant state the acreage on each 40 acres, but water can be applied on all of them some of this water is used to supplement lands already all irrigated. No natrual meadow land, all must be irrigated and reclaimed.

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. Land is rolling in places generally sandy loam, will require about 2 acre feet per acre.

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

Ans. I am a stockholder in the Owsley Canal Company.

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. seen some water
seen at least 33 cu. ft. per second applied every year beginning 1930,
including 1940, amount varied each year, but ^{50 cu} some amount was conveyed at some
time in each year.

Saw water diverted in 1930 and every year since, varying amounts but would
say about 33 cu ft per second was the largest amount, the amounts varied each year.

(Signed)

A. L. Burge

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 Rigby, County of Jefferson, State of Idaho, on this day of March 24th, A. D. 19 41.

Basil F. Bennett
Notary Public.

My commission expires Nov. 9th, 1942.

Residing at Rigby, Idaho.

RECEIVED

MAR 26 1941

Department of Reclamation

Affidavit Of Publication

The Rigby Star

STATE OF IDAHO,

County of Jefferson.

ss.

I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, in Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for four consecutive issues thereof; first publication having been made on the

6th day of Feb., 1941

and last publication on the

27th day of Feb., 1941

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

R. I. Jones

Subscribed in my presence and sworn to before me this

day of March, 1941

(SEAL)

CR Birch

Notary Public for the State of Idaho, residence and post office address: Rigby, Idaho.
My Commission expires January 30th, 1942

Publication Fee \$ 19⁵⁰

MY COMMISSION EXPIRES
DECEMBER 6, 1943

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

Notice is hereby given that at 2:00 p. m. on the 24th day of March, 1941, at Rigby, County of Jefferson, State of Idaho, before Bash L. Bennett, proof will be submitted of the application to beneficial use of 40.0 cubic feet per second of the waters of North Lake and Under-ground Waters in accordance with the terms and conditions of Permit No. 17262 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 Owsley Canal Company, Terreton, Idaho.

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

The amount applied to beneficial use is 40.0 cubic feet per second.

The place where said water is used: W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; all of Secs. 17, 18 and 19; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Sec. 20; W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30; all in Twp. 6 N., R. 35 E. B. M. SW $\frac{1}{4}$, Sec. 4; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7; all of Sec. 8; NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 14; SW $\frac{1}{4}$, Sec. 15; all of Secs. 16, 17, 20, 21, 22, 23, 24, 25, 26 and 27; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; all of Sec. 29; NE $\frac{1}{4}$ and NW $\frac{1}{4}$, Sec. 35, all in Twp 6 N., R 34 E. B. M.

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

The right to take water from such works is based upon Permit No. 17262.

The source of supply from which such water is diverted is North Lake and Under-ground Waters in Section 23, NW $\frac{1}{4}$, Sec. 26, NE $\frac{1}{4}$, Sec. 27, Twp 7 N., R 34 E. B. M.

The date of priority which said user is prepared to establish is January 25th, 1930.

E. V. BERG,
Commissioner of Reclamation
(12-15)

17262

State of Idaho

DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho,

March 20, 1941.

Re: 17262
Owaley Canal Co.

Mr. Bash I. Bennett
Rigby, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17262

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 March 24, 1941., 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 Rigby, Idaho before Bash I. Bennett, 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,

R. E. BERG.

Commissioner of Reclamation.

Owaley Canal Co.
c/o John L. Hutton
Terreton, Idaho

17262

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

Notice is hereby give at at 2:00 p. m. on the 24th day of arch, 1941, at Rigby, County of Jefferson, State of Idaho, before Bash L. Bennett, proof will be submitted of the application to beneficial use of 40.0 cubic feet per second of the waters of North Lake and Underground Waters in accordance with the terms and conditions of Permit No. 17262 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 Owsley Canal Company, Terreton, Idaho.

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

The amount applied to beneficial use is 40.0 cubic feet per second.

The place where said water is used: W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; all of Secs. 17, 18 and 19; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Sec. 20; W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30; all in Twp. 6 N., R. 35 E. B. M. SW $\frac{1}{4}$, Sec. 4; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7; all of Sec. 8; NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Sec. 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 14; SW $\frac{1}{4}$, Sec. 15; all of Secs. 16, 17, 20, 21, 22, 23, 24, 25, 26 and 27; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; all of Sec. 29; NE $\frac{1}{4}$ and NW $\frac{1}{4}$, Sec. 35, all in Twp 6 N, R 34 E. B. M.

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

The right to take water from such works is based upon Permit No. 17262.

The source of supply from which such water is diverted is North Lake and Underground Waters in Section 23, NW $\frac{1}{4}$, Sec. 26, NE $\frac{1}{4}$, Sec. 27, Twp 7 N, R 34 E. B. M.

The date of priority which said user is prepared to establish is January 25th, 1930.

(12-15) E. V. BERG,
Commissioner of Reclamation

There were more than 50 kinds of time in the U. S. before 1883, when the four zones of standard time were

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: 17262
Owsley Canal Co.

BOISE

February 3, 1941.

Date

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 24, 1941**, the date set for proof, the expense of the publication to be paid by the applicant,

Owsley Canal Company, Terreton, Idaho

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

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

Very truly yours,

E. V. BERG.

Commissioner of Reclamation

17262

February 3, 1941.

Re: Permit No. 17262.

Mr. John L. Hutton
Manager-Secretary
Owsley Canal Company
Terreton, Idaho

Dear Mr. Hutton:

This will acknowledge receipt of notice for publication in connection with proof of Beneficial Use, and also your authorization to have the notice published in the Rigby Star, Rigby, Idaho, all in connection with Permit No. 17262.

A copy of the notice has been sent to the newspapers with instructions to publish it once a week prior to March 24, 1941.

About ten days prior to this date depositions, consisting of one for the holder and one for each of two witnesses, will be sent to Bash I. Bennett, Rigby, Idaho, Notary Public, so that he will have them in ample time for the proof.

On the date designated you should appear at Bash I. Bennett's office, with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

E. V. BERG.
Commissioner of Reclamation.

By
Chief Clerk.

ml.

17262

OFFICERS

BEN H. MATKINS
President
CHAS. H. RICKMAN
Vice-President
JOHN L. HUTTON
Manager-Secretary

THE OWSLEY CANAL COMPANY

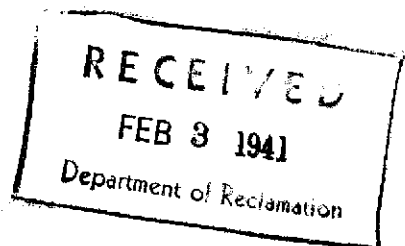
TERRETON, IDAHO

January 31, 1941.

DIRECTORS

J. B. ADAMSON
C. C. MADISON
L. H. SHULDBERG
CHAS. H. RICKMAN
BEN H. MATKINS

Mr. Roy N. Thompson,
Department of Reclamation,
Boise, Idaho.



Dear Mr. Thompson:

Referring to your letter of the 27th, regarding
Beneficial Use Proof, under Permit # 17262.

The amount of water appropriated is relatively
small in comparison to acreage involved and I be-
lieve it would be just as well to let description
remain as set out, rather than to amend application
to take in small additional acreage, which as a mat-
ter of fact, is being cared for by other appropria-
tions.

Thanking you for the suggestion, however, I re-
main,

Very truly yours,

John L. Hutton

17262

*Answer by phone letter.
Submit publication to paper.
P.H.T.*

January 29, 1941

Re: Permit No. 17262

Mr. John L. Hutton,
Manager-Secretary,
Gowley Canal Company,
Terreton, Idaho.

Dear Mr. Hutton:

Mrs. Jones, Mr. Snow's Secretary, has handed us the enclosed duplicate notice of proof of Beneficial Use under your Permit No. 17262, together with authorization to publish same in the Rigby Star.

At the same time she called attention to your letter in which you state that part of the water has been transferred to other lands than those listed in the original permit, but that these lands have not been mentioned in the notice, because an application for amendment of the land list has not been made.

It is important that the land list given in the Notice cover all the lands upon which you intend to make proof, in order that the license when issued shall cover all the lands which you intend to irrigate with this water.

We are therefore enclosing you duplicate forms of application for amendment of the land list, and also other forms on which to make out the notice, both of which should be returned to this department promptly, and upon their receipt, the notice will be sent at once to the newspaper for publication.

Inasmuch as the permit allows you until March 24th to make this proof, it might be well to change the date from March 10th to a later date, so as to allow plenty of time for the necessary four weeks' publication after the amendment application and notice reach us.

Very truly yours,

E. V. BERG
Commissioner of Reclamation

By

Deputy Commissioner

JLA
Encls.
CC to Edwin Snow

17262

17262

OFFICERS
J. B. ADAMSON,
PRESIDENT
H. A. ENGLUND,
VICE-PRESIDENT
JOHN L. HUTTON,
MANAGER-SECRETARY

THE OWSLEY CANAL COMPANY
TERRETON, IDAHO

DIRECTORS
J. B. ADAMSON
H. A. ENGLUND
L. H. SHULDBERG
LESLIE QUAYLE
BEN H. MATKINS

September 18, 1935.

SEP 24 1935
U.S. DEPT. OF RECLAMATION

Department of Reclamation,
State of Idaho,
Boise, Idaho.

Gentlemen:

Enclosed please find our check in payment of
Inspection Fees on Completion of Works proof on
Permit No. 17262.

Very truly yours,

John L. Hutton

Manager.

17262

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 25th, 1941

(P. O.) Terreton, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

OWSLEY CANAL COMPANY.

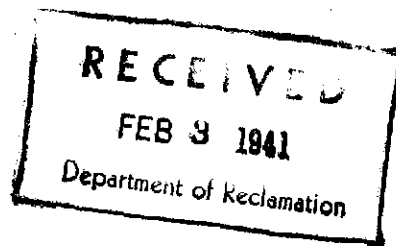
By John P. Hutton Secretary.

(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.

17262



NOTICE FOR PUBLICATION

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

Notice is hereby given that at... **2:00 P.** M. on the. **24th** day of... **March**..., 19 **41**,
at... **Rigby**....., County of... **Jefferson**....., State of Idaho, before
..... **Bash L. Bennett**....., proof will be submitted of the
application to beneficial use of... **40.0**..... cubic feet per second of the waters of. **North Lake**
and Underground Waters accordance with the terms and conditions of Permit No. **17262**..
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.....
..... **Owsley Canal Company, Terreton, Idaho**.....

The use to which said water has been applied is **Irrigation and Domestic Use**.....

The amount applied to beneficial use is .. **40.0** cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) **W¹SW⁴, Sec. 8; all of Secs. 17, 18 & 19; W²NE², NW¹ & SW¹, Sec. 20;
W²NW², N²SW², Sec. 29; NE², W¹NW², Sec. 30; all in Twp 6 N., R 35 E.M.
SW², Sec. 4; S¹NE², NW¹, SW¹, SE², Sec. 5; S¹NE², E²SE², Sec. 7; all of Sec. 8; NW¹,
SW¹ & SE¹, Sec. 9; SW²SW², Sec. 10; SW²NW², SW² & SE², Sec. 13; SE²NE², SW²SW²,
SE², Sec. 14; SW², Sec. 15; all of Secs. 16, 17, 20, 21, 22, 23, 24, 25, 26 & 27;
NE², NW², N²SW², SE²SW², N²SE², SW²SE², Sec. 28; all of Sec. 29; NE² & NW²,
Sec. 35, all in Twp 6 N., R 34 E.B.M.**.....

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

The right to take water from such works is based upon Permit No.... **17262**.....

The source of supply from which such water is diverted is . **North Lake and Under-**
ground Waters in Section 23, SW², Sec. 26, NE², Sec. 27, Twp 7 N., R 34 E.B.M......

The date of priority which said user is prepared to establish is. **Jan. 25th, 1930**.....

.....
Commissioner of Reclamation.

17262

April 3, 1935

Re: Permit No. 17262
Owaley Canal Co.

MR. JOHN L. HUTTON, Agent
Terracon,
Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with proof of completion of works under the above permit.

Before further action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the works. After his report is on file in this office you will be further notified as to fees due before the issuance of the Certificate of Completion of Works to the canal company.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:EG

17262

17262

BASH L. BENNETT
ATTORNEY AT LAW
UNITED STATES COMMISSIONER
RIGBY, IDAHO

RECEIVED
MAR 27 1935
BUREAU OF RECLAMATION
March 26th, 1935.

Hon. R.W. Faris, Commissioner;

Boise, Idaho.

Dear sir;

I enclose depositions in the case of Permit #17262, Owsley Canal
Company, together with affidavit of Publication.

Will you acknowledge their receipt, and oblige.

Very truly

Bash L Bennett

17262

NOTICE FOR PUBLICATION

Notice is hereby given that at 3:00 p. m., on the 23rd day of March, 1935, at Rigby, County of Jefferson, State of Idaho, before Bash L. Bennett, proof will be submitted of the completion of works for the diversion of 40 cubic feet per second of the waters of North Lake and underground water in Sec. 23, NW¼ Sec. 26, NE¼ Sec. 27, Twp. 7 N., R. 34, E. B. M., in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Owsley Canal Company.

2. The postoffice address of such person or principal place of business of such corporation is Hamer, County of Jefferson, State of Idaho.

3. The number of such permit is 17262, and the date set for the completion of such work is March 24, 1935.

4. Said water is to be used for Irrigation and Domestic purposes.

5. Said works of diversions will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 40 cubic feet per second.

6. The amount of lands for which said water is available is 15320 acres, particularly described as follows: Lands embraced by, or susceptible of irrigation from, existing system of Owsley Canal Company.

R. W. FARIS,

Commissioner of Reclamation.

Feb. 14-21-28; M. 7.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Jefferson.

ss.

Affidavit of Publication:

I, M. A. Fussell, publisher, foreman, of the Roberts Sentinel, published weekly at Roberts, Jefferson County, Idaho, do solemnly swear that the notice, copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive issues, the first publication having been made on the 14th day of February, 1935, and the last publication appearing on the 7th day of March, 1935.

Further that the said newspaper has a general publication in said county and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Subscribed and sworn to before me this 25th day of March, 1935.

(SEAL)

My commission expires 1-7 1936

Residing at

Notary Public.

17262

1936

Roberts Idaho

PERMIT NO. 17262

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Owsley Canal Company, by J.L. Hutton, Secretary.

Terreton, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Owsley Canal Company, Terreton, Idaho.

I am its Secretary and General Manager, and familar with all its works and water rights.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 17262 March 24th, 1930. 40 cubic feet per second, source, North Lake and underground water in section 23, Twp. 7 N.R. 34 EEM.

N 9 degrees 45 min. West 660 feet from SE corner of section 23, T. 7 N. Range 34 EEM SE 1/4 Sec 23, T 7 N. R 34 E. S.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and Domestic Purposes.

Lands under Owsley Canal Co. system, see permit.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. yes 30 cubic feet per second in 1931 and 1932 and small quantity in 1933 and 34.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Works are fully completed as to a capacity of 30 cubic feet per second.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. About 25% smaller in capacity than was stated in the Permit.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. One canal one and five tenths mile in length, 16 ft at bottom 2 1/2 feet deep and 4 drilled wells costs \$3,000.00 Capacity 30 cu ft. per second.

(Sign here.)

J. L. Hutton

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 Rigby,

County of Jefferson, State of Idaho, on this 23rd day of March A. D. 1935

Robert R. Hutton

Notary Public.

My Commission expires Nov. 9th, 1938.

Rigby, Idaho.

17262

Permit No. 17262

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Leslie Wiley, Terreton, Farmer, Terreton, Idaho.

Ques. 2. Are you acquainted with Owsley Canal Co., J.L. Hutton, Secretary, the holder of Permit No. 17262, authorizing the diversion of forty second-feet of the waters of North Lake and underground waters, at Mud Lake and domestic for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes, about 16 years, at Terreton, Idaho.

Ques. 3. Have you read or heard read said Permit No. 17262, and are you familiar with its terms and conditions?

Ans. yes, yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes, land is sandy loam covered with sage brush, some sand ridges on same generally level. Will acre about 2 acre feet per acre.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. No, not as to their full capacity.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Ditch 16 ft. at bottom 2 1/2 ft. deep, 1 1/2 miles long, then there are 4 drilled wells, that supply water, will carry about 30 cu ft per second.

(Sign here.)

Leslie C. Wiley

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, at my office in Rigby County of Jefferson, State of Idaho, on this 23rd day of March, A. D. 1935.

17262

Ruth L. Deen

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 17262

MAR 27 1935

DEPARTMENT OF RECLAMATION

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Thos. Wagoner, Terretton, Idaho, Farmer.

Ques. 2. Are you acquainted with Owsley Canal Co., J. L. Hutton, Secretary, the holder of Permit No. 17262, authorizing the diversion of 40 second-feet of the waters of North Lake and underground waters, at Mud Lake and domestic, for irrigation purposes? How long have you known him, and where does he reside?

Ans. At Terretton, Idaho, about 20 years.

Ques. 3. Have you read or heard read said Permit No. 17262, and are you familiar with its terms and conditions?

Ans. yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. Land is generally level, sandy soil, will require about 2 acre feet.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. No., they are fully complete, but only as to 30 cu. ft. per second.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Will carry about 30 cu. ft. per second. Ditch 16 ft at bottom, 2½ ft. deep 1½ miles long, and they have 4 drilled wells.

(Sign here.)

Thos. Wagoner.

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, at my office in Rigby.

County of Jefferson, State of Idaho, on this 23rd day of March, A. D. 1935.

17262

R. L. R. R.

My commission expires Nov. 9th, 1938.

Notary Public, Rigby, Idaho.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Re: Permit No. 17262

MR. BASH L. BENNETT
Rigby,
Idaho

Boise, Idaho, **March 16, 1935**

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit **N7262**-----

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 the permit holder's rights:

1. On **March 23, 1935**-----, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Rigby, Idaho, before Bash L. Bennett, 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,

R. W. FARIS

Commissioner of Reclamation

17262

February 7, 1938

Re: Permit No. 17868
Owsley Canal Company

MR. EDWIN SNOW, Attorney
Idaho Bldg.,
Boise, Idaho

Dear Sir:

Under date of February 1st, we received your papers in connection with beneficial use proof under the above permit which is held by the Owsley Canal Company. A copy of the notice has been forwarded to the Roberts Sentinel with proper instructions for its publication.

You requested us to send the proper blanks to Mr. J. L. Hutton, Secretary, Owsley Canal Company, but inasmuch as it is the regular practice of this office to mail the blanks for the proof to the Notary Public, or other official before whom proof will be taken, we will mail these forms to Mr. Bash L. Bennett, Notary Public, Rigby, Idaho. If, however, Mr. Hutton would like to have some of these forms, we shall gladly mail them to him upon being advised to that effect. As you no doubt know, he has handled several of these proofs for the company and I believe there is no question as to his being familiar with the procedure.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLM:RG

17262

February 5, 1935

Re: Permit No. 17262
Owsley Canal Co.

MR. JOHN L. HUTTON, Secretary
Terreton,
Idaho

Dear Sir:

This will acknowledge receipt of notice in duplicate for publication in connection with ~~completion~~ of works proof and also your authorization to have the notice published in the Roberts Sentinel, Roberts, Idaho, all in connection with Permit No. 17262.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to March 23, 1935, which is the date set for proof. About 10 days prior to this date depositions consisting of one for the holder and one each for two witnesses will be mailed to Mr. Bash L. Bennett, Notary Public, Rigby, Idaho, so that he will have them in ample time for the proof. On the date designated you should appear at Mr. Bennett's office with two disinterested witnesses, who are familiar with the terms of the permit and with the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date February 5, 1935

Re: Permit No. 17262

EDITOR, ROBERTS SENTINEL
ROBERTS,
IDAHO

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to March 23, 1935, the date set for proof, the expense of the publication to be paid by the applicant,

John L. Eutton, Secretary, Owsley Canal Co., Terreton, Idaho
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

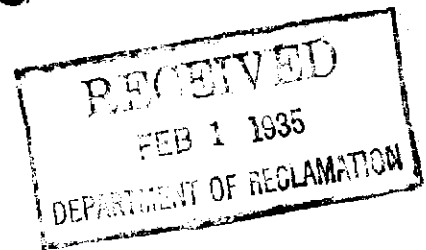
R. W. PARIS

Commissioner of Reclamation

17262

Edwin Snow
Lawyer
Boise, Idaho

January 31, 1935



Hon. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Faris: Re: Permit No. 17262 - Owsley Canal Com-
pany.

Herewith enclosed are two copies of notice for publication and also one copy of authorization to publish the notice of completion of works of diversion under the above permit belonging to Owsley Canal Company.

Bash L. Bennett before whom the proof will be submitted is a notary public at Rigby.

I would appreciate it if you would send the requisite blanks to be filled out in making the proof to Mr. John L. Hutton, Secretary Owsley Canal Company, Terreton, Idaho.

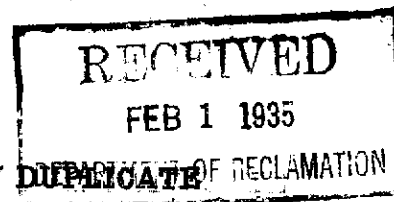
Very truly yours,

ES:FBJ

Enc.

Edwin Snow

17262



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN ~~DUPLICATE~~ OF RECLAMATION

(Date) January 21, 1935

(P. O.) Terreton, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

OWSLEY CANAL COMPANY

By

John P. Hunter

(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.

17266

Notice for Publication

Notice is hereby given that at 3:00 P. M., on the 23rd day of March, 1935, at Rigby, County of Jefferson, State of Idaho, before Bash L. Bennett proof will be submitted of the completion of works for the diversion of 40 cubic feet per second of the waters of North Lake and underground waters in Sec. 23, NW $\frac{1}{4}$ Sec. 26, NE $\frac{1}{4}$ Sec. 27, Twp 7 N, R 34 EBM in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Owsley Canal Company.
2. The postoffice address of such person or principal place of business of such corporation is Hamer, County of Jefferson, State of Idaho.
3. The number of such Permit is 17262, and the date set for the completion of such work is March 24, 1935.
4. Said water is to be used for Irrigation and Domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 40 cubic feet per second.
6. The amount of lands for which said water is available is 15320 acres, particularly described as follows:
Lands embraced by, or susceptible of irrigation from, existing system of Owsley Canal Company

R. W. FARIS

Commissioner of Reclamation.

17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

EDWIN SNOW, Agent
Dwight Canal Co.,
Boise, Idaho

Boise, Idaho

January 10, 1935

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 17262

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before March 24, 1935. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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,

R. W. FARIS

Commissioner of Reclamation.

17262

August 9, 1955

Re: Permit No. 17262
Owsley Canal Co.

ENGLISH & ENGLISH, General Agents
Boise, Idaho

Gentlemen:

We are enclosing herewith duplicate copy of National Surety Corporation Assumption of Liability Certificate issued in connection with the above permit, which has been approved by this office. The original copy of the certificate has also been approved and placed in the department files.

Very truly yours,

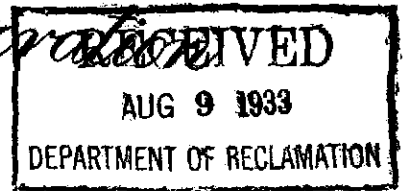
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PIH:EG
Encl.

17262

National Surety Corporation
New York, N.Y.



ENSIGN & ENSIGN
(AUTHORITY LIMITED)
GENERAL AGENTS FOR
SOUTHERN IDAHO
FRANK G. ENSIGN
L. W. ENSIGN
RESIDENT VICE-PRESIDENTS

BOISE, IDAHO
August 8, 1933

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

We are enclosing assumption of liability certificate, in duplicate, by the National Surety Corporation, on the bond of Owsley Canal Company, Boise, Idaho on water permit #17262. Will you kindly acknowledge acceptance on both the original and the duplicate, file the original with the bond and return the duplicate to us for the records of our company?

Yours very truly,

ENSIGN & ENSIGN
General Agents

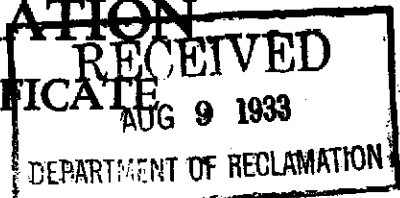
[Signature]
The Bond Man

LWE:BH
Enc.

17262

NATIONAL SURETY CORPORATION

ASSUMPTION OF LIABILITY CERTIFICATE



IMPORTANT NOTE:

For use ONLY covering Contract, License, Permit and Miscellaneous Indemnity Bonds, Ten Thousand (\$10,000.00) Dollars each or less.

This certificate is to be attached to bond or undertaking No....3923915....., in the amount of \$...1000.00....., executed by National Surety Company on or about the...26th.....day of March....., 19.30, as surety in behalf of...Owsley Canal Company..... principal(s), and in favor of...State of Idaho..... obligee(s), in connection with..... Bond on water permit #17262.....

THIS CERTIFIES that the NATIONAL SURETY CORPORATION, (hereinafter called the "Corporation"), in consideration of the agreements and covenants herein contained and other good and valuable considerations, assumes liability under the above described bond or undertaking, for all losses occurring after midnight of April 30, 1933, New York Standard Time, and for all other losses as to which no notice that there had or may have been or might be a loss was received by or on behalf of the NATIONAL SURETY COMPANY, (hereinafter called "Company"), prior to May 1, 1933. THIS CERTIFICATE is not effective until signed by the Principal and accepted by the obligee(s) named herein.

The obligee(s), by the acceptance of this certificate agree(s):

1. That liability of the Corporation under said bond or undertaking (a) shall be subject to all of the terms, conditions, limitations and warranties contained in the above described bond or undertaking and any amendment thereto or agreement between the obligee and the company affecting the same; and (b) shall in no event be greater than would have been the liability of the company had this certificate not been issued.
2. That the Company is released from all liability for loss(es) which are hereby assumed by the Corporation.
3. That all rights of the Company which would have been available to the Company by reason of its suretyship under the aforementioned instruments or otherwise if this certificate had not been executed shall inure to the benefit of and be fully enforceable by the Corporation.

SIGNED, SEALED AND DATED, this...24th.....day of....July....., 19.33...

Attest:

NATIONAL SURETY CORPORATION

By.....

Its Attorney-in-Fact

L.W. Ensign

Countersigned

By.....

Resident Agent

ACCEPTED: /ED

AUG 9 1933

Obligee

R.W. Ensign by R.W. Ensign

Commissioner of Reclamation

By

In consideration of NATIONAL SURETY CORPORATION issuing this Assumption of Liability Certificate, the undersigned hereby agrees to be bound to said corporation as principal under said bond and according to all the terms and conditions of all indemnity agreements given to NATIONAL SURETY COMPANY. It is understood and agreed that the Corporation assumes no liability for the return of premiums paid or payable to the National Surety Company.

OWSLEY CANAL COMPANY

Principal

By

By.....

President

Attest:

By.....

Secretary

Edwin Snow
Lawyer
Boise, Idaho

March 26, 1930

Department of Reclamation,
State Capitol,
Boise, Idaho.

Gentlemen:

I herewith enclose surety bond in
the amount of \$1000.00 covering permit of
Owsley Canal Company No. 17262, which please
file.

Very truly yours,

Edwin Snow
ES

ES:FBJ

Enc.

17262

Bond.

KNOW ALL MEN BY THESE PRESENTS, That Owsley Canal Company
of Terreton, Idaho, as principal, and NATIONAL SURETY COMPANY, a New York
Corporation

as surety, are held and firmly bound unto the State of Idaho in the full
and just sum of ONE THOUSAND AND NO/100 - - - - - (\$1000.00) Dollars,
lawful money of the United States, to the payment of which sum, well and truly to be made, said
principal and surety bind themselves, their heirs, administrators, executors and assigns, jointly and
severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the
25th day of January, 19 30, filed in the office of the Commissioner of Reclama-
tion in Boise, Idaho, a certain application for permit to appropriate the public waters of the State
of Idaho, the said application being thereupon numbered No. 24275, in accordance with which said
application the Commissioner of Reclamation granted and issued to the said principal herein a cer-
tain permit numbered No. 17262, a full, true and complete copy of which application No. 24275
and permit No. 17262, is of record in the office of the Commissioner of Reclamation in Book
62 of Permits, at Page 17262.

Now, if the above bounden principal shall faithfully carry to completion the said works of diver-
sion as specified in said application No. 24275 and permit No. 17262, in the manner and form
prescribed therein and within the time therein allowed, then the above obligation to be void, otherwise
to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals,
this 26th day of March, 19 30

WITNESSES:

OWSLEY CANAL COMPANY
By E. H. H. H. Agent (SEAL)

NATIONAL SURETY COMPANY (SEAL)

By I. W. Ensign (SEAL)
Its Attorney-in-Fact

I. W. Ensign
Countersigned

By I. W. Ensign
of Resident Agent and

County of _____ } ss:

_____ of _____ whose names
are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn,
upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho, and that he is worth the sum named
in said obligation, to wit, \$_____, over and above all his debts and liabilities, exclusive of prop-
erty exempt from execution.

Subscribed and sworn to before me this _____ day of _____, 19____

17262

Board of Directors

- FREDERIC W. ALLEN
Lee, Higginson & Co.
ALBERT B. ASHFORTH
Albert B. Ashforth, Inc.
WILLIAM D. BALDWIN
Chairman Board of Directors
Otis Elevator Company
SUMNER BAILLARD
President International Ins. Co.
S. READING BERTON
Bertson, Grierson & Co.
EDGAR S. BLOOM
President Western Electric Co.
FRANKLIN Q. BROWN
Redmond & Co.
HENRY BRUIERE
1st Vice-Pres. Bowers Savings Bank
New York, N. Y.
J. THREW C. BRUSH
Pres. Amer. International Corp.
H. E. BYRAM
Chairman of the Board
Chicago Mfg. St. P. & P. R.
LOTIS E. CHENEY
Hartford, Conn.
ARTHUR O. CHOATE
Clark Dodge & Co.
EDWARD H. CLARK
Pres. Cerrito de Pasco Copper Corp.
GEO. B. COITELYOU
President Consolidated Gas Co.
FREDERIC R. COUDEBERT
Condit Bros.
WILLIAM T. DEWART
President N. Y. Sun Corp.
COLEMAN DUPONT
Wilmington, Delaware
P. A. S. FRANKLIN
Pres. Int'l Mercantile Marine Co.
M. O. GAENER
General Counsel of Company
ROBERT GOLETT
New York, N. Y.
JOSEPH P. GRACE
Pres. W. B. Grace & Co.
JOSEPH W. HARRIMAN
Philadelphia, Pa.
JOSEPH W. HARRIMAN
President, Harriman Nat'l Bank
New York, N. Y.
W. AVERELL HARRIMAN
New York, N. Y.
CHARLES HAYDEN
Hayden, Stone & Co.
FRANK T. HERFELTJNGER
Minneapolis, Minn.
PARMELY W. HERRICK
Cleveland, Ohio
LOUIS W. HILL
Chairman of the Board
Great Northern Ry. Co.
ARTHUR C. HILMER
St. Louis, Mo.
ANTON G. HODENPYL
Hodempyl, Hardy & Co.
ROBERT I. JENES
Berwind White Coal Co.

EDWARD N. JESUP
Lee, Higginson & Co.
PERCY H. JOHNSTON
President Chemical Bank & Tr. Co.
WM. B. JOYCE
Chairman of the Company
MORTON DEAN JOYCE
New York, N. Y.
FRANK B. KEECH
F. B. Keesh & Co.
W. S. KINNEAR
New York, N. Y.
ALANSON P. LATHROP
Chairman of the Board
American Light & Traction Co.
A. W. LOASHY
Chairman of the Board
Equitable Trust Co.
JOSEPH T. MAGEE
General Counsel of Company
CHARLES S. McCAIN
Pres. Chase National Bank
JOHN C. McCALL
Vice Pres. N. Y. Life Ins. Co.
JAMES S. McCULLOCH
Pres. N. Y. Telephone Co.
SAMUEL McROBERTS
Chairman of the Board
Chatham Phoenix Natl. Bk. Tr. Co.
SIDNEY Z. MITCHELL
Chairman of the Board
Electric Bond & Share Co.
H. HOBART PORTER
Sanderson & Porter
FRANK PRESBREY
Pres. Frank Presbrey Co.
JOEL RATHBONE
Vice Chairman of Company
JAMES J. RIORDAN
Pres. County Trust Co.
P. A. ROCKEFELLER
New York, N. Y.
W. T. ROSEN
Ladenburg, Thalmann & Co.
CHARLES H. SABIN
Chairman of the Board
The Guaranty Trust Co.
EDWIN S. SCHENCK
New York, N. Y.
C. B. SEGER
Pres. United States Rubber Co.
SAMUEL SLOAN
Vice Pres. City Bk. Farmers Tr. Co.
ALFRED E. SMITH
New York, N. Y.
CHARLES A. STONE
Stone & Webster
E. A. ST. JOHN
President of Company
W. A. TUCKER
New York, N. Y.
ELISHA WALKER
Blair & Co.
SPENCER WELTON
Pres. N. Y. Indemnity Co.
ERNEST WOODRUFF
President Piedmont Securities Co.

B O N D

GIVEN BY

Owsley Canal Company

IN FAVOR OF

State of Idaho



NATIONAL SURETY COMPANY

Home Office: 115 Broadway

Approved as to form and sufficiency

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Permit No. 17262
Owsley Canal Company
care Edwin Snow

March 24, 1930.

NOTICE

You are advised that in order to keep this permit in force a bond in the sum of \$ 1000.00 must be filed in the office of the Commissioner of Reclamation on or before May 23, 19 30 conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

GEO. H. CARTER
Commissioner of Reclamation

17262

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17262 March 24, 1930
Owsley Canal Co. c/o Edwin Snow
Box 515, Boise, Idaho Boise, Idaho,

Dear Sir:

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

Receipt for fee

GEO. M. CARTER
Commissioner of Reclamation.

17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, February 24, 1930.

Application No. 24275

Owsley Canal Company
c/o Edwin Snow
Box 515
Boise, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

Duplicate maps (tracing and print) showing point of
Diversion.

Conduit of water to lands to be irrigated.

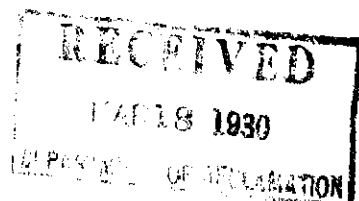
Lands to be irrigated showing amount in each
40 acre subdivision.

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly,

GEO. N. CARTER
COMMISSIONER OF RECLAMATION.

By.....



Encl: App. 24275

17262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, February 24, 1930.

Application No. 24275

Owsley Canal Company
c/o Edwin Snow
Box 515
Boise, Idaho

SIR:

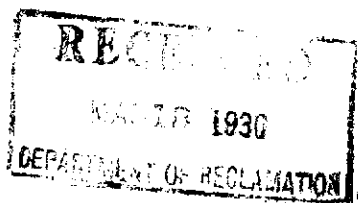
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Yours truly,

GEO. H. CARTER
COMMISSIONER OF RECLAMATION.

By _____

Encl: App. 24275