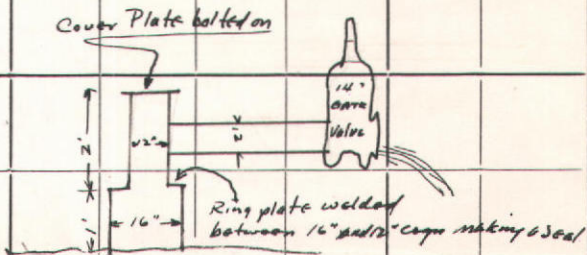


$\frac{2}{3} \cdot .185$
 $27 \cdot .000$
 $\frac{2}{2} \cdot .30$
 $\frac{2}{2} \cdot .10$
 1.40
 $\frac{135}{5}$

$\frac{5}{9} \cdot .185$
 $\frac{1}{1} \cdot .185$
 1.233 inch
 $\frac{10}{10}$
 $.02466$ cts.

D = Snake River # 30089 - Dean
 L = " " 30090 - Lloyd
 J = " " 31563 - Jeanne
 B = " " 31564 - Beverly

R-5E.



T.
6
S.

13

18

17

TO BRUNEAU

Garden

P.D.

P.D.

19

Subdivisions

AREA

Q = .02 cfs or inch

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
OCT 5 1964

Department of Reclamation

Dean E. Call, M. D. 67-
5110 Cherokee 118 232-4721
Pocatello, Idaho 232-8052
Permit No. G-26382

Completion of Works
Examination for ~~and Beneficial Use~~

County Owyhee

Sec. 18 T. 6S R. 5E

Quantity: 6.4 a.f.s.

Source: Well

P.D.: SE, SW, Sec. 18, T. 6 S. - R. 5 E BN

Use: Irrigation & Domestic

Filed: June 1, 1956

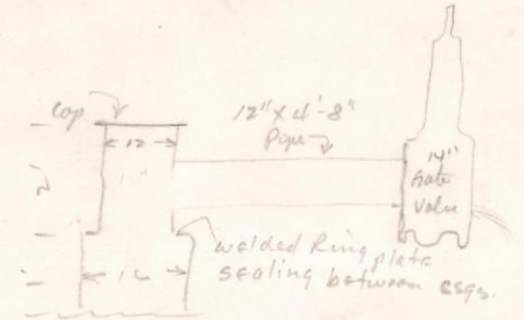
Due: June 4, 1961

Extension: _____

Completion of Works: _____

Other Rights: none

16" csg. reduced to 12" TEE
Top Capped



No irrigation from well
Ground is all cleared
and plowed
No evidence of water
having been used.

10/63 Is being irrigated from
river. 1958 30089 30090
Sec. Permit 31563 - 31564

9/23/64
Irrigating 250' x 30' garden
10 gal 68 sec. full flow of well
Temp 109 1/2° F = Q = 8.76 GPM

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

NOTICE IS hereby given that at 10:00 A. M., on the 23rd day of June 1961, at Pocatello, County of Bannock State of Idaho, before Jayson C. Holladay Notary Public, at 836 E. Center, Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-26382, 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 Dean E. Call, 5110 Cherokee, Pocatello, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is for irrigation and domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 18, Township 6 South, Range 5, E.B.M., in the County of Owyhee, State of Idaho.

5. The place where said water is used is upon desert land entry No. Idaho 07307, The S $\frac{1}{2}$ of the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, Lot 3, SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 18, T. 6 South, Range 5 E.B.M., Idaho, containing 322.34 acres, more or less.

6. The date of priority which said user is prepared to establish is June 1, 1956.

GEO. N. CARTER
State Reclamation Engineer
5-25-4

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF OWYHEE

} ss.

I, Everett A. Colley, 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 printer of ~~the 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):

May 25, 1961

June 1, 1961

June 8, 1961

June 15, 1961

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 15th day of June, A. D., 1961

Quasi Echevarria

Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires 3/21, 1963

B26382

4-279

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

LO:NFK

Idaho 07307

RECEIVED
NOV 7 1956

Department of Reclamation
NOTICE OF ALLOWANCE

November 5, 1956

(Date)

Mr. Guy Cushman

215 South Birch

Blackfoot, Idaho

Sir:

Your Desert Land Entry, Serial No. Idaho 07307
(Kind of application or entry)

Receipt No. 375123, for S¹/₂NE¹/₄, N¹/₂SE¹/₄E¹/₂SW¹/₄
SE¹/₄NW¹/₄, Lot 3,
SE¹/₄SW¹/₄, Section 18

Township 6 S., Range 5 E., Boise Meridian,
containing 322.34 acres, has this day been allowed, subject to
your further compliance with law and regulations applicable thereto.

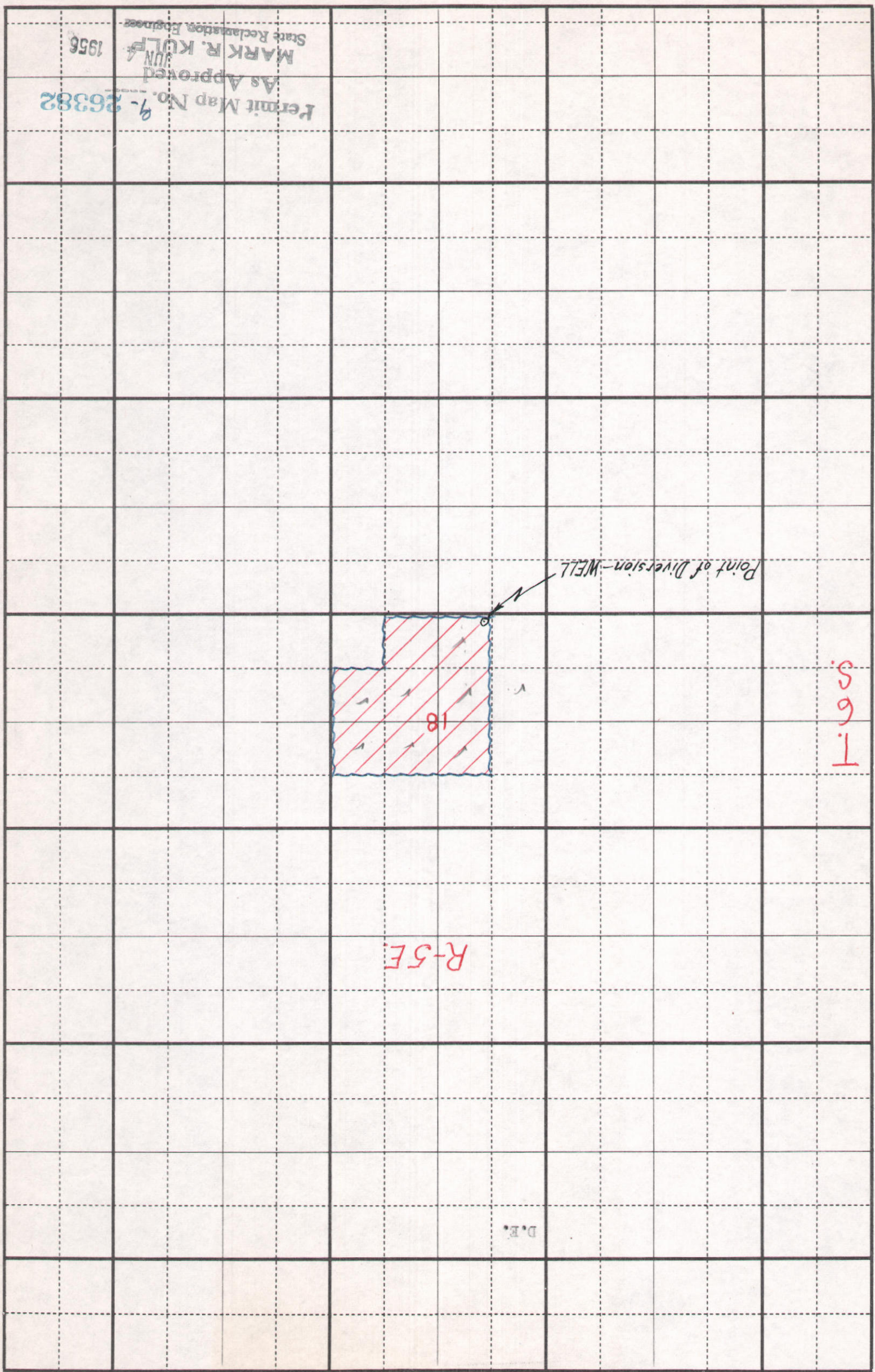
In correspondence relating to this entry, always refer to the serial
number. The above entry is allowed, subject to any valid existing
rights. The NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, and Lot 3 are subject to a right-of-way
for the Idaho State Department of Highways.

Very respectfully,

Nolan F. Keil
Nolan F. Keil
Manager

cc: DRM, I-1
R.M.
State Recl. Engr., Boise
Lands Officer, Boise

26382



State of Idaho
License and Certificate of Water Right

Water License No. G-26382

Amount 0.02 c.f.s.

Water District No.

Priority June 1, 1956

THIS IS TO CERTIFY that GUY CUSHMAN - Assignee - DEAN E. CALL
of Blackfoot, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 1, 1956; that Permit No. G-26382
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.02 second feet, was issued thereunder on October 21, 1964, showing that said works
were completed on the 23rd day of June, 1961; and that on the 23rd
day of June, 1961,

DEAN E. CALL

of Pocatello, 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 domestic use and irri-
gation, under Use Permit No. G-26382 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 8031, on the 21st day of October, 1964;
The right hereby confirmed dates from June 1, 1956;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 18, Tp. 6 S., R. 5 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 0.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	5 E.	18	SE 1/4 SW 1/4	40	1

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
21st day of October, 1964.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

51 2140

51-2140

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34279
Permit No. G-26382
District No.

Guy Cushman
Box 686
Blackfoot, Idaho

1. Name of Applicant: GUY CUSHMAN
Postoffice address: Box 686, Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed: 320 inches
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches 320 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well.
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18
Twp. 6 S. , Rge. 5 E. , B.M., County of Owyhee
5. Water is to be used for: Irrigation and Domestic
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Artesian well and ditches.
8. Estimated cost of works: \$ 15,000.00
9. (a) Is reservoir to be used?
(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) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: This filing is in connection with a Desert Land Entry # _____, filed with the Bureau of Land Management, Boise, Idaho.

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.

GUY CUSHMAN Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 4:15 P. M. June 1, 1956.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26382

Recorded in Book 93 Page 26382 Approved June 4, 1956,

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

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

Work to begin on or before August 4, 1956, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 4, 1958,

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before June 4, 1961,

Witness my hand this 4th day of June, 1956.

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th day of June, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG
Secretary of State.

By ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 S.	5 E.	18	40	40			40				40				40	40	40		320

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-26382

Comes now Guy Cushman, 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-26382, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: S 1/2 NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4 all in Sec. 18, Twp. 6 S., Rge. 5 E., B. M. making a total of 320 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 6th day of July, 1956.

GUY CUSHMAN

Date of receipt at office of Department of Reclamation July 6, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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-26382. 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.

MARK R. KULP
State Reclamation Engineer

A S S I G N M E N T ✓

KNOW ALL MEN BY THESE PRESENTS that:

WHEREAS, ... The undersigned, joined therein by his wife, Emma Cushman, as assignors, do hereby sell, assign, transfer and set over to the assignee, DEAN E. CALL, of Pocatello, Idaho, all of our right, title and interest in and to that certain application and approval of the State Reclamation Engineer, and Permit No. G-26382, issued by Mark R. Kulp, State Reclamation Engineer on the 4th day of June, 1956, together with any rights, incidents and obligations thereto, and we hereby relinquish unto the assignee all of our claim in and to said Permit

Dated this 4th day of April, 1960

/s/ Guy Cushman

/s/ Emma Cushman

STATE OF IDAHO)
 : ss.
COUNTY OF BANNOCK }

On this 4th day of April, 1960, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Guy Cushman and Emma Cushman, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

/s/ Jayson C. Holladay
Notary Public for Idaho
Residing at Pocatello, Idaho

(SEAL)

Permit No. G-26382
CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that GUY CUSHMAN - Assignee - DEAN E. CALL of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. G-26382, issued upon Application No. G-34279 bearing date of priority of June 1, 1956, authorizing the diversion of 6.4 second feet of waters of a well County of Owyhee, 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 0.02 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 6 S., R. 5 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 6 S., R. 5 E., B.M.

Witness my hand this 21st day of October, A. D. 1964.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: June 23, 1961

LICENSE ISSUED FOR 0.02 SEC. FT.
LICENSE PAGE NO. 8031

October 21, 1964

RE: Permit No. G-26382

Dean E. Call, M. D.
5110 Cherokee
Pocatello, Idaho

Dear Dr. Call:

Enclosed are the Certificate of Completion of Works and License
and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-8952 in the amount
of \$7.00 covering the fees.

Very truly yours,

CARL E. TARPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
certificate
receipt

26382

500 - July 8, 1964

October 7, 1964

RE: Permit No. G-26382

Dean E. Call, M. D.
5110 Cherokee
Pocatello, Idaho

Dear Dr. Call:

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-26382 shows the well is (~~200~~) capable of conveying 1 miner's inches, or 0.02 c.f.s. of water for the irrigation of 1 acre~~3~~.

Upon receipt of the statutory fees, totaling \$ 7.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of June 1, 1956 , to the use of 0.02 second feet of subterranean water with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18 for domestic use and irrigation of 1 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 6 S., R. 5 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Bule
Chief Clerk

EPR:mr

26382

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26382

Dean E. Call, M. D.
5110 Cherokee
Pocatello, Idaho

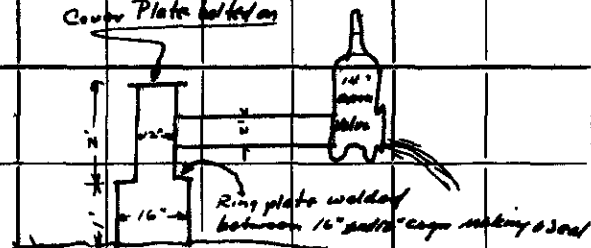
REPORT ON PROOF OF Completion of Works & Beneficial Use

$\frac{1}{8}$.185
 27 5.000
 2 30
 2 1.6
 140
 135
 5

.125
 60
 911 12330
 1.233
 107
 .62466 cts.

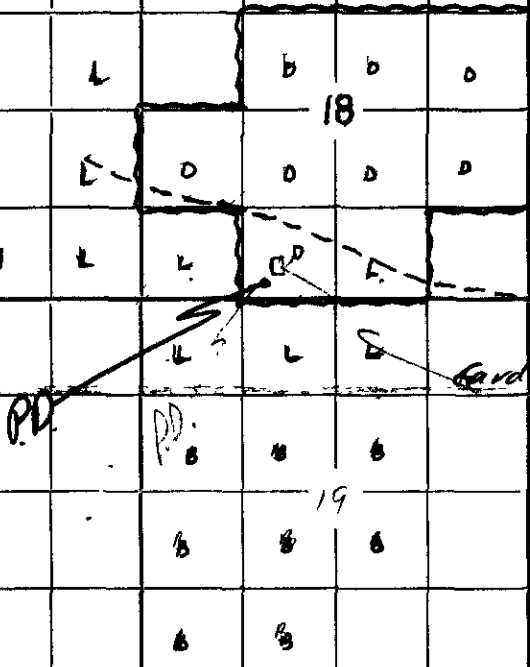
D = Snake River
 L = " "
 J = " "
 B = " "
 30.089 - Down
 30.090 - Long
 31.563 - Jean
 31.564 - Beverly

Center Plate bolted on



R-5E.

T. 6 S.



Subdivisions 1

Area 1

Q = .02 cfs or inch

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26382

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

1. Name of applicant: Dean E. Call, M. D., 5110 Cherokee, Pocatello, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 18

T. 6 S. R. 5 E. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Artesian Well

2900' deep, graduating down in size from 14"-12" to 8" at bottom of well.
12" casing extends through 16" casing on top of ground. - 16" casg extends 1' above
ground. 12" casg extends 2' through 16" casg with 12" Tee - 4'-8" long extending
N.W. with a 14" gate valve at end of pipe, discharging into small swale.
12" vertical casg has cap bolted on top. Well can be controlled. The
12" casg and 16" casg is sealed above ground level.
5. Water is used for: irrigation and domestic

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):

SE 1/4, NE 1/4, SW 1/4, NW 1/4, Sec. 18, T. 6 S., R. 5 E., B. M.

9/23/64 - small garden .15 acres in SE 1/4 Sec. 18.

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

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

Remarks: No one around. (4-17-63) (9-23-64)

30089 30090
See Plat # (31563 - 31567) - (1/4 Sec. 18)

4/17/63 Temp. 112°F Flowing. Spd. 27 sec. = $Q = 11.16 \text{ cfm} = .0247 \text{ cfs or } 1.62 \text{ inches}$

Water is flowing into ditch away from garden plot - westing. 9/23/64

This examination was made on the 17 day of April, 1963

Reinspected } Water has been used to (Signed) Larry Johnson Examiner.
9/23/64 } irrigate a garden. 50' wide x 130' long. = .15 ac
Temp 109 1/2°F $Q = 1091 - 68 \text{ sec} = 8.76 \text{ cfm} = .175 \text{ cfs or } .02 \text{ cfs or } 1 \text{ inch}$ 26382

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
OCT 5 1964

Department of Reclamation

Dean E. Call, M. D. 67-
5110 Cherokee 78 282-4722
Pocatello, Idaho 282-8052
Permit No. 9-26382

Completion of Works
Examination for and Beneficial Use

County Owyhee

Sec. 18 T. 68 R. 58

Quantity: 1.00 Acre

Source: 1.00

P.D.: SE 1/4 Sec. 18, T. 68, R. 58

Use: 1.00

Filed: Jan 1, 1961

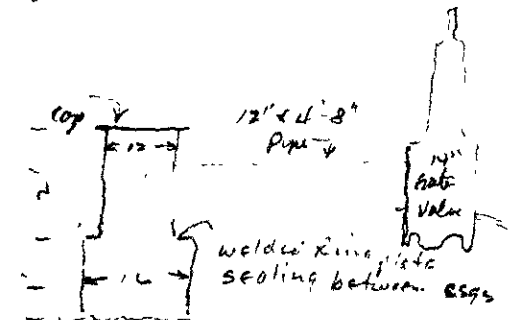
Due: Jan 1, 1961

Extension: _____

Completion of Works: _____

Other Rights: _____

16" Csg reduced to 12" TEE
Top Copied



No irrigation from well
Ground is all cleared
and plowed

No evidence of water
having been used.
Is being irrigated from
road - 1.00 Acre 30084 30090
See Permit 31563 - 31564
10 gal 10 sec min. shut of well.
Temp 109 1/2° F = Q = 3.76 GPM

August 22, 1961

Re: Permit No. 0-26382

Dean E. Call, M. D.
5110 Cherokee
Pocatello, Idaho

Dear Mr. Call:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the The Owyhee Chronicle, all submitted in proof of completion of works and beneficial use on Permit No.

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:

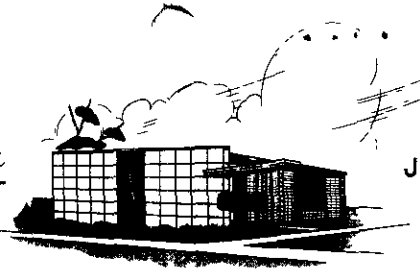
(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Jayson Holladay
Attorney at Law
836 E. Center
Pocatello, Idaho

026382

Law Offices



JAYSON HOLLADAY

ATTORNEY

836 EAST CENTER · POCATELLO, IDAHO

RECEIVED

AUG 16 1961

Department of Reclamation

15 AUGUST 1961

MR. GEORGE N. CARTER
STATE RECLAMATION ENGINEER
DEPARTMENT OF RECLAMATION
STATE OF IDAHO
BOISE, IDAHO

RE: PERMIT G-26382 (DEAN E. CALL)

DEAR MR. CARTER:

THANK YOU FOR YOUR ASSISTANCE IN HELPING TO LOCATE THE AFFIDAVIT OF PUBLICATION OF "NOTICE OF PROOF OF COMPLETION OF WORKS."

I AM ENCLOSING AT THIS TIME THE FOLLOWING:

- (1) AFFIDAVIT OF PUBLICATION (MADE BY THE OWYNEE CHRONICLE)
- (2) DEPOSITION OF HOLDER
- (3) DEPOSITION OF WITNESS #1
- (4) DEPOSITION OF WITNESS #2

PART OF THE DELAY WAS, OF COURSE, OCCASIONED BY THE PAPER FAILING TO FURNISH THE AFFIDAVIT.

AFTER THAT WAS RECEIVED, HOWEVER, DR. CALL HAD THESE ENCLOSURES TO SUBMIT, BUT HIS FATHER (WHO PRACTICES MEDICINE HERE IN POCATELLO) BECAME SERIOUSLY ILL AND HAD TO RETIRE FROM THE PRACTICE AND IT PLACED AN UNEXPECTED AND SUDDEN BURDEN UPON THE PERMITEE, ABOVE-NAMED.

SINCE COMMENCING THIS LETTER, I AM ADVISED THAT EITHER DR. CALL OR HIS BROTHER INTEND TO TRAVEL TO BOISE TO SEE YOU TOMORROW, SO THEY WILL BEING THIS LETTER PERSONALLY, TOGETHER WITH THE ENCLOSURES.

THEY ALSO HAVE APPLICATIONS TO SUBMIT TO YOU RELATIVE TO APPLYING FOR WATERS OF THE STATE OF IDAHO, FROM THE STRIKE RESERVOIR, BY REASON OF THE FACT THAT THEIR SUBTERRANEAN WELL PRODUCES INSUFFICIENT WATER TO ADEQUATELY IRRIGATE THE DESERT ENTRY INVOLVED.

THEREFORE, THE APPLICANT WILL CONSULT WITH YOU PERSONALLY SOMETIME ON THE 16TH. THANK YOU AGAIN FOR YOUR COURTESIES.

RESPECTFULLY,

JAYSON HOLLADAY

JM

ENCLS:

- #1--AFFIDAVIT OF PUBLICATION
- #2--DEPOSITION OF HOLDER
- #3--DEPOSITION OF WITNESS
- #4--DEPOSITION OF WITNESS
- #5--APPLICATIONS FOR PERMIT TO APPROPRIATE WATER FROM STRIKE RESERVOIR

26382

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 18 1961
Department of Reclamation

Permit No. G-26382

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.

Ans. Dean E. Call, M.D., 5110 Cherokee, Pocatello, Idaho
Physician-Surgeon

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. Not applicable

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

Ans. G-26382; June 4, 1956; June 4, 1956; (applicant obtained this permit by assignment dated April 4, 1960, from Guy Cushman)

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

Ans. Subterranean flow from a well; the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 6 South, Range 5, E.B.M., Owyhee County, State of Idaho

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

Ans. This is an artesian well 2900 feet in depth, casing varying from 12 in. to 8 in., and depth to water approximately 2900 feet. A pump is not used by reason of the fact that it is an artesian well. The water is to be used for both culinary purposes and irrigation purposes.

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. For irrigation and culinary purposes; to be used upon Desert Land Entry #Idaho 07307, involving irrigation of the following property: The SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 6 S., R. 5, E.B.M., Idaho, containing 327.34 acres, more or less. The number of acres in each subdivision that have actually been irrigated with said water are as follows:

Cultivated land, and improvements made as a result of said use:

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

Ans. Harold A. Steiner, Pocatello, Idaho

26282

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

Ans. The only purpose to which the water will be put other than irrigation is for culinary purposes.

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

Ans. 15 miner inches.

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. By written assignment from Guy Cushman

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

Ans. The water has been used to a limited extent, although a plan for the complete use has been completed and awaits the completion of Proof of Desert Entry

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 at the present time.

(Sign)

Alan E. Cull

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 Pocatello, County of Bannock,

State of Idaho, on this 23rd day of June, A. D. 1961

Jayson C. Holladay
Jayson C. Holladay
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho

My commission expires Apr. 22, 1963

826282

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

AUG 12 1931
 Department of Reclamation

Permit No. G-26382

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.

Ans. Leslie Ballif - 60 years, Civil Engineer
Box 1052, Pocatello, Idaho Legal age

Ques. 2. Are you acquainted with Dean E. Call, M.D., the holder of Permit No. G-26382? How long have you known him and where does he reside?

Ans. Yes: 3 years: at 5111 Cherokee, Pocatello, Idaho

Ques. 3. Have you read or heard read said Permit No. G-26382, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean flow from a well; The SE 1/4 SW 1/4 of Section 18
Township 6 South, Range 5, E.B.M., Owyhee County, State of Idaho;

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. The Well Driller estimated a flow of 15 inches

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Artesian Well
(No Pumping System)

G26382

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Gardening, house, culinary, watering stock, and irrigating
approximately five acres of garden.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. See preceding paragraph

Ques. 9. (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. Desert Land, per desert entry.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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. None

(Signed)

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 Locatello
County of Pannock, State of Idaho, on this 23 day of June
A. D. 1961.

Jayson C. Holladay
Notary Public.

My commission expires April 20, 1963

P26382

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-26382

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.

Ans. LLOYD S. CALL, M.D., AGE 40,

Ques. 2. Are you acquainted with Dean E. Call, M.D., the holder of Permit No. G-26382? How long have you known him and where does he reside?

Ans. Yes: 40 years; at 5110 Cherokee, Pocatello, Idaho

Ques. 3. Have you read or heard read said Permit No. G-26382, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean flow from a well; The SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 6 South, Range 5, T.B.M., Cuyahoga County, State of Idaho;

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. Estimate a flow of around 15 miner inches

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Artesian Well (No pumping necessary)

826382

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Gardening, house, culinary, watering stock, and
irrigating approximately 5 acres garden.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. See preceding paragraph

Ques. 9. (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. Desert Land, per desert entry.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Yes: participation agreement with the permittee whereby both parties may use the well for culinary and irrigation purposes

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have witnessed the works on 4 or 5 occasions, as I have
an interest in the well, as described above.

(Signed)

Walter S. Ball

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 Pocatello,
County of Bannock, State of Idaho, on this 23 day of June,
A. D. 1961.

Jason C. Hill
Notary Public.

My commission expires April 23, 1963

26382

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF OWYHEE

} ss.

AUG 16
Department of Reclamation

I, Everett A. Colley, 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 printer ~~owner~~ 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):

May 25, 1961

June 1, 1961

June 8, 1961

June 15, 1961

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 15th day of June,
A. D., 1961

Miss Echeverri

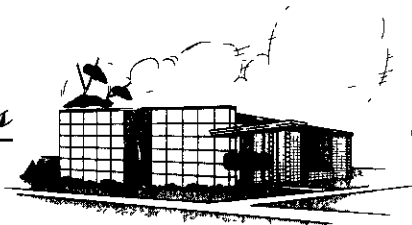
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires 3/21, 1963

B26382

Law Offices



JAYSON HOLLADAY *Department of Reclamation*
ATTORNEY
836 EAST CENTER • ROCATELLO, IDAHO

RECEIVED
JUL 30 1961

7 July 1961

Department of Reclamation
Reclamation Engineer
Boise, Idaho

Re: Permit #G-26382 (Dean E. Call)

Gentlemen:

I wrote you recently to advise that we had not received the Affidavit of Publication from the Owyhee Chronicle relative to the Notice of Proof of Completion of Works and Application of Water to Beneficial Use. The Chronicle overlooked mailing this Affidavit and promises to place the same in the mail to me today.

I understand that you want this submitted simultaneously with the deposition of the applicant and his two witnesses. Assuming I receive the Affidavit of Publication in the mail in a day or two, we will submit that Affidavit to you together with the Proof or deposition of Dean E. Call and his two witnesses.

Respectfully,

Jayson Holladay

jm

B26382

R1

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

May 22, 1961

Re: Permit No. G-26382
Dean E. Call

Mr. Jayson Holladay,
Attorney at Law,
836 East Center,
Pocatello, Idaho.

Dear Mr. Holladay:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26382, in the name of Dean E. Call. Final Proof is to be made before you, as Notary on the 23rd day of June, 1961, ~~1960~~, at 10:00 o'clock A.M., at 836 E. Center, Idaho.
Pocatello,

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Stallings~~ ^{Rule}
Chief Clerk

Encl.

EPR:Pk
cc: Applicant

P.S. Making proofs of Completion of Works and Beneficial Use a few days late will not change the date of priority under your permit.

826382

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26382
Dean E. Call

Date: May 22, 1961

Owyhee Chronicle,
Homedale, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **June 23, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

Dean E. Call of **5110 Cherokee, Pocatello, Idaho**
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

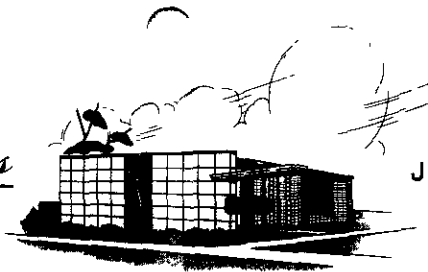

GEO. N. CARTER
State Reclamation Engineer

** 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

Encl.

826382

Law Offices



JAYSON HOLLADAY Department of Reclamation
ATTORNEY

836 EAST CENTER · POCATELLO, IDAHO

21 April 1961

MAY 17 1961

Department of Reclamation

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

Re: Permit No. G-26382

Dear Mr. Carter:

Thank you for your recent letter pertaining to Permit G-26382 which was assigned to Dean E. Call, the applicant herein, by Mr. Cushman some months ago.

Pursuant to your letter, we are enclosing:

1. Notice of Proof of Completion of Works and Application of Water to Beneficial Use, and
2. Authorization to publish notice of proof.

I understand that you publish notice in the county in which the works are situated, so it is my understanding that the Owyhee Chronicle, at Homedale, Idaho, is likely to give good and sufficient notice of the completion of works in Owyhee County. We understand, of course, that the publication will be at the expense of the permit holder, Mr. Dean E. Call. Thank you kindly.

Respectfully,

Jayson Holladay

jm

Encl.

826382

U. S. Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED

Department of Reclamation

(Date) April 21, 1961

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Owyhee Chronicle of Homedale, Idaho published in

the county in which the works are situated.

Dean E. Call
Dean E. Call

(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.

B26382

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

Notice is hereby given that at 10:00 a. M., on the 23rd day of June 19 61, at Pocatello, County of Bannock, State of Idaho, before Jayson C. Holladay, Notary Public, at (address) 836 E. Center, Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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. G26382, 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 Dean E. Call, 5110 Cherokee, Pocatello, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is for irrigation, domestic & culinary purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 6 South, Range 5, E.B.M., in the county of Owyhee, State of Idaho

5. The place where said water is used is upon desert land entry #Idaho 07307; The S $\frac{1}{2}$ of the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, Lot 3, SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 18, T. 6 South, Range 5, E.B.M. Idaho, containing 322.34 acres, more or less.

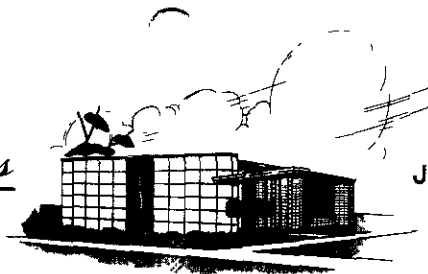
6. The date of priority which said user is prepared to establish is June 1, 1956

GEO. N. CARTER

State Reclamation Engineer

B26382

Law Offices



JAYSON HOLLADAY
ATTORNEY

836 EAST CENTER • POCATELLO, IDAHO

19 May 1961

RECEIVED
MAY 22 1961

Department of Reclamation
State Reclamation Engineer
Boise, Idaho

Department of Reclamation

ATTENTION: Ralph W. Thomas

Re : Permit No. G-26382, Dean E. Call

Dear Mr. Thomas:

Thank you for your letter of May 17. You were certainly correct in your assumption that the place of diversion was the SE $\frac{1}{4}$ NW $\frac{1}{4}$.

With respect to the cubic feet per second of underground water, we transmitted the notice to Dean Call and he apparently omitted to insert 6.4 cubic feet in items 2 and 3, but he did indicate that proof would be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water.

I have indicated as a time and place for the submission of proof as 10:00 a.m. on the 23rd day of June, 1961. Because of the fact that the statute requires that this be published in a newspaper in the county in which the major portion of the land is situated for a period of four weeks, I do not see how we can set any different date, as the newspaper in Owyhee County is a weekly and if you should get the notice to the Owyhee Chronicle sometime during this coming week, we could not possibly have the hearing before the 23rd day of June and still satisfy the statutory publication period.

→ Do you know of any good reason why the fact that the date of priority is June 4, 1956, would in any way affect the validity of the submission of the proof when, in fact, a date of June 23 in the notice actually is projected beyond the five year period from June 4, 1956, the date of priority claimed?

Respectfully,

Jayson Holladay

Jayson Holladay

jm

Enc 1.

826382

May 17, 1961

Re: Permit No. G-26382
Dean E. Call

Jayson Holladay
Attorney at Law
836 East Center
Pocatello, Idaho

Dear Mr. Holladay:

Returned herewith are the ~~two~~ Forms 36 and 11 you submitted.

There is probably an error in the place of use of the water. SW1/4, Sec. 18, is shown whereas the permit and our copy of the notice of allowance of the Desert Entry shows SE1/4, Section 18. Kindly correct any error.

In case the Form 36 is correct, kindly complete an amendment to the land list and return with the forms enclosed.

You must complete the day and month on the first line of the notice, also the amount of water in Paragraphs 2 and 3.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

enc. Forms 36 and 11

26382

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: March 31, 1961

Re: Permit No. G- 26382

Dean E. Call

Jayson Holladay
836 East Center
Pocatello, Idaho

Dear Mr. Holladay:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G- 26382 are due not later than

~~June 1~~, 1961

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 that 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 of, or points of diversion; and the location of use of 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 Form 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,

GEO. N. CARTER

GEO. N. CARTER

State Reclamation Engineer

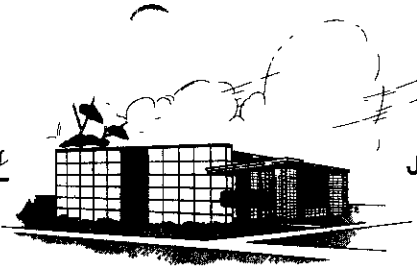
Enclosures

Forms 36 - 11

cc: Dean E. Call
Pocatello, Idaho

26382

Law Offices



JAYSON HOLLADAY
ATTORNEY

836 EAST CENTER • POCA TELLO, IDAHO

RECEIVED
APR 22 1960
Department of Reclamation

21 April 1960

State of Idaho
Department of Reclamation
State House
Boise, Idaho

ATTENTION: Edna P. Rule, Chief Clerk

Re: Permit #G-26382 - Dean E. Call

Dear Mrs. Rule:

Thank you very kindly for your letter of April 13, returning your departmental receipt and for advising that the assignment of this permit from Guy Cushman to Dean E. Call has been duly recorded in your office.

You returned both copies of the assignment to me, so unless I hear from you to the contrary, I will assume that you will not need one of these copies by virtue of the fact that the same has apparently been copied or recorded into your records.

Thanks again for your assistance on this matter.

Respectfully,

Jayson Holladay

jm

B26382

April 13, 1960

Re: Permit No. G-26382
Dean E. Call

Jayson Holladay
Attorney at Law
836 East Center
Pocatello, Idaho

Dear Mr. Holladay:

We enclose, herewith, the assignment of Permit No. G-26382
Guy Cushman to Dean E. Call, which has been duly recorded in this office.

We also enclose departmental receipt No. G-4756 in the
amount of \$0.50, covering the fee.

Very truly yours,

OEO. W. CARTER
State Reclamation Engineer

By:

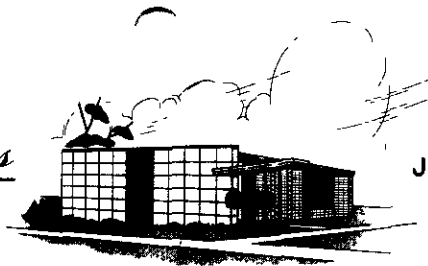
(Mrs.) Edna P. Hule
Chief Clerk

EPR:EW

Enc. assignment
receipt

826382

Law Offices



JAYSON HOLLADAY

ATTORNEY

836 EAST CENTER • POCATELLO, IDAHO

9 APRIL 1960

DEPARTMENT OF RECLAMATION
STATE OF IDAHO
STATE HOUSE
BOISE, IDAHO

RE: PERMIT #G-26382

ATTN: EDNA P. RULE

DEAR MRS. RULE:

FIRST, I APOLOGIZE FOR ADDRESSING YOU BY THE WRONG NAME IN MY RECENT LETTER. I DID NOT KNOW YOU HAD MARRIED.

THANK YOU FOR YOUR REPLY OF APRIL 8TH, AND FOR YOUR ACKNOWLEDGMENT OF A PROPER ASSIGNMENT FROM CUSHMAN TO CALL.

I AM ENCLOSING MY CHECK TO COVER THE FEE FOR RECORDING THE ASSIGNMENT.

I THANK YOU, TOO, FOR THE ASSURANCE THAT DEAN CALL MAY, IF NECESSARY, OBTAIN AN EXTENSION TO NOVEMBER 5, 1961 FOR HIS PROOF OF APPROPRIATION OF WATER. I UNDERSTAND THAT HE NOW HAS UNTIL JUNE 4TH OF 1961 TO PROVE UP ON THE WATER.

I APPRECIATE YOUR HELP.

BEST WISHES,

JAYSON HOLLADAY

JM

ENCL: CHECK

826382

April 8, 1960

RE: Permit No. G-26382
Guy Cushman

Jason Holladay
Attorney
836 East Center
Pocatello, Idaho

Dear Mr. Holladay:

We received the assignment of Permit No. G-26382 to Dean E. Call, Pocatello, Idaho which was properly signed by Mr. and Mrs. Cushman.

There is a \$0.50 fee for recording assignments of permits in this office. We believe Idaho Code 42-207 refers to sale of permits to develop power.

Desert Entry No. 07307 was allowed November 5, 1956, according to our records, and upon proper request of the permit holder, the time for the proofs can be extended to November 5, 1961.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

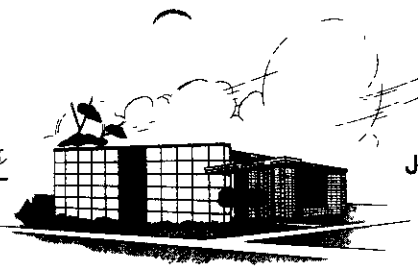
(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr

26382

PT

Law Offices



JAYSON HOLLADAY Department of Reclamation
ATTORNEY

836 EAST CENTER • POCA TELLO, IDAHO

RECEIVED
APR 8 1960

5 APRIL 1960

GEORGE N. CARTER
STATE RECLAMATION ENGINEER
DEPARTMENT OF RECLAMATION
STATE HOUSE
BOISE, IDAHO

RE: PERMIT G-26382 TO APPROPRIATE
SUBTERRANEAN WATERS (ISSUED TO
GUY CUSHMAN, BLACKFOOT, IDAHO)

ATTN: EDNA P. RUTLEDGE, CH. CLERK

DEAR MRS. RUTLEDGE:

ON JUNE 4, 1956, YOUR OFFICE ISSUED THE ABOVE PERMIT TO GUY CUSHMAN OF BLACKFOOT, IDAHO. HE INTENDED TO APPROPRIATE THE WATER FOR THE PURPOSE OF PROVING UP ON A DESERT-LAND ENTRY IN OWYHEE COUNTY.

ONE DEAN E. CALL, OF POCA TELLO, IDAHO, IS BEING APPROVED BY THE LAND OFFICE AS ASSIGNEE IN AND TO SAID DESERT-ENTRY. MR. DONALD I. BAILEY OF THE LAND OFFICE ADVISES ME THAT THE ASSIGNMENT IS BEING HELD FOR APPROVAL, PENDING ONLY SOME EVIDENCE THAT THE ASSIGNEE, DEAN E. CALL, HAS ACQUIRED A RIGHT TO SUFFICIENT WATER.

IN VIEW OF THE FACT THAT YOUR PERMIT HOLDER, MR. CUSHMAN, HAS SOLD HIS DESERT-LAND ENTRY, HE HAS NO NEED FOR THE PERMIT ISSUED BY YOUR OFFICE, AND I HAVE, THEREFORE, PREPARED AN ASSIGNMENT OF PERMIT G-26382 TO APPROPRIATE SUBTERRANEAN WATERS, EXECUTED BY MR. CUSHMAN TO DEAN E. CALL.

I AM ENCLOSING THE ASSIGNMENT AT THIS TIME. ALSO, SEC. 42-207 OF THE IDAHO CODE PROVIDES FOR SOME EVIDENCE THAT THE TRANSFER IS MADE IN GOOD FAITH, AND NOT FOR THE PURPOSES OF SPECULATION OR DELAY, AND THAT THE ASSIGNEE, OR NEW OWNER, POSSESSES THE QUALIFICATIONS NECESSARY.

I HAVE HAD MR. GUY CUSHMAN EXECUTE SUCH A STATEMENT AND HAVE HAD HIM EXECUTE THE SAME, AND I ENCLOSE IT WITH THE ASSIGNMENT. THESE PAPERS ARE SUBMITTED IN DUPLICATE.

I WOULD SURELY APPRECIATE IT IF YOU COULD CONSIDER THIS ASSIGNMENT, AND IF ACCEPTABLE, SO ADVISE ME AT YOUR EARLIEST CONVENIENCE, AS THE BUREAU OF LAND MANAGEMENT IS AWAITING ADVICE FROM ME AS TO EVIDENCE SUPPORTING DEAN E. CALL'S HAVING A RIGHT TO APPROPRIATE SUCH WATER. DEAN E. CALL ALREADY HAS A WELL-DRILLING RIG ON THE SITE AND IS IN GOOD FAITH IN APPROPRIATING WATER FOR THE PURPOSE OF PROVING UP ON THE DESERT-LAND ENTRY.

I AM MAILING A COPY OF THIS LETTER TO MR. DONALD I. BAILEY OF THE LAND OFFICE THERE IN BOISE, IDAHO. THANK YOU AGAIN FOR YOUR ASSISTANCE IN THE PAST.

RESPECTFULLY,

Jayson Holladay
JAYSON HOLLADAY

P26382

JM
CC: DONALD I. BAILEY
LAND OFFICE

RECEIVED
APR 8 1960
Department of Reclamation

ASSIGNMENT

OF

PERMIT NO. G-26382 TO APPROPRIATE SUBTERRANEAN WATERS

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, THE UNDERSIGNED ASSIGNOR, GUY CUSHMAN, OF BLACKFOOT, IDAHO, HAS THE APPROVAL OF THE STATE RECLAMATION ENGINEER AND PERMIT NO. G-26382 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, SAID WELL TO BE IN THE SE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SEC. 18, T 6 SOUTH, R. 5 EBM, IN OWYHEE COUNTY, IDAHO, THE DATE OF SAID APPROVAL BEING JUNE 4, 1956, REQUIRING THE WHOLE OF SAID WORK TO BE COMPLETED AND BENEFICIAL USE OF WATER APPROPRIATED ON OR BEFORE JUNE 4, 1961;

AND WHEREAS, SAID PERMIT TO APPROPRIATE SUBTERRANEAN WATERS WAS ACQUIRED FOR THE PURPOSES OF PROVING UP ON A DESERT LAND ENTRY, NO. 07307 (IDAHO), HELD BY THE SAID GUY CUSHMAN FROM THE BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, WHICH DESERT LAND ENTRY HAS BEEN ASSIGNED TO ONE DEAN E. CALL, OF POCATELLO, IDAHO, THE SAID DEAN E. CALL HAVING MADE APPLICATION TO THE BUREAU OF LAND MANAGEMENT UPON THE FORM REQUIRED FOR AN ASSIGNMENT CLAIM OF A DESERT LAND ENTRY, AND

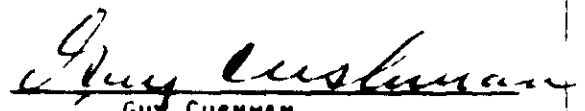
WHEREAS, IT IS THE DESIRE OF THE UNDERSIGNED ASSIGNOR, GUY CUSHMAN, TO ASSIGN, TRANSFER AND SET OVER TO THE ASSIGNEE, DEAN E. CALL, ALL OF THE INTEREST, RIGHT OR CLAIM OF THE ASSIGNOR IN AND TO SAID DESERT ENTRY, AS WELL AS ALL OF HIS INTEREST, RIGHT OR CLAIM IN AND TO THAT ABOVE-DESCRIBED PERMIT NO. G-26382 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO,

NOW, THEREFORE, IN CONSIDERATION OF THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION PAID TO THE UNDERSIGNED, THE ASSIGNOR, GUY CUSHMAN, BY THE ASSIGNEE HEREIN, THE AFORESAID, DEAN E. CALL,

AND PURSUANT TO SEC. 42-207 OF THE IDAHO CODE, PROVIDING FOR THE SALE, TRANSFER, AND ASSIGNMENT OF SUCH A PERMIT TO APPROPRIATE SUBTERRANEAN WATERS,

THE UNDERSIGNED, JOINED THEREIN BY HIS WIFE, EMMA CUSHMAN, AS ASSIGNORS, DO HEREBY SELL, ASSIGN, TRANSFER AND SET OVER TO THE ASSIGNEE, DEAN E. CALL, OF POCATELLO, IDAHO, ALL OF OUR RIGHT, TITLE AND INTEREST IN AND TO THAT CERTAIN APPLICATION AND APPROVAL OF THE STATE RECLAMATION ENGINEER, AND PERMIT NO. G-26382, ISSUED BY MARK R. KULP, STATE RECLAMATION ENGINEER ON THE 4TH DAY OF JUNE, 1956, TOGETHER WITH ANY RIGHTS, INCIDENTS AND OBLIGATIONS THERETO, AND WE HEREBY RELINQUISH UNTO THE ASSIGNEE ALL OF OUR CLAIM IN AND TO SAID PERMIT.

DATED THIS 4TH DAY OF APRIL, 1960.

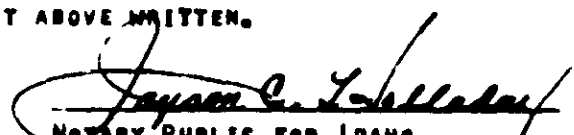

GUY CUSHMAN

EMMA CUSHMAN

STATE OF IDAHO)
 : ss.
COUNTY OF BANNOCK)

ON THIS 4TH DAY OF APRIL, 1960, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED GUY CUSHMAN AND EMMA CUSHMAN, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.


NOTARY PUBLIC FOR IDAHO
RESIDING AT POCATELLO, IDAHO

(SEAL)

G26382

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

LO:NFK

Idaho 07307

November 5, 1956

(Date)

RECEIVED
Department of Reclamation
NOTICE OF ALLOWANCE

Mr. Guy Cushman

215 South Birch

Blackfoot, Idaho

Sir:

Your Desert Land Entry, Serial No. Idaho 07307
(Kind of application or entry)

Receipt No. 375123, for S¹/₂ NE¹/₄, N¹/₂ SE¹/₄ E¹/₂ SW¹/₄
SE¹/₄ NW¹/₄, Section 18
SE¹/₄ SW¹/₄

Township 6 S., Range 5 E., Boise Meridian,

containing 322.34 acres, has this day been allowed, subject to
your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial
number. The above entry is allowed, subject to any valid existing

rights. The NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, and Lot 3 are subject to a right-of-way
for the Idaho State Department of Highways.

Very respectfully,

Nolan F. Keil
Manager

cc: DEM, I-1
R.M.
State Recl. Engr., Boise
Lands Officer, Boise

26382

July 6, 1956

RE: Permit No. G-26382

Idaho District Land Office
P. O. Box 2237
Boise, Idaho

Gentlemen:

We enclose herewith two copies of Application for Amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26382, one of which has been certified, to be used in connection with Guy Gushman's Desert Land Entry filing filed in your Office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu
Enc.

26382

July 6, 1956

RE: Permit No. C-26382

Mr. Guy Cushman
Box 686
Blackfoot, Idaho

Dear Mr. Cushman:

We enclose herewith Application for Amendment To Permit to
Appropriate the Public Waters of the State of Idaho, No. C-26382
which has been approved and recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu
Enc.

26382

COPY

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. G-26382

Comes now Guy Cushman, 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-26382, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

S¹NE¹, N¹SE¹, SE¹NW¹, N¹SW¹, SE¹SW¹, all in Sec. 18,
Twp. 6 S., Rge. 5 E., B. M.

making a total of 320 acres.

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

Signed at Boise, Idaho, this 6th day of July, 1956.

GUY CUSHMAN

Date of receipt at office of Department of Reclamation July 6, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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-26382. 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.

MARK R. KULP
State Reclamation Engineer

G26382

June 15, 1956

RE: Permit No. G-26382

Mr. Guy Cushman
Box 686
Blackfoot, Idaho

Dear Mr. Cushman:

We enclose Permit No. G-26382 and 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 are sending two copies of this Permit, one of which has been certified, to the Idaho District Land Office to be used in connection with your Desert Land Entry.

Departmental receipt No. G-1906 for the \$8.50 filing fee was handed you while in our Office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu
Enc.

G26382

June 13, 1956

RE: permit No. G-26382

Idaho District Land Office
Box 2257
Boise, Idaho

Gentlemen:

We are enclosing two copies of Permit No. G-26382 in the name of Guy Cushman, one of which has been certified, to be used in connection with his Desert Land Entry filed in your Office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

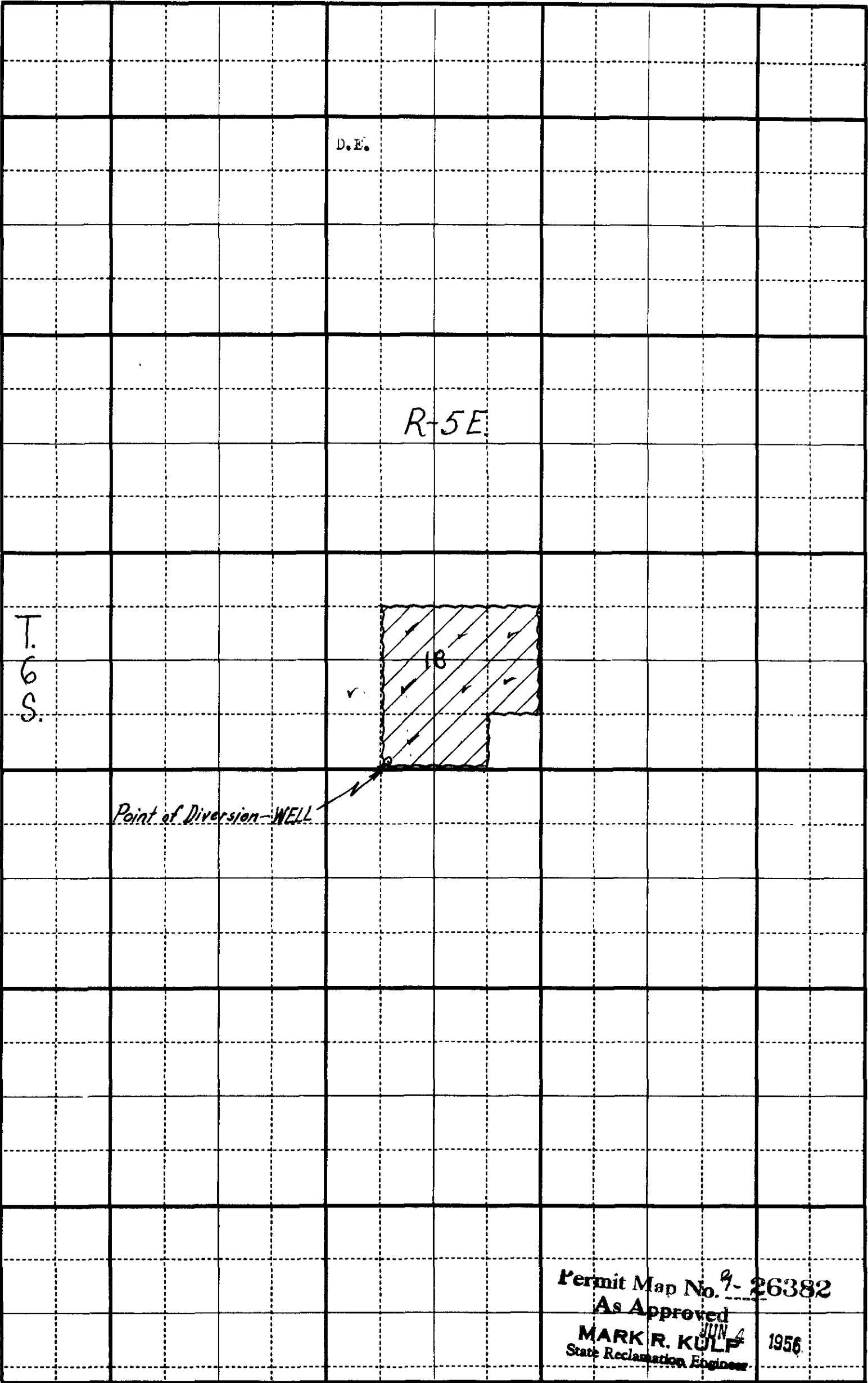
R:cu
Enc.
CC: Mr. Guy Cushman

26382

NAME OF APPLICANT GUY CUSHAL

P. O. Box 686, Blackfoot, Idaho

Form No. 0



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

26382

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

water has been applied is for irrigation and domestic purposes and the amount applied to beneficial use is 64 cubic feet per second.

4 The point of diversion of said water is in the SE¹/₄ of SW¹/₄ of Section 18 Township 6 South, Range 5 EBM, in the County of Owyhee, State of Idaho

5 The place where said water is used is upon desert land entry No Idaho 07307, The S¹/₂ of the NE¹/₄, the N¹/₂ of the SE¹/₄, the E¹/₂ of the SW¹/₄, Lot 3, SE¹/₄ of the NW¹/₄, Section 18, T 6 South, Range 5 EBM, Idaho, containing 322 34 acres, more or less

6 The date of priority which said user is prepared to establish is June 1, 1956

GEO N CARTER
State Reclamation Engineer
5-25-4

NOTICE IS hereby given that at 10 00 A M, on the 23rd day of June 1961, at Pocatello, County of Ben-
nock State of Idaho, before Jayson C Holladay Notary Public, at 830 E Center Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 64 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-26382, 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 Dean E Call, 5110 Cherokee, Pocatello, 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 64 cubic feet per second.

3 The use to which said