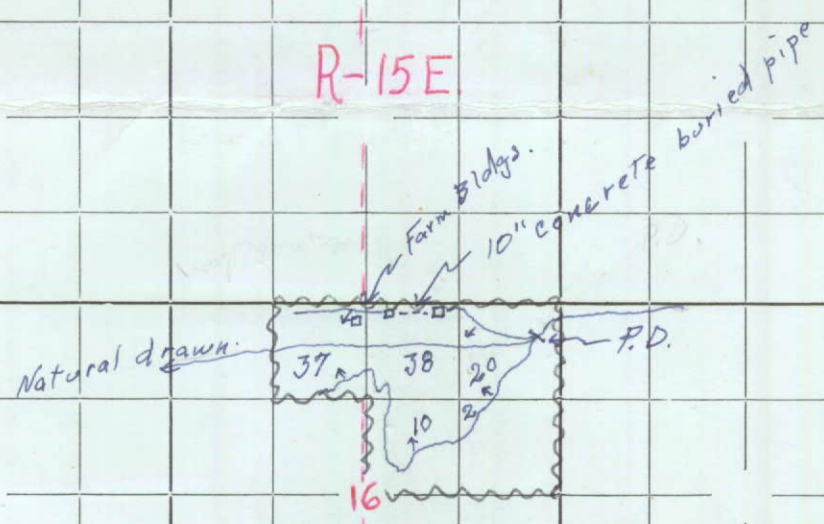


Paul = 200 x 500
Call New Anderson
Dr. transfer

T.
8
S.

R-15E

TO WENDELL



Sub divisions = five
Area = 107 acres.
Q = 107 inches.

Adon
17/12/10

AFFIDAVIT OF PUBLICATION

RECEIVED
DEC 30 1955
Department of Reclamation

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

Notice is hereby given that at 10 a.m. on the 12th day of January, 1956, at Boise, County of Ada, State of Idaho, before Ferne Witt, Notary Public, at Room 503, Idaho Building, proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Eakin Draw and of the application to beneficial use of said water, in accordance with the terms and conditions of permit No. 23295 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 are Floyd Eakin, Wendell, 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, in accordance with the plans accompanying the application for such permit, is three 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 three cubic feet per second.

4. The place where said water is used is the northeast quarter and the northeast quarter of the northwest quarter of Section 16, Township 8 South, Range 15 East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is Dec. 4, 1952.

MARK R. KULP, State Reclamation Engineer. 5-8

STATE OF IDAHO }
COUNTY OF GOODING } ss.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was

published in said newspaper *four* consecutive weeks, the first publication having been made on the *8th* day of *Dec.*, 195*5*., and the last publication having been

made on the *29th* day of *Dec.*, 195*5*., that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

29th day of *December*, 195*5*.

Leann W. Lucke

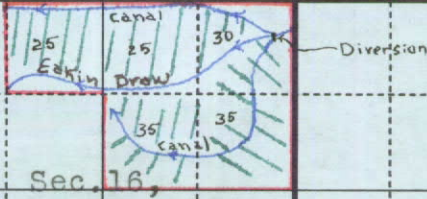
Notary Public.

23295

NAME OF APPLICANT Floyd E. Kin

Form No. 0

T 8 S - R 15 E B.M.



Permit Map No. 28293
As Approved
DEC 8 1952
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 23295 Amount 2.14 second feet
Water District No. Priority December 4, 1952

THIS IS TO CERTIFY that FLOYD EAKIN
of Wendell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 4, 1952; that Permit No. 23295
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.14 second feet, was issued thereunder on April 5, 1956, showing that said works
were completed on the 12th day of January, 1956; and that on the 12th
day of January, 1956,

FLOYD EAKIN
of Wendell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Eakin
Draw, a tributary of Snake River, for the purpose of irrigation
, under Use Permit No. 23295 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
9 of Licenses at page 5683, on the 5th day of April, 1956;
The right hereby confirmed dates from December 4, 1952;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 16, Tp. 8 S., R. 15 E., B. M. Gooding 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 2.14 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	15 E.	16	NE 1/4 NE 1/4	30	20
			NW 1/4 NE 1/4	25	38
			SW 1/4 NE 1/4	35	10
			SE 1/4 NE 1/4	35	2
			N 1/2 NW 1/4	25	37
			Total Number of Acres Irrigated	-	107

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
5th day of April, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

36 2182

State of Idaho
License and Certificate of Water Right

Water License No. 21760 Amount 1.4 second feet
Water District No. Priority October 24, 1950

THIS IS TO CERTIFY that MERRILL R. BROWN
of Emmett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 24, 19 50 ; that Permit No. 21760
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.4 second feet, was issued thereunder on September 9, 19 55, showing that said works
were completed on the 8th day of September, 19 55 ; and that on the 20th
day of October, 19 55,
MacGregor Triangle Company, Assignee of Merrill R. Brown
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Payette
River, a tributary of Snake River, for the purpose of irrigation
, under Use Permit No. 21760 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
9 of Licenses at page 5684, on the 9th day of April, 1956 ;
The right hereby confirmed dates from October 24, 19 50 ;
The Point of Diversion is located in Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)

~~in the~~ ~~Sec.~~ Sec. 19, Tp. 7 N., R. 1 E., B. M. Gem County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	1 E.	19	Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	--	8
			Lot 4 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)	10	17
		30	SW $\frac{1}{4}$ SE $\frac{1}{4}$	30	2
			Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	--	5
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	27	5
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	5	40
			Total Number of Acres Actually Irrigated - -		77

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
9th day of April, 19 56 .

MARK R. KULP
State Reclamation Engineer.

(SEAL)

2329
36-2182

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 31072
PERMIT No. 23295
DISTRICT No.

1. Name of Applicant: **FLOYD EAKIN**
Postoffice address: **Wendell** County: **Gooding** State: **Idaho**
I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:
2. Quantity of water claimed: **Three (3)** cubic feet per second.
3. Source of water supply: **Eakin Draw** which is a tributary of **Snake River**
4. Location of point of diversion: **320 ft. South and 160** feet ^{West} ~~distant~~ from the **N E** corner of Section **16**, T. **8 S.**, R. **15 E.**, B. M., and is in the **NE $\frac{1}{4}$ NE $\frac{1}{4}$** of Section **16**, T. **8 S.**, R. **15 E.**, B. M., County of **Gooding**
5. Water is to be used for **Irrigation**
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.
7. Estimated cost of works: \$ **900.00**
8. Kind of works: **Small diversion with approx. 1-3/4 miles of lateral and irrigation ditch**
9. Height of dam **4** feet; length of dam at top **12** feet; length of dam at bottom **6** feet; material used in dam: **Earth and rock**
10. Size of headgate: Width **4** feet; height **3** feet.
11. Ditch: Width at bottom **2** feet; width at water line **3** feet; depth of water **2** feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is **Five (5)** years.
13. The time required for the complete application of the water to the proposed use is **Six (6)** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None for the above described lands. However, an additional 50 miner's inches from the North Side Canal System is used on other portions of these same legal subdivisions.**

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

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

LLOYD EAKIN

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:45 A. M. December 4, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 23295

Recorded in Book **83** Page **23295** Approved **December 8, 1952**

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 **February 8, 1953** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **June 8, 1955**

The whole of said work to be completed on or before **December 8, 1957**

Beneficial use of water appropriated in accordance herewith, to be made on or before **December 8, 1963**

WITNESS My hand this 8th day of December, 1952

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, 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 8th.....

day of **December** , 19 **52** .

STATE OF IDAHO

Countersigned:

(SEAL)

By **LEN JORDAN**

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: This filing is made to further perfect a record of applicant's water right in said Eakin Draw (designated on enclosed plat). Applicant and his predecessors in interest appropriated said water from said stream and have used it continuously each irrigation season since 1918 to the extent of three cubic second feet, for the irrigation of the lands hereinbefore described, and that the diversion works, ditches and other irrigation facilities for the diversion and use of said water have been constructed since 1918 and that such water has been placed to beneficial use since 1918 for the irrigation of the lands hereinbefore described.

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		
8 S.	15 E.	16	30	25	35	35	25													150
Permit No. 23295 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that FLOYD EAKIN of Wendell, County of Gooding, and State of Idaho, the holder of Permit No. 23295, issued upon Application No. 31072 bearing date of priority of December 4, 1952, authorizing the diversion of three (3) second feet of the waters of Eakin Draw, a tributary of Snake River, County of Gooding, 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 2.14 second feet of the waters of Eakin Draw; that the point of diversion of said waters is in the NE¹/₄NE¹/₄ Section 16, Township 8 South, Range 15 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¹/₄ and NE¹/₄NW¹/₄ Section 16, Township 8 South, Range 15 East, B.M. Witness my hand this 5th day of April, A. D. 1956. MARK R. KULP State Reclamation Engineer Proof of completion of works made January 12, 1956. Certificate of Completion of Works issued April 5, 1956. ~~LICENSE ISSUED FOR 2.14 SEC. FT.~~ Page 5683																				

March 1, 1966

RE: License No. 23295, Floyd Eakin
Permit No. 23731, Milford J. and Agnes M. Vaught

Eugene H. Anderson
Anderson, Kaufman and Anderson
Lawyers
Box 2773
Boise, Idaho 83701

Dear Mr. Anderson:

Enclosed is departmental receipt No. 33119 in the amount of \$2.50 covering the fee for the copies of the above numbered license and permit which were mailed to you previously.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

23295

February 25, 1966

RE: License, No. 23295, Floyd Eakin
Permit No. 25731, Milford J. and Agnes M. Vaught

Eugene H. Anderson
Anderson, Kaufman and Anderson
Lawyers
Box 2773
Boise, Idaho 83701

Dear Mr. Anderson:

Enclosed are the certified copies of License No. 23295,
and Permit No. 25731 that you requested.

Our records do not show an assignment of the Vaught Permit
to Rancho Idaho, Inc.

The fee for the copies is \$2.50.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. photo copies 2

23295

ANDERSON, KAUFMAN AND ANDERSON

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

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

TELEPHONE 342-4591
POST OFFICE BOX 2773

February 17, 1966

RECEIVED
FEB 21 1966

Department of Reclamation
State House
Boise, Idaho

Department of Reclamation

Re: Permit No. 23295
Floyd Eakin

Gentlemen:

Proof of application of the water to beneficial use
was made in 1956, and I suppose water license issued.

Will you please send me a certified copy of the
water license.

Yours very truly,

ANDERSON, KAUFMAN AND ANDERSON

By


Eugene H. Anderson

EHA/bc

23295

April 5, 1956

RE: Permit No. 23295

Mr. Floyd Eakin
Wendell
Idaho

Dear Mr. Eakin:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued on your Permit No. 23295 confirming your right to the use of 2.14 second feet of water from Eakin Draw, a tributary of Snake River, with point of diversion in the NE¹/₄NE¹/₄ Section 16, Township 8 S., Rge. 15 E., B.M. with priority of December 4, 1952, for irrigation of the NE¹/₄ and NE¹/₄NE¹/₄ Section 16, Township 8 S., Rge. 15 E., B.M.

We also enclose departmental receipt No. 27899 for the \$15.00 fees for completion of works and license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

hll
Enc.

2 32 95

March 26, 1956

RE: Permit No. 23295

Mr. Floyd Eakin
Wendell
Idaho

Dear Mr. Eakin:

We now have on file the report of our field engineer on examination for completion of works and beneficial use proof on your Permit No. 23295 which shows that you have irrigated 107 acres of land in the NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, Township 8 South, Range 15 East, B.M. with the waters of Eakin Draw, a Tributary of Snake River, with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 16.

A License and Certificate of Completion of Works can be issued for 2.14 second feet of water upon receipt of the statutory fee of \$5.00 for Certificate of Completion of Works and \$10.00 License fee, the latter being at the rate of \$2.00 for each forty acre subdivision or fraction thereof that has been irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

23295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 23295

~~REPORT ON PROOF OF Completion of works & Beneficial Use.~~

2.14 cfs
mark

app. 3.0
Sub - 5
area - 1.07

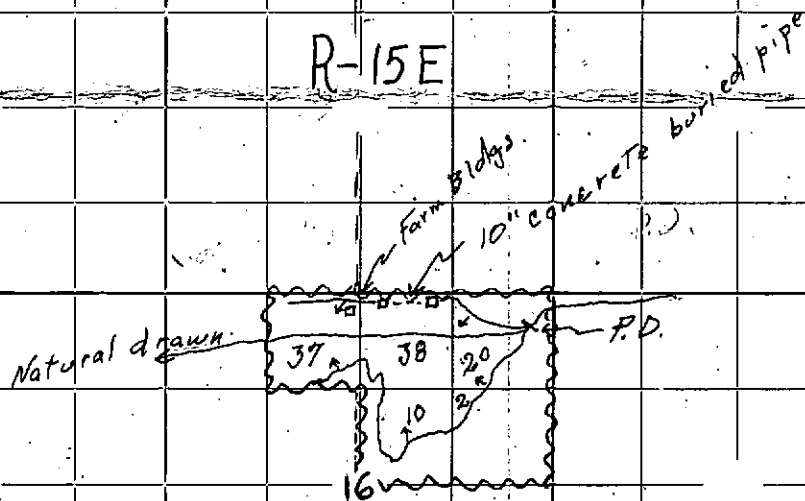
Pond = 200' x 150'

Call Home Anderson
S. 80. 11

Tr. to map

TO WENDELL

R-15E



Sub divisions = five

Area = 107 acres.

Q = 107 inches.

37
38
20
10
16

Floyd Eakin has recently sold this place to Leroy E. Gibbs. The deal is being handled by Attorney J. Anderson in Boise and the papers are held in escrow.

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

Permit No. 23295

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

1. Name of applicant. Floyd Eakin, Wendell, Idaho
2. Source of water supply: Eakin Draw a Tributary of Snake River
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16
T. 8S R. 15E B.M. County of Gooding
4. Describe works as they exist, giving dimensions and capacities of same: There is a concrete block wall or dam across the channel of a draw. Wall is 50' long by 3' high above the ground with 3 headgate openings, one on each side into ditches. Headgate opening is 2' wide by 3' high by 4' long. The center headgate for the stream channel is 3' by 3' by 3 $\frac{1}{2}$ ' long. The ditch extending to the North and West leads to a 10" concrete syphon pipe that is along the edge of the field to carry the water to the high points across in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16. (cont. below)
5. Water is used for: Irrigation Ditch channels are 1 $\frac{1}{2}$ to 2' wide in bottom and have ample fall to carry all of water asked for.
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):

Irrigation on NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, T8 S, R 15E B.M.

See the map.

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

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

Remarks:

Water is waste water from adjoining lands.

This examination was made on the 21st day of March, 1956

(Signed) E. M. Humphrey Examiner.

Floyd Eakin
Wendell, Idaho 88'55"

Permit No. 23295

Examination for Completion of Works & Beneficial Use

County Gooding

Floyd Eakin, Wendell, Idaho

16-8S.-15E.

$\Delta \approx 3.0$ a.f.s.

S = Eakin Dravo

P.D. = NE. 1/4, Sec. 16, T. 8S. - R. 15E.

Use = Irrigation

Leroy E. Gibbs

Filed = Dec. 4, 1952
Dec. = Dec. 8, 1963

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
MAR 22 1956

Department of Reclamation

Wall across drain
50' long by 3' h. above
ground,

Made of concrete blocks
2 headgates 24" w x
3' h. x 4' l, one on
each side.

Center head gate for station
= 3' x 3' x 40' l.

January 18, 1956

Re: Permit No. 23295

Anderson, Kaufman and Anderson
Idaho Building
Boise, Idaho

Attention: Mr. Richard Anderson

Dear Mr. Anderson:

We acknowledge receipt of the depositions of the holder, Mr. Floyd Eakin and his two witnesses, also affidavit of publication in the Cooding Leader, all submitted in proof of completion of works and beneficial use on Permit No. 23295.

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 Mr. Eakin at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

cc: Floyd Eakin

23295

ANDERSON, KAUFMAN AND ANDERSON

LAWYERS

IDAHO BUILDING BOISE, IDAHO

EUGENE H. ANDERSON
SAMUEL KAUFMAN, JR.
RICHARD ANDERSON

TELEPHONE NO. 2-4591
POST OFFICE BOX 2773

January 13, 1956

RECEIVED
JAN 16 1956
Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 23295

Dear Mr. Kulp:

I am sending you herewith deposition of Floyd Eakin, holder of application No. 23295, which was taken at hearing pursuant to making proof of application of water to beneficial use and completion of works. There is also herewith a deposition of two witnesses concerning proof of application of water to beneficial use and of completion of works.

I do not have the affidavit of publication from the Gooding Leader, although Mr. Eakin advises me that he has paid the costs of publishing the required notice. If this affidavit of publication was not sent to you by the Gooding Leader, please advise me of such and I shall either find this affidavit or acquire a new one.

Yours very truly,

ANDERSON, KAUFMAN AND ANDERSON

By 
Richard Anderson

RA fa
Enc.

23295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 23295

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. Floyd Eakin, Wendell, Idaho. Rancher

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.

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

Ans. Permit No. 23295 Priority date December 8, 1952

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

Ans. Eakin Draw-Tributary of Snake River. Diversion dam is 320 ft. south and 160 ft. west from the NE corner of Sec. 16, T8S, R15EBM, and is located in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, T8S, R15EBM.

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. Diversion is a dam capable of diverting 3 cu. ft. per second of water through 3 small ditches originating at diversion dam and leading to lands to be irrigated.

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

Ans. Irrigation on NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, T8 S, R15EBM. Total number of acres irrigated is 150 acres.

23295

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

Ans. 3 cu. ft. per second.

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

Ans.

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

Ans.

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

Ans. 3 cu. ft. per second. Used for irrigation last year.

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

Ans. None

(Sign)

Elmer E. Ealier

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 Boise, County of Ada,

State of Idaho, on this 12th day of January, A. D. 1956.

Elmer Witt

My commission expires 4/6/58

23295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 23295

**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. Ward M. Bryan, Route 2, Gooding, Idaho. Rancher

Ques. 2. Are you acquainted with Floyd Eakin, the holder of Permit No. 23295? How long have you known him and where does he reside?

Ans. Yes. Known permit holder about 25 years and knows permit holder resides in and around Wendell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 23295, 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. Eakin Draw, diversion located 320 ft. south and 160 ft. west from the NE corner of Sec. 16, T8S, R15EBM. and is located NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, T8S, R15EBM. Water is conveyed to place of use by 3 small ditches.

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. 3 cu. ft. per second

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

Ans. Irrigation use on 150 acres in NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 16, T8S, R15 EBM. Cultivated land and has been used for pasture, but could be used for growing crops.

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

Ans. _____

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

Ans. Desert land requiring 3 cu.ft. per second of water for profitable cultivation.

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

Ans. No

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

Ans. Helped build diversion dam and ditches and has seen land under irrigation many times in past year.

(Signed)

Ward M. Bryan

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 Boise,
County of Ada, State of Idaho, on this 12th day of January,
A. D. 1956.

Terne Will

Notary Public.

My commission expires 4/6/58

23295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 23295

Proof of Application of Water to Beneficial Use
Deposition of Witness *and Completion of Works*

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. Erma G. Bryan, Route 2, Gooding, Idaho. Housewife.

Ques. 2. Are you acquainted with Floyd Eakin, the holder of Permit No. 23295? How long have you known him and where does he reside?

Ans. Yes. Known permit holder over 25 years and knows permit holder resides in and around Wendell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 23295, 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. Eakin Draw, diversion located 320 ft. south and 160 ft. west from the NE corner of Sec. 16, T8S, R15EBM and is located NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, T8S, R15EBM. Water is conveyed to place of use by 3 small ditches.

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. 3 cu. ft. per second

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

Ans. Irrigation use on 150 acres in NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 16, T8S, R15EBM. Cultivated land and has been used for pasture, but could be used for growing crops.

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

Ans. _____

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

Ans. Desert land requiring 3 cu. ft. per second of water for profitable cultivation.

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

Ans. No

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

Ans. Has seen diversion dam and ditches since completion and has seen land under irrigation many times in past year.

(Signed) *Ernest J. Bryan*

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 Boise,
County of Ada, State of Idaho, on this 12th day of January,
A. D. 19 56.

Terne Witt
Notary Public.

My commission expires 4/6/58

23295

AFFIDAVIT OF PUBLICATION

RECEIVED
DEC 30 1955
Department of Reclamation

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 29th day of January, 1956, at Boise, County of Ada, State of Idaho, before Ferne Witt, Notary Public, at Room 503, Idaho Building, proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Eakin Draw and of the application to beneficial use of said water, in accordance with the terms and conditions of permit No. 23295 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 are Floyd Eakin, Wendell, 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, in accordance with the plans accompanying the application for such permit, is three 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 three cubic feet per second.

4. The place where said water is used is the northeast quarter and the northeast quarter of the northwest quarter of Section 16, Township 8 South, Range 15 East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is Dec. 4, 1952.

MARK R. KULP, State Reclamation Engineer. 5-8

STATE OF IDAHO }
COUNTY OF GOODING } SS.

I, Leland G. Burress, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was

published in said newspaper four consecutive weeks, the first publication having been made on the 8th day of Dec., 1955., and the last publication having been

made on the 29th day of Dec., 1955., that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in Gooding, Gooding County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

29th day of December, 1955.

Laurie W. Lucke

Notary Public.

23295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 23295

Date: December 5, 1955

Gooding Leader

Gooding, Idaho
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to January 12, 1956 the date set for proof, the expense of the publication to be paid by the applicant, Floyd Eakin of Wendell, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

23295

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 12th day of January, 19 56, at Boise, County of Ada State of Idaho, before at Room 503, Idaho Building, Ferne Witt, Notary Public, proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Eakin Draw and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23295 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 are Floyd Eakin, Wendell, 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, in accordance with the plans accompanying the application for such permit, is three 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 three cubic feet per second.
4. The place where said water is used is the northeast quarter and the northwest quarter of Section 16, Township 8 South, Range 15 East of the Boise Meridian
5. The date of priority which said user is prepared to establish is December 4, 1952.

MARK R. KULP

State Reclamation Engineer

23295

Anderson, Kaufman and Anderson

Lawyers

Idaho Building Boise, Idaho
P. O. Box 2773

Eugene H. Anderson
Samuel Kaufman, Jr.
Richard Anderson

RECEIVED
NOV 17 1955
Department of Reclamation

November 16, 1955

Mr. Mark R. Kulp
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 23295

Dear Mr. Kulp:

In reply to your letter of November 15 relative to proof of completion of works and beneficial use on behalf of Floyd Eakin under the above numbered permit, please be advised that the address of Ferne Witt, the notary public before whom proof will be taken, is in our office, 503 Idaho Building, Boise, Idaho.

Yours very truly,

ANDERSON, KAUFMAN AND ANDERSON

By


Richard Anderson

RA fa

23295

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 10, 1955

(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
The Gooding Leader of Gooding published in
the county in which the works are situated.

FLOYD EAKIN

By

Richard Anderson
His Attorney

(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.

23295

✓
November 15, 1955

RE: Permit No. 23295

Messrs. Anderson, Kaufman and Anderson
P. O. Box 2773
Boise, Idaho

ATTENTION: Mr. Richard Anderson

Dear Mr. Anderson:

We have your letter of November 10 enclosing duplicate notices for proof of completion of works and beneficial use on the above numbered Permit in the name of Floyd Eakin with authorization to publish in the Gooding Leader.

Copy of the notice will be sent to the Gooding Leader with instructions to publish once a week for four weeks prior to January 12, 1956, the date set for proof, and to send the affidavit of publication together with statement of costs to Mr. Eakin in your care.

We enclose the forms of deposition to be executed by Mr. Eakin and two disinterested witnesses before Ferne Witt, Notary Public.

Please advise if the Notary's address is in your office in the Idaho Building.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Ashll
Enc.

23295

Anderson, Kaufman and Anderson
Lawyers

Idaho Building Boise, Idaho
P. O. Box 2773

Eugene H. Anderson
Samuel Kaufman, Jr.
Richard Anderson

RECEIVED
NOV 14 1955
Department of Reclamation

November 10, 1955

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

There is enclosed herewith two copies of Notice of completion of works and application of water to beneficial use on behalf of Floyd Eakin under Permit No. 23295.

There is also herewith letter of authorization authorizing you to publish notice of proof in The Gooding Leader the required number of times before proof is submitted on January 12, 1956.

Please send all correspondence relative to this matter to me rather than direct to Floyd Eakin.

Yours very truly,

ANDERSON, KAUFMAN AND ANDERSON

By


Richard Anderson

RA fa
Enc.

23295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

Permit No. 23295

Date December 16, 1952

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Floyd Eakin
C/o Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

MARK R. KULP
State Reclamation Engineer

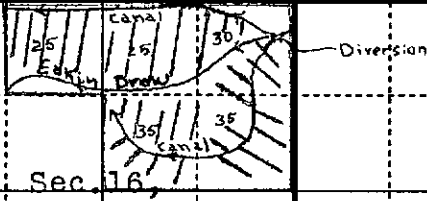
Enc. Departmental receipt No. 25203 for the \$5.50 filing fee.

23295

NAME OF APPLICANT Floyd Kin

Form No. 0

T 8 S - R 15 E B.M.



Permit Map No. 23293
As Approved
DEC 8 1952
MARK R. KULP
State Reclamation Engineer

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

23295

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

Notice is hereby given that at 10 a.m. on the 12th day of January, 1956, at Boise, County of Ada, State of Idaho, before Ferne Witt, Notary Public, at Room 503, Idaho Building, proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Eakin Draw and of the application to beneficial use of said water, in accordance with the terms and conditions of permit No. 23295 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 are Floyd Eakin, Wendell, 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, in accordance with the plans accompanying the application for such permit, is three 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 three cubic feet per second.

4. The place where said water is used is the northeast quarter and the northeast quarter of the northwest quarter of Section 16, Township 8 South, Range 15 East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is Dec. 4, 1952.

MARK R. KULP, State Reclamation Engineer.