

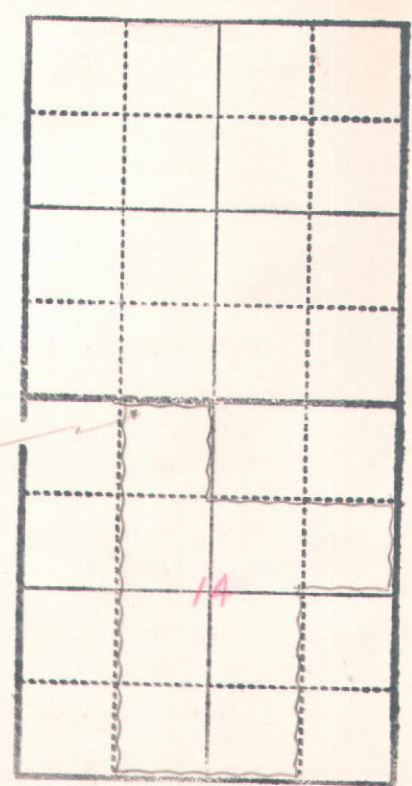
51-2156

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

conveyed

Application No. G- 36439
Permit No. G- 28462
District No.

1. Name of Applicant: Byron Tilby *Bruneau*
Postoffice address: Rt. #1, New Plymouth County: Payette State: Idaho
2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second 4.0 or Idaho
Miners' inches 200 or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE 1/4 of the NW 1/4 of Section 14
Twp. 7 S , Rge. 4 E , B.M., County of Owyhee
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 5,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 4.0 (cubic feet per second, inches or gallons per minute) is for new lands.



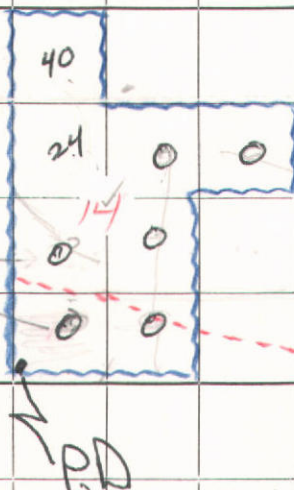
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? P.D.?



To
BRUNEAU

Subdivisions 2

Area = 64 acres

$\phi = 3,48 \text{ cfs or } 174''$

allow $\phi = 1.28 \text{ cfs or } 64 \text{ inches}$

Byron Tilby
G 28462

By DERM 1965
outline of permit
G 28462

Flow of Discharge from
P.D.

Millet PD

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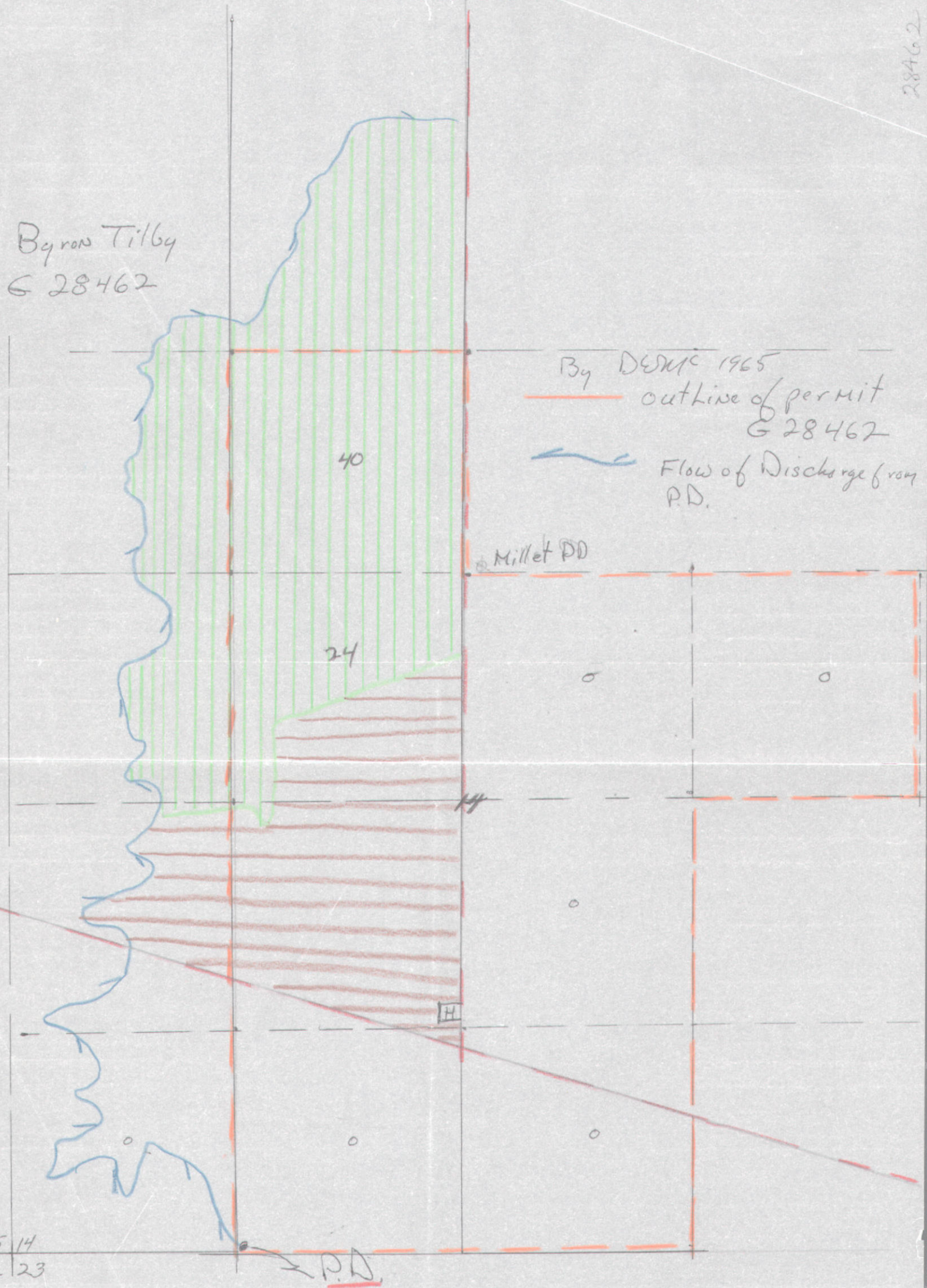
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P.D.



THE OWYHEE CHRONICLE

PHONE 337-3581

PUBLISHING
PRINTING
ADVERTISING

EVERETT A. COLLEY, PUBLISHER

20 EAST IDAHO AVENUE
HOMEDALE, IDAHO

Jan. 7, 1965

State of Idaho
Dept. of Reclamation
107 State House
Boise, Idaho 83701

RECEIVED
JAN 8 1965
Department of Reclamation

Dear Mr. Tappan;

This is to acknowledge receipt of Notice for Publication on Permit No. G-28462 (Byron Tilby, Bruneau, Idaho). A clipping of the first insertion of this legal notice is attached for your convenience in checking.

Mr. Tilby will be billed for the cost of the publication and the Affidavit of Publication will be mailed to him according to your instructions.

Sincerely,

THE OWYHEE CHRONICLE

By

Everett S. Colley
(Mrs. Everett Colley)

28462

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

Notice is hereby given that at 2 P.M., on the 17th day of February 1965, at Bruneau, County of Owyhee, State of Idaho, before James Noble, Notary Public, at Bruneau, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28462, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Byron Tilby, Bruneau, Idaho.

2. 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 conveying to the place of use is 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 7 S., R. 4 E., B. M.

5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 7 S., R. 4 E., B. M.

6. The date of priority which said user is prepared to establish is Feb. 16, 1960.

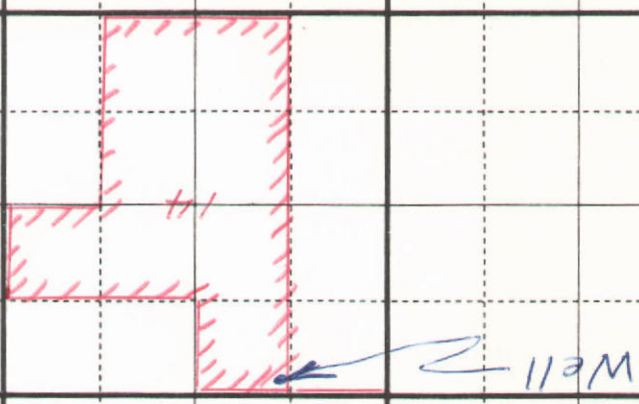
CARL E. TAPPAN,
State Reclamation
Engineer.

1-74
G. W. Tappan, Jr., Engineer

Byron T. 164

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1

R 4 E



Permit Map No. 9-28462

As Approved

GEO. N. CARTER

FEB 17 1960

State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. G-28462

Amount 1.28 C. F. S.

Water District No. _____

Priority February 16, 1960

THIS IS TO CERTIFY that **BYRON TILBY**

of **New Plymouth, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 16**, 19 **60**; that Permit No. **G-28462** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.28** second feet, was issued thereunder on **September 1**, 19 **65**, showing that said works were completed on the **17th** day of **February**, 19 **65**; and that on the **17th** day of **February**, 19 **65**, **Byron Tilby**

of **Bruneau**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **a well**, a tributary of **subterranean flow**, for the purpose of **irrigation**

, under Use Permit No. **G-28462** of the **Department of Reclamation** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **13** of Licenses at page **8238**, on the **1st** day of **September**, 19 **65**;

The right hereby confirmed dates from **February 16**, 19 **60**;

The Point of Diversion is located

in the **SE 1/4 SW 1/4**, Sec. **14**, Tp. **7S.**, R. **4 E.**, B. M. **Owyhee County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.28** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	4 E.	14	NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	24
			Total number of acres irrigated		64

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

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

1st day of **September**, 19 **65**.

(SEAL)

Deputy State Reclamation Engineer.

51 218

51-2156

APPLICATION FOR PERMIT To appropriate the Subterranean Waters of The State of Idaho

conveyed

Application No. G- 36439
Permit No. G- 28462
District No.

1. Name of Applicant: Byron Tilby *Brill & Co.*
Postoffice address: Rt. #1, New Plymouth County: Payette State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 4.0 or Idaho
Miners' inches 200 or gallons per minute
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NE 1/4 of the NW 1/4 of Section 14
Twp. 7 S, Rge. 4 E, B.M., County of Owyhee

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section, Twp.
Rge., B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section, Twp, Rge., B.M.

7. Kind of works: Well, pump and ditches

8. Estimated cost of works: \$ 5,000

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

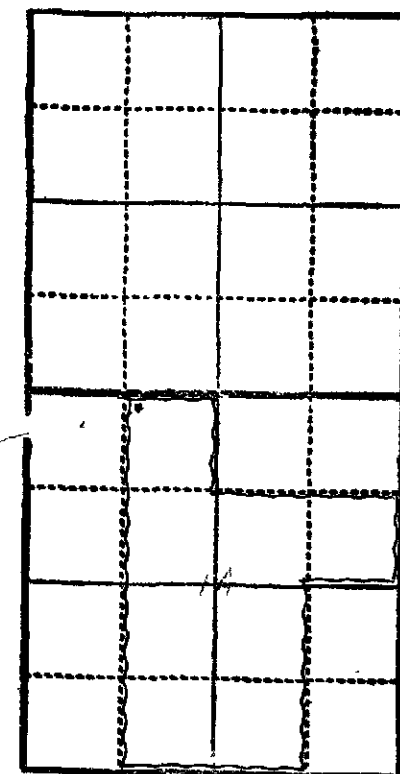
(d) Other resources:

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

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

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 4.0 (cubic feet per second, inches or gallons per minute) is for new lands.



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			
7 S	4 E	14			40	40	40			40			40			40	40		320		
Application for Amendment POINT OF DIVERSION Permit No. G-28462 Comes now BYRON TILBY and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28462. That the point of diversion is described in said Permit as being located: NE 1/4, Sec. 14, T. 7 S., Rge. 4 E., B. M. That he now requests that the point of diversion be changed to a point located SE 1/4, Sec. 14, Twp. 7 S., Rge. 4 B. M. That the reason for desiring to make such change is as follows: It is so much cheaper as it will be gravity flow from this point and from the other point of diversion it would call for pressure for a sprinkling system. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho, this 29 day of May, 1962. Department of Reclamation: May 29, 1962 APPROVAL OF STATE RECLAMATION ENGINEER I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28462. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it is a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. Recorded: June 7, 1962																					
																		s/ BYRON TILBY			
																		s/ RALPH W. THOMAS Deputy State Reclamation Engineer			

Permit No. G-28462

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Byron Tilby of Route #1, New Plymouth, County of Payette, and State of Idaho, the holder of Permit No. G-28462, issued upon Application No. G-36439 bearing date of priority of February 16, 1960, authorizing the diversion of 4.0 second feet of waters of a well, County of Owyhee, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit, that said works are adequate for diverting and conveying to the place of intended use 3.48 second feet of the waters of a well from subterranean flow that the point of diversion of said waters SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 7 S., R. 4 E. B. M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to wit: E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 14, T. 7 S., R. 4 E. B. M.

Witness my hand this 1st day of September, A.D. 1965.

S/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of completion of works, February 17, 1965.

LICENSE ISSUED FOR 3.48 SEC. FT.
LICENSE PAGE NO. 8238

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28462

REPORT ON PROOF OF Completion of Works & Beneficial Use

Byron Tilby, Bruneau, Idaho

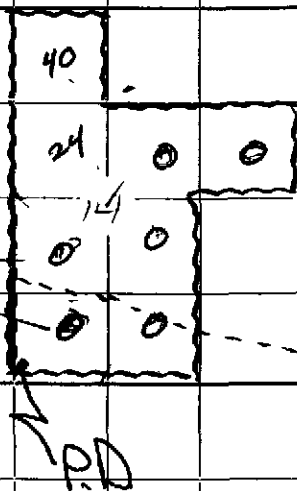
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Subdivisions 2

Area = 64 acres

$\phi = 3.48 \text{ cfs or } 174''$

Allow $\phi = 1.48 \text{ cfs or } 64 \text{ inches}$

Byron Tilby
G 28462

By DWR 1965
outline of permit
G 28462

Flow of Discharge from
P.D.

M. Met PD

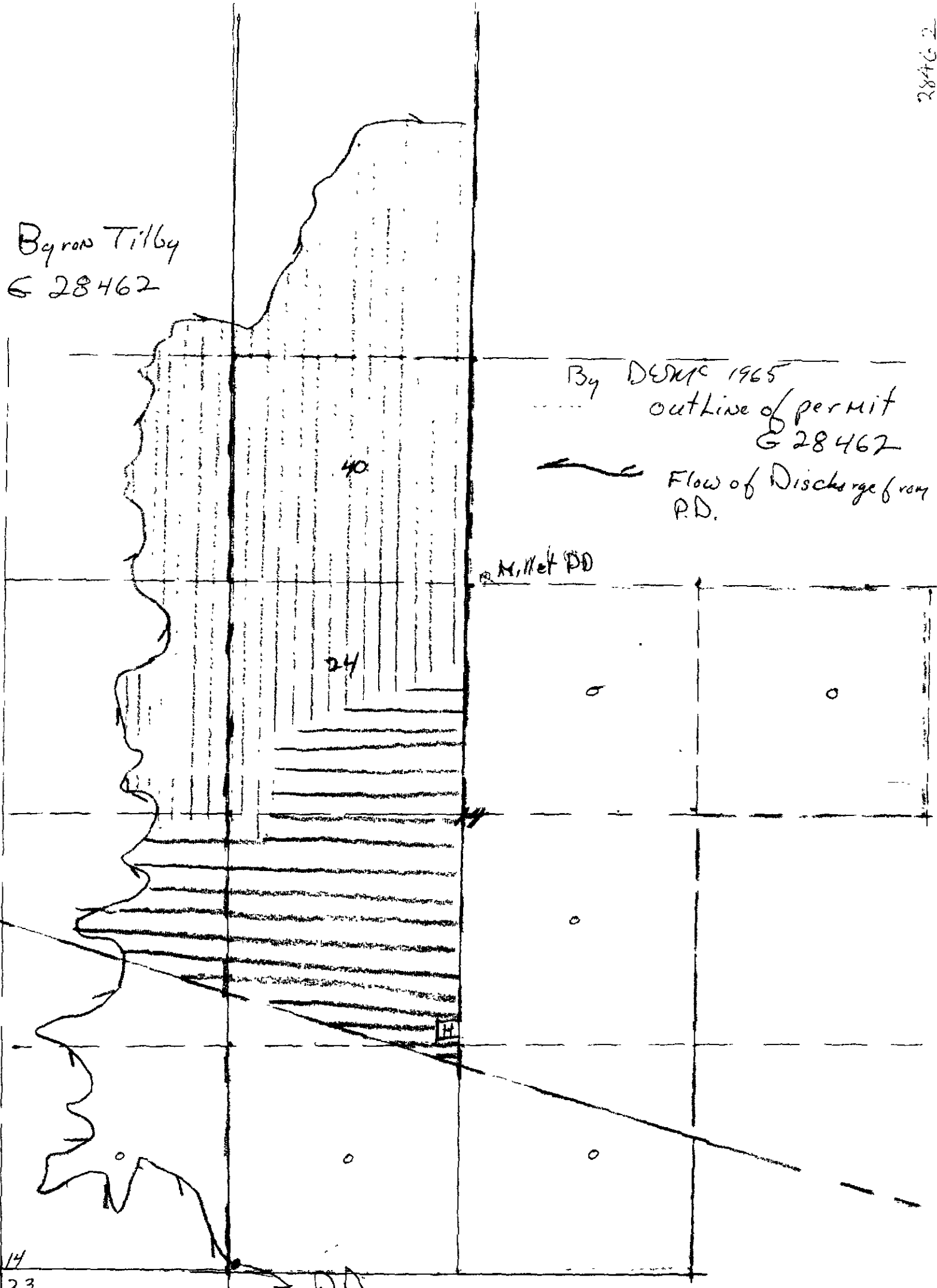
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P.D.



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

Permit No. G-28462

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Byron Tilby
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SE 1/4 of Section 14
T. 7 S R. 4 E.B.M. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: US. Hallshaft Motor
100HP Ser# 1326909
Jacuzzi Bros. Pump Model 14HS22 1425 Unit# WPA 430
Boyles 14HS22 2 1/2 X 1 1/2 L10C
Discharge to 10" Check Valve to 10" Steel pipe 6' to concrete diversion
Box to open dirt ditch
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S 1/2 NE 1/4, E 1/2 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4 Sec. 14, Twp. 7 S., Rge. 4 E.B.M. 320 acres

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

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

Remarks: Mr. Frank Millett along - turned pump on & off and
and went with me around the land.

Measured with McCrometer at 5 ft in 2.23 (143 sec) = 3.48 cfs 174"
Dial 1400 GPM - 155" or 3.10 cfs Dial 3.10 cfs = 155 inches

This examination was made on the

(Signed)

day of

1965

19 Donal McElmurry
Examiner.

28462

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 25 1965

Department of Reclamation

Permit No. G-28462

Examination for Completion of Works & Beneficial Use

County Owyhee

Quantity: 4.0 CFS Sec. 14 T.7S R. 4 EBM

Source: SUBTERRANEAN

P.D.: SE 1/4 SW 1/4, Sec. 14, T.7S - R. 4 E.

Use: IRRIGATION

Filed: FEB. 16, 1960

Due: FEB. 17, 1965

Extension:

Protest:

Completion of Works:

Other Rights:

January 20, 1963

RE: Licensed permit No. G-28462

Eugene H. Anderson
Attorney at Law
P. O. Box 2773
Boise, Idaho 83701

Dear Mr. Anderson:

Returned herewith is the assignment on the above referenced license you submitted to this office for recording. We have no provision, however, to assign a licensed permit, but have put a copy of the assignment in our files to show the name of the new owner.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

28462

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, BYRON TILBY, hereby assign to ROBERT C. BLACK, of
Bruneau, Idaho, Permit No. 28462 to appropriate the public
waters of the State of Idaho, and the whole thereof.

Made this ^{1st} ~~20th~~ day of ^{November} ~~November~~, 1968.

Byron Tilby R.T.
Permit Holder
Mable Tilby M.T.
Wife of Permit Holder

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this ^{1st} ~~20th~~ day of ^{November} ~~November~~, 1968, personally appeared
before me the signers of the above instrument, who duly acknowl-
edged to me that they executed the same.

[Signature]
Notary Public residing at Boise,
Idaho.

My commission expires March 3, 1971.

1970-2

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

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

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

December 2, 1968

See serial
Mr. Keith Higginson
State Reclamation Engineer
Statehouse Annex 2
Boise, Idaho

Re: Permit No. 28462 Byron Tilby

Dear Sir:

Herewith is Assignment in duplicate of the above numbered Permit, together with the Application and Permit No. 28462.

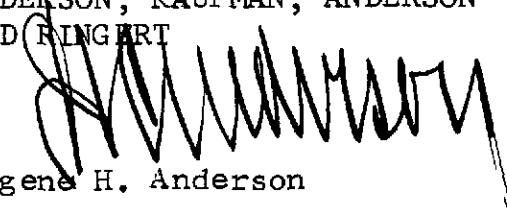
Please record the assignment in your records and return one copy to me together with the Application and Permit.

When the water license issues on this permit, it should issue to the name Robert C. Black whose address is Bruneau, Idaho.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON
AND RINGERT

By


Eugene H. Anderson

EHA:pho
Enclosures

28462

September 1, 1965

RE: Permit No. G-28462

Byron Tilby
Bruneau, Idaho

Dear Mr. Tilby:

Enclosed is the License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-9587 in the amount of \$9.00 covering the fee. ✓

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

28462

500 - July 8, 1964

August 26, 1965

RE: Permit No. G-28462

Byron Tilby
Bruneau, Idaho

Dear Mr. Tilby:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-28462 shows the well is ~~xxxx~~ capable of conveying 64 miner's inches, or 1.28 c.f.s. of water for the irrigation of 64 acres.

Upon receipt of the statutory fees, totaling \$ 9.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of February 16, 1960 , to the use of 1.28 second feet of subterranean water with the point of diversion in the SE 1/4, Sec. 14 for irrigation of 64 acres in the E 1/2 NW 1/4, Sec. 14, T. 7 S., R. 4 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

epr;mr

28462

1M April 1962

March 2, 1965

Re: Permit No. ~~28~~462

Byron Tilby
Bruneau, Idaho

Dear Mr. Tilby:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the OWYHEE CHRONICLE, all submitted in proof of completion of works and beneficial use on Permit No. ~~28~~462.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28462

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

Notice is hereby given that at 2 P M., on the 17th day of February 1965, at Bruneau, County of Owyhee, State of Idaho, before Sam O Noble, Notary Public, at Bruneau, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28462, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Byron Tilby, Bruneau, Idaho.

2 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 conveying to the place of use is 4.0 cubic feet per second.

3 The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 7 S., R. 4 E., B M.

5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 7 S., R. 4 E., B.M.

6. The date of priority which said user is prepared to establish is Feb 16, 1960

CARL E. TAPPAN,
State Reclamation
Engineer.

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Collier, being first duly sworn, depose and say:

1 That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned

2 That during the time of the publication of the notice hereinafter mentioned, I was and now am the editor or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho

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

4 That said notice NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in four (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Jan. 7, 1965

Jan. 14, 1965

Jan. 21, 1965

Jan. 28, 1965

(Signed)

Everett A. Collier

Subscribed and sworn to before me this 28th day of Jan. A D., 1965.

Ray L. Vance
Notary Public in and for the State of Idaho

residing at Homedale, Idaho

My commission expires May 15, 1965

28462

RECEIVED
FEB 18 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION Department of Reclamation
BOISE, IDAHO

Permit No. G-28462

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

DEPOSITION OF HOLDER

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

Byron Tilly Bruner Idaho Farming

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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G-28462 June 7-1962 4/17/69 Feb 16-1960

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range:

SE 1/4 SW 1/4 Section 14, T. 7S R. 4E Boise Meridian

Ques. 5. Describe your works of diversion: Cement tank + ditch

_____ ; state amount of water they are capable of conveying from point of diversion to place of use 320 in ; Give name of canal or ditch

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

_____ ; if a well, state depth of well 950 ft ; depth and size of casing: 200 ft 16 in ; depth to water 70 ft ; if pump is used,

state discharge of pump: 10 in ; tell how it was measured or determined: Laure Pump

Co. Tested Well ; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

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

SE 1/4 NW 1/4 42 acres irrigated NE 1/4 NW 1/4 35 acres irrigated

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

75 acres new seeding

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

none

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

none

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

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 1964 negative answer Time used since first use:

200 in

Ques. 11. Describe all other water rights appurtenant to same place of use:

none other than cullingery well

(sign)

Bryson Tilly

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

Brunear, County of Cuyahoga

State of Idaho, on this 17 day of February, A.D. 1965.

Sam J. Hally
Notary Public

My Commission expires: Jan 9, 1969

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. C28462

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

DEPOSITION OF WITNESS

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

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

Martin D Beaudryer 21 Breunau Idaho
farm labor

Ques. 2. Are you acquainted with Byron Lilby, the holder of
Permit No. C28462? How long have you known him and where does he reside:

Two years Breunau

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

Ques. 4. State source of water supply: Well

State place of diversion: S.E. 1/4 SW 1/4 Section 14 T 7S, R 43 B.M.

Describe works for conveying water to place of use: Lateral Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 320 inches How much water have you seen being so
conveyed: 320 inches

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

S.E. 1/4 40 acres N.E. 1/4 ~~35~~ NW 1/4 35 acres

Ques. 7. If for power or other purposes than irrigation, state how water has been used.

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

Sandy Loam $\frac{5}{8}$ inch per acre

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

Ques. 10. When did you first see this water used: 1964

Other times you have seen such use: all summer 1964

(Signed)

Martin J. Beaudryer

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 Bruneau

County of Owyhee, State of Idaho, on this 17 day of February, A. D., 1965.

Sam O. Jubb

Notary Public for State of Idaho

Residing: Bruneau Idaho

My commission expires: Jan 9, 1969

RECEIVED
JUN 18 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28462

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

DEPOSITION OF WITNESS

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

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

Frank Millet 36 Bruner Idaho
Farmer & Buckup

Ques. 2. Are you acquainted with Byron Tilley, the holder of
Permit No. G-28462? How long have you known him and where does he reside:

Three Year — Bruner Idaho

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

Ques. 4. State source of water supply: Well
State place of diversion: S.E. 1/4 S.W. 1/4 Section 14 T.75 R.4E. B.M.
Describe works for conveying water to place of use: Lateral Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 320 inches How much water have you seen being so
conveyed: 320 inches

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:
S.E. 1/4 40 acres N.E. 1/4 N.W. 1/4 35 acres -

Ques. 7. If for power or other purposes than irrigation, state how water has been used.

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

Sandy Loam; $\frac{1}{2}$ inch per Acre

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

Ques. 10. When did you first see this water used: 1964

Other times you have seen such use: All Summer 1964

(Signed)

Frank Miller

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 Brunson

 , County of Cuyahue, State of Idaho, on this 17 day of February,
A. D., 1965.

Sam E. Noble

Notary Public for State of Idaho

Residing: Brunson Idaho

My commission expires: Jan, 9, 1969

RECEIVED

JAN 11 1965

Department of Reclamation

Bureau of Reclamation
Jan 8 - 1965

Department of Reclamation

Bureau of Reclamation

Dear Sir,

Will you please change the name
on my application for approval
on the water to Sam Noble as the
water.

Sincerely Yours,
Byron Tilly

28462

THE OWYHEE CHRONICLE

PHONE 337-3581

PUBLISHING
PRINTING
ADVERTISING

EVERETT A. COLLEY, PUBLISHER

20 EAST IDAHO AVENUE
HOMEDALE, IDAHO

Jan. 7, 1965

State of Idaho
Dept. of Reclamation
107 State House
Boise, Idaho 83701

JAN 8 1965
Department of Reclamation

Dear Mr. Tappan;

This is to acknowledge receipt of Notice for Publication on Permit No. G-28462 (Byron Tilby, Bruneau, Idaho). A clipping of the first insertion of this legal notice is attached for your convenience in checking.

Mr. Tilby will be billed for the cost of the publication and the Affidavit of Publication will be mailed to him according to your instructions.

Sincerely,

THE OWYHEE CHRONICLE

By

Everett S. Colley
(Mrs. Everett Colley)

28462

January 7, 1965

C
O
P
Y
RE: Permit No. G-28462

Byron Tilby
Bruneau, Idaho

Dear Mr. Tilby:

In your notice for publication you named James Noble as Notary before whom you would appear on February 17, 1965 to make your proofs.

Our letter which we mailed to him was returned to us with the notation "unknown". I learned there is no record of a Notary by the name of James Noble but there is a Notary by the name of Sam O. Noble, Bruneau, Idaho. Is it possible that you have named the wrong Notary? Please advise us by return mail and at the same time telephone the Owyhee Chronicle and give them the correct name of the Notary.

Very truly yours,

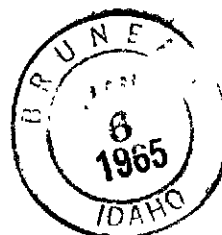
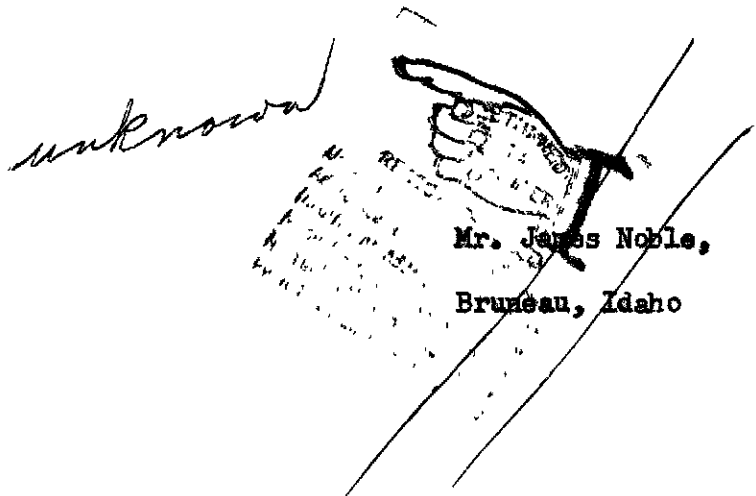
CARL E. TAPPAN
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:er

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
ROOM 107, STATE HOUSE
BOISE, IDAHO



28462

Re: Permit No. G-28462
Byron Tilby

January 5, 1965

Mr. Byron Tilby,
Brunson, Idaho.

Dear Mr. Tilby:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-28462. The proofs are to be made at 2:00 o'clock P.M., on the 17th day of February, 1965, before James Noble, Brunson, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28462

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2 P. M., on the 17th day of February 1965, at Bruneau, County of Owyhee, State of Idaho, before James Noble, Notary Public, at (address) Bruneau, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28462, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Byron Tilby, Bruneau, Idaho
2. 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 conveying to the place of use is 4.0 cubic feet per second.
3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.0 cubic feet per second.
4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 7 S., R. 4 E., B. M.
5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 7 S., R. 4 E., B. M.
6. The date of priority which said user is prepared to establish is Feb. 16, 1960

CARL E. TAPPAN

State Reclamation Engineer

28462

Re: Permit No. G-28462
Byron Tilby

Date: Jan. 5, 1965

Owyhee Chronicle,
Homedale, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to February 17, 1965 the date set for proof; the expense of the publication is to be paid by the applicant Byron Tilby of Bruneau, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

Re: Permit No. G-28462
Byron Tilby

January 5, 1965

Mr. Byron Tilby,
Bruneau, Idaho.

Dear Mr. Tilby:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-28462. The proofs are to be made at 2:00 o'clock P.M., on the 17th day of February, 1965, before James Noble, Bruneau, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. PAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:prk
cc: Notary

28462

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28462

Dec. 1, 1964

Byron Tilby
Bruneau, Idaho

Dear Mr. Tilby:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-28462 are due not later than Feb. 17, 1965

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures Form 36 and 11

28' 462

August 6, 1962

Re: Permit No. G-28462
Byron Tilby

Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

Enclosed are two copies of Application for Amendment
to the point of diversion, issued on the above numbered permit in
the name of Byron Tilby.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hale
Chief Clerk

EPR:sw

Enc. two copies amendment

cc: Byron Tilby
Bureau, Idaho

28462

June 7, 1962

Re: Permit No. G-28462

Mr. Byron Tilby
Brunoau, Idaho

Dear Mr. Tilby:

Enclosed is the Application for Amendment to the point of diversion issued on Permit No. G-28462, which has been recorded in this office.

Departmental Receipt No. G-7003 was handed to you when you were in this office for the \$1.00 recording fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. application for
amendment

28462

RECEIVED

JUN 1 1962

Department of Reclamation

Bruneau Idaho.

May 30 1962

Department of Reclamation

Bruneau Idaho.

Dear Sirs

Will you please change
my address to this address.

Sincerely Yours.

Byron Tilly

Bruneau Idaho.

9-28462

28462

Application for Amendment

POINT OF DIVERSION

Permit No. G-28462

Comes now Byron Tilby and represent s to the State Reclamation Engineer of the State of Idaho:

That he is (~~xxx~~) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28462.

That the point of diversion is described in said Permit as being located:

NE 1/4 Sec. 14., Twp. 7 S., Rge. 4 E.B.M.

That he now requests that the point of diversion be changed to a point located: SE 1/4 Sec. 14., Twp. 7 S., Rge. 4 E.B.M.

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

~~It is so much cheaper as it will be gravity flow from this point and from~~

~~the other point of diversion it would call for pressure for a sprinkling system.~~

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

Signed at Rise, Idaho, this 29 day of May, 1962.

Byron Tilby

Date of Receipt at Department of Reclamation May 29, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

RALPH W. THOMAS, Deputy

I, JOHN W. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28462. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 100 of
Permits, at Page 28462
June 7, 1962

Deputy
State Reclamation Engineer



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

LO: CEX
Idem: 011338

MAR 19 1962

NOTICE OF ALLOWANCE

Byron Silby
Box 26
Bailey, Idaho

Dear Sir,

Your Desert Land Entry, Serial No. 1440 01330,
Receipt No. 836490, for 8.5NE1, W3SE1, E4E1,
_____, Section 11,
Township 7 S, Range 4 E, Boise Meridian, Idaho,
containing 12 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which may require the
reservation of all oil and gas deposits in the United States.

SECRET, WASHINGTON, Dec 14, 1945, R. A. G., subject to Class
SECRET, WASHINGTON, Dec 14, 1945, R. A. G., subject to Class

Sincerely yours,

DE I-1
 LAM
 State Information

Michael H. Sloan

Land Office Manager

March 8, 1960

Re: Permit No. G-28462
Byron Tilby

Bureau of Land Management,
P. O. Box 2237,
Boise, Idaho.

Gentlemen:

We enclose two copies of Permit No. G-28462, one of which has been certified, to be used in connection with Desert Land Entry filed in your office by permit holder, Byron Tilby, of Route #1, New Plymouth, Idaho.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
KFR:pmk
cc: Byron Tilby

28462

March 8, 1960

Re: Permit No. G-28462

Mr. Byron Tilby,
Route #1,
New Plymouth, Idaho.

Dear Mr. Tilby:

We enclose Permit No. G-28462 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management, two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

We also enclose Departmental Receipt No. G-4637 which was issued covering payment in the amount of \$7.75, which includes \$5.75 for the filing fee and \$2.00 for the copies sent to the Bureau of Land Management.

- Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

28462

NAME OF APPLICANT Byron Tilby

Form No. 0

R 4 E

Well 

T
7
S

Permit Map No. ⁹7-28462
As Approved
GEO. N. CARTER
State Reclamation Engineer

FEB 17 1960

Dear Sir,

This is to inform you of
our change of address, to Busley
Idaho. General Delivery.

RECEIVED

JAN 9 1961

Department of Reclamation

Thank you

Byron Tilly
Busley Idaho
Gen Del.

9-25462

25462

Sydney J. J. J.
Burley Idaho.
Gen Del.



THIS SIDE OF CARD IS FOR ADDRESS



Department of Reclamation.
Room 107 State House
Boise, Idaho

28462

PUBLIC NOTICE

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

Notice is hereby given that at 2 P M, on the 17th day of February 1965, at Bruneau, County of Owyhee, State of Idaho, before James Noble, Notary Public, at Bruneau, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No G-28462, heretofore issued by the Department of Reclamation of the State of Idaho.

1 The name and postoffice address of the person or corporation holding said permit is Byron Tilby, Bruneau, Idaho.

2 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 conveying to the place of use is 4.0 cubic feet per second

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.0 cubic feet per second

4 The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 7 S, R. 4 E, B M

5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T 7 S, R. 4 E, B M.

6. The date of priority which said user is prepared to establish is Feb 16, 1960.

CARL E TAPPAN,
State Reclamation
Engineer.