

Enc. #4

David Fulton
Mackay, Idaho
Nov. 13, 1959

Mr. Geo. N. Carter, Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
NOV 16 1959

Department of Reclamation

Dear Mr. Carter:

With reference to permit 21055, an application to irrigate
by use of subterranean water, an area of 69 acres in
W $\frac{1}{2}$ SW $\frac{1}{4}$ of section 6, Township 9 North, Range 22 East
B.M., please find enclosed a check for \$4.00 the
statutory fee on this amount of ground.

Sincerely yours,

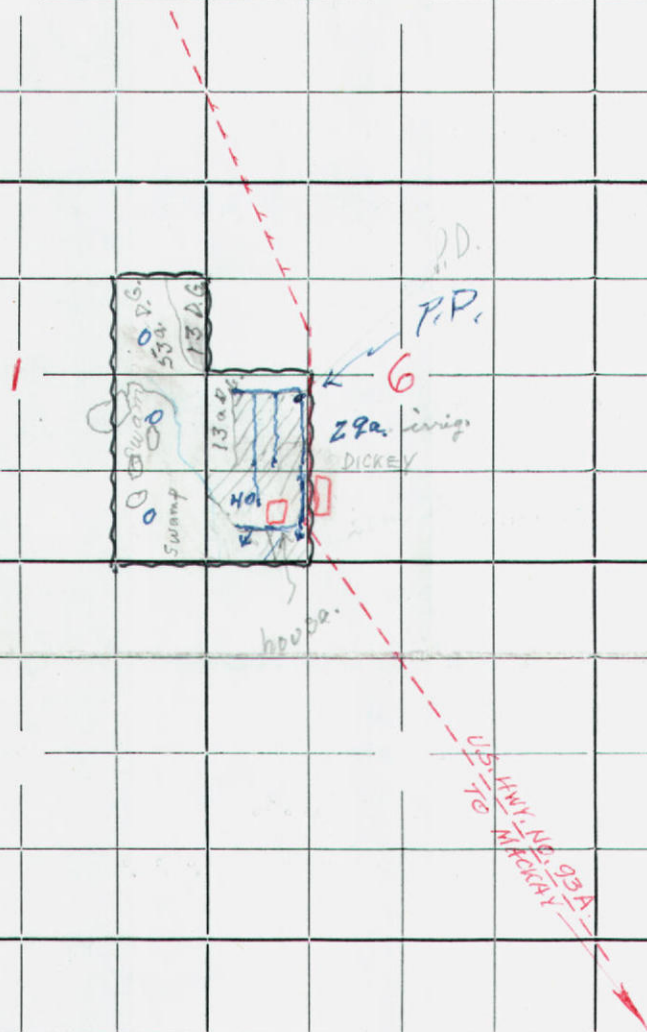
David Fulton
David Fulton

21055

R-21E.

R-22E.

T.
9
N.



Subdivision = 2.

Area = 69 acres

Q = 60" or 1.2 cfs.

RECEIVED
MAR 3 1959

Department of Reclamation

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

Notice is hereby given that at 2:00 p. m. on the 24th day of February, 1959, at Mackay, County of Custer, State of Idaho, before Don Green, Mackay, Idaho, Notary Public, proof will be submitted of the application to beneficial use of 2.8 cubic feet per second of the waters of a well in accordance with the terms and conditions of Permit No. 21055 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are David Fulton, Mackay, Idaho.

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

The amount applied to beneficial use is 1.6 c.f.s.

The place where said water is used $W\frac{1}{2}SW\frac{1}{4}$ of Sec. 6, Twp. 9 N., Rge. 22 E., B. M. and $SE\frac{1}{4}$ $NE\frac{1}{4}$ and $E\frac{1}{2}SE\frac{1}{4}$ of Sec. 1, Twp. 9 N., Rge. 21 E. B.M.

Point of Diversion is Lot 6 of Sec. 6., Twp. 9 N., Rge. 22 E., B. M.

The right to take water from such works is based upon Permit No. 21055.

The source of supply from which such water is diverted is Subterranean (well).

The date of priority which said user is prepared to establish is May 16, 1949. 21055

GEO. N. CARTER,
State Reclamation Engineer
Publish Jan 22 to Feb. 5, 1959

Affidavit of Publication

State of Idaho }
County of Custer } ss.

I, Ruth Hanawalt, Editor of THE MACKAY MINER, a weekly newspaper of General Circulation published weekly at Mackay, Idaho, continuously since Febr. 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Jan 22, 1959, and ending with the issue dated Feb 12, 1959.

Ruth Hanawalt

Subscribed and sworn to before me this 24th day of February, 1959

[Signature]
Notary Public.

21055

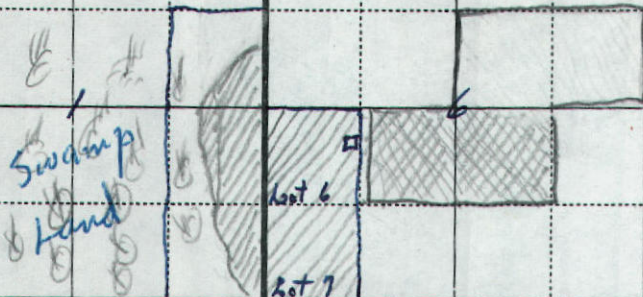
NAME OF APPLICANT

David W. Fulton

FORM No. 0

9N R 21 E 3M

9N R 22 E 3M



Legend:

- Land to be irrigated from well & pump
- Land watered from rock Creek
- Swampy pasture land

Permit Map No. 21055
As Approved
MAY 18 1949
MARK R. KULP
State Reclamation Engineer

6832 +

State of Idaho
License and Certificate of Water Right

Water License No. 21055 Amount 1.2 c.f.s.
Water District No. Priority May 16, 1949

THIS IS TO CERTIFY that DAVID FULTON
of Mackay, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 16, 1949; that Permit No. 21055
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on May 18, 1953, showing that said works
were completed on the 15 day of May, 1953; and that on the 24
day of February, 1959,

DAVID FULTON
of Mackay, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. 21055 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
11 of Licenses at page 6832, on the 23 day of November, 1959;
The right hereby confirmed dates from May 16, 1949;
The Point of Diversion is located Lot 6
in the NW 1/4 SW 1/4, Sec. 6, Tp. 9 N, R. 22 E., B. M. Custer 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 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	22 E	6	NW 1/4 SW 1/4 (Lot 6)	40	29
			SW 1/4 SW 1/4 (Lot 7)	40	40
			Total number of acres to be irrigated:		69

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
23 day of November, 1959.

GEO. N. CARTER
State Reclamation Engineer

(SEAL)

34 2288

State of Idaho

License and Certificate of Water Right

Water License No. 20472

Amount .02 c.f.s.

Water District No.

Priority May 19, 1948

THIS IS TO CERTIFY that J. O. JORDAN
 of Boise, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 19, 1948; that Permit No. 20472
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.22 second feet, was issued thereunder on May 26, 1953, showing that said works
 were completed on the 22 day of May, 1953; and that on the 23
 day of May, 1959,

J. O. JORDAN - Assignee - RICHARD A. NICHOLS

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 a well
 , a tributary of subterranean flow, for the purpose of irrigation, domestic and
 use, under Use Permit No. 20472 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

11 of Licenses at page 6831, on the 23 day of November, 1959;

The right hereby confirmed dates from May 19, 1948;

The Point of Diversion is located Lot 8, Block 2, Crane Addition

in the NE 1/4 NE 1/4, Sec. 3, Tp. 3 N., R. 2 E., B. M. Ada 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 .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
3 N.	2 E.	3	For DOMESTIC USE in in NE 1/4, Sec. 3, T. 3 N., R. 2 E., B. M.	Lots 5 and 8, Block 2, T. 3 N., R. 2 E., B. M.	Crane Addition

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

23 day of November, 1959.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

34- N^o 21055

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28718
PERMIT No. 21055
DISTRICT No.

1. Name of Applicant; DAVID FULTON

Postoffice address: Chilly

County: Custer

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 \$2400 cash \$1600 war bonds

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: 200 head cattle 780 acres ranch property

2. Quantity of water claimed: 140 inches or 2.8

cubic feet per second.

3. Source of water supply: A well

which is a tributary of

4. Location of point of diversion: 200 yards
of Lot 6

feet distant from the N. E.

corner of Section 6, T. 9 N., R. 22 E., B.M., and is in the Lot 6

of Section 6, T. 9 N., R. 22 E., B.M., County of Custer

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: \$ 1,500.00

8. Kind of works: well and pump

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

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 1/2 feet; width at water line 2 feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 3/4 miles.

Average grade per mile 20 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 Five (5) 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: 120 inch water right from Rock Creek.
Also high water right after second 160 inches

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.

DAVID FULTON Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. May 16, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21055

Recorded in Book 75 Page 21055 Approved May 18, 1949

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 July 18, 1949 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 November 18, 1951

The whole of said work to be completed on or before May 18, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before May 18, 1959

WITNESS My hand this 18th day of May, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 18th

day of May, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: The present water right is inadequate, and this filing is for supplemental use.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 N.	22 E.	6									Lots 6 & 7								80
9 N.	21 E.	1				12					40	40			30			18	60
Total Number of Acres to be Irrigated - -																			140
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN: This is to certify that DAVID FULTON of Chilly, County of Custer, and State of Idaho, the holder of Permit No. 21055, issued upon Application No. 28718 bearing date of priority of May 16, 1949, authorizing the diversion of 2.8 second feet of the waters of a well (subterranean flow) County of Custer, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said well; that the point of diversion of said waters is in Lot 6, Section 6, Township 9 North, Range 22 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 6, Township 9 North, Range 22 East, B.M.; and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Township 9 North, Range 21 East, B.M. Witness my hand this 18th day of May, A.D. 1953.																			
Proof of completion of works made May 15, 1953. Certificate of completion of works made May 18, 1953.																			
																			MARK R. KULP State Reclamation Engineer
																			LICENSE ISSUED FOR 1.2 SEC. FT. Page 6832

November 23, 1959

Re: Permit No. 21055

Mr. David Fulton
Mackay, Idaho

Dear Mr. Fulton:

We enclose License and Certificate of Water Right issued
on Permit No. 21055.

We also enclose departmental receipt No. 29868 in the
amount of \$4.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. license
receipt

21055

96 Enc 24

David Fulton
Mackay, Idaho
Nov. 13, 1959

RECEIVED

Mr. Geo. N. Carter, Reclamation Engineer
Department of Reclamation
Boise, Idaho

NOV 16 1959

Department of Reclamation

Dear Mr. Carter:

With reference to permit 21055, an application to irrigate by use of subterranean water, an area of 69 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ of section 6, Township 9 North, Range 22 East B.M., please find enclosed a check for \$4.00 the statutory fee on this amount of ground.

Sincerely yours,

David Fulton
David Fulton

21055

October 20, 1959

RE: Permit No. 21055

David Fulton
Mackay, Idaho

Dear Mr. Fulton:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 21055 shows the well is capable of conveying 60 miner's inches, or 1.2 c.f.s. of water for the irrigation of 69 acres.

Upon receipt of the statutory fee of \$4.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of May 16, 1949 to the use of 1.2 second feet of subterranean water with the point of diversion in Lot 6 of Section 6, for irrigation of 69 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, Township 9 North, Range 22 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr

21055

R-21E.

R-22E.

T.
9
N.



F.P.

6

290

Subdivision = 2.

Area = 69 acres

Q = 60" or 1.2 cfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21055

REPORT ON PROOF OF Beneficial Use

David Fulton
Mackay, Idaho

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

Permit No. 21055

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant David Fulton

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the _____ Lot 6 of Section 6

T. 9 N. R. 22 E.B.M. County of Custer

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

*Perforated pipe 86247' 1 inch 1/2 drive 15000
B. belt drive 2000' 2 inch 1/2 pipe 15000
John H. H. 1/2 inch 1/2 pipe 15000
no protection 1/2 inch 1/2 pipe 15000*

5. Water is used for: Irrigation

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

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

W 1/2 SW 1/4 Section 6, Township 9 North, Range 22 E.B.M.

SE 1/4 NE 1/4, E 1/2 SE 1/4 Section 1, Township 9 North, Range 21 E.B.M.

*Well 100' x 12" end to bottom H = 32' 1/2 inch 1/2
3.5 hp motor*

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

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

Remarks: *Called again on Mr. Fulton on Oct 15th
Also checked land on aerial photo in assessor's
office in Challis on Oct 15th
Pump not in operation but 60 inches is
a reasonable unit of water from this pump.
Mr. F. is satisfied with this amount. E. N. #*

This examination was made on the 2 day of Sept, 19 37

(Signed) E. N. #

Examiner.

21055

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. 1. 9 1959
Department of Reclamation

Wick
Mackay 2267
David Fulton
Mackay, Idaho
Permit No. 21055

Examination for Beneficial Use Proof

County Custer

6-9N.-22E.
Q 2.8 c.f.s. (C/W = 2.00 c.f.s.)

S = Well

P.Q. = Lot 6, Sec. 6, T. 9N. - R. 22E

Use = Irrigation

Filed = May 16, 1949

Due = May 18, 1959

C/W = 5-18-53

79

120" right from Rock Cr. Also
which was right after second 160"

30X-1X5 =
60X12

March 5, 1959

Mr. David Fulton
Mackay, Idaho

Re: Permit No. 21055

Dear Mr. Fulton:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Mackay Miner, all submitted in Proof of Application of Water to Beneficial Use, on Permit No. 21055.

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. Rutledge
Chief Clerk

EPR/lw

21055

RECEIVED
MAR 3 1959
Department of Reclamation

David Fulton
Malbay Idaho
March 2, 1959

Mr. Geo. M. Carter, Res. Engineer
Department of Reclamation
Boise Idaho.

Dear Sir:

Concerning Permit nos. 71055, please find
the following instruments enclosed.

1. One copy sheet of Application of water
To Beneficial user: Deposition of holder
2. Two Copies of Prot of Application of
water to Beneficial user: Deposition
of witnesses.
3. Affidavit of Publication from
Malbay Miner weekly Newspaper.

I hope these papers are all in proper
order and that this completes the matter

Sincerely yours

David Fulton

21055

RECEIVED
MAR 3 1959

Dec. 1958 1959

**PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 2:00 p. m. on the 24th day of February, 1959, at Mackay, County of Custer, State of Idaho, before Don Green, Mackay, Idaho, Notary Public, proof will be submitted of the application to beneficial use of 2.8 cubic feet per second of the waters of a well in accordance with the terms and conditions of Permit No. 21055 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are David Fulton, Mackay, Idaho.

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

The amount applied to beneficial use is 1.6 c.f.s.

The place where said water is used W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 6, Twp. 9 N., Rge. 22 E., B. M. and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 1, Twp. 9 N., Rge. 21 E. B.M.

Point of Diversion is Lot 6 of Sec. 6., Twp. 9 N., Rge. 22 E., B. M.

The right to take water from such works is based upon Permit No. 21055.

The source of supply from which such water is diverted is Subterranean (well).

The date of priority which said user is prepared to establish is May 16, 1949. 21055

GEO. N. CARTER,
State Reclamation Engineer
Publish Jan 22 to Feb. 5, 1959

Affidavit of Publication

State of Idaho }
County of Custer } ss.

I, Ruth Hanawalt, Editor of THE MACKAY MINER, a weekly newspaper of General Circulation published weekly at Mackay, Idaho, continuously since Febr. 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Jan 22, 1959, and ending with the issue dated Feb 12, 1959.

Ruth Hanawalt

Subscribed and sworn to before me this 12th day of February, 1959

Notary Public.

21055

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 3 1959
Department of Reclamation

Permit No. 21055

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. ✓ David Fulton Mackay, Idaho

Ranch operation (livestock)

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. No. 21055, dated May 18, 1949 5-16-49

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

Ans. Subterranean (well) Diversion: 900 yards
from NE corner lot 5, sec. 6 T. 9N. R. 21E.

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. Depth of well: 110 ft. Casing, 12 inches. Depth to water: 30 ft.
Amount of discharge 2 cu. ft. per sec. measured through
cipolletti weir. After 30 minutes draw down the constant flow
is 1.8 Cu. Ft. per sec.

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 purposes. NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 5, Twn. 9N. R. 22E. 80 acres
Portions of SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of sec. 1, tw. 9N. R. 21E. 60 acres.

First 50 acres consists of irrigated crop land producing alfalfa
hay, and grain and has been producing for five years.

Portions in Sec. 1 Twn. 9N. R. 21E. is meadow land and pasture
watered by sub, and waste from above.

21055

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

Ans. _____

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. _____

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. _____

(Sign) David Fulton

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 Minchew County of Blaine State of Idaho, on this 24th day of February, A. D. 1959

[Signature]

My commission expires July 10, 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 3 1959
Department of Reclamation

Permit No. 21065

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. San Peterson Macky Idaho
57 year Rancher

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

Ans. Sixteen years

Ques. 3. Have you read or heard read said Permit No. 21055, 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 WELL DIVERSION 200 yards.
FROM NE CORNER Lot 6 SEC. 6 T. 9 N. R. 22 E.

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. 2 Cu. FT Per second

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. 1.8 to 2 Cu FT per sec or about
100 miner inches measured through Cipolletti weir

21055

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. Irrigation purposes. NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 6. T4N9N.
R. 22E 80 acres. portion of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of SEC. 1. T4N.
9N. R. 21E. 60 acres.

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

Ans.

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. replead. LAM cleared of sagebrush
Requires 6 or an inch to the acres.

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

Ans.

None

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. H. & V. 2 seen water being pumped & seen
good crops of Alfalfa Hay & grain mainly at
produced

(Signed)

Dean C. Emerson

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 _____
County of _____, State of Idaho, on this 24 day of February
A. D. 1959.

Notary Public.

My commission expires

24 Feb 1961

21055

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 10 1907
Department of Reclamation

Permit No. 21055

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Ferry Lorton
Mackay, Idaho Livestock rancher

Ques. 2. Are you acquainted with Oaved Fulton, the holder of Permit No. 21055? How long have you known him and where does he reside?

Ans. thirty years
Mackay Idaho

Ques. 3. Have you read or heard read said Permit No. 21055, 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. Source - Subterranean Diversion 200 yds.
from NE corner Lot 6, Sec 6, T. 2N, R. 32E
Water conveyed in surface ditches by
gravity flow

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. 2 Cu. ft. Per second

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. 1.8 to 2 Cu. ft. per sec. or about 100
miner's inches measured through lipzolett's weir

21055

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. Used for irrigation on NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 6 Twn 9 N. R 22 E. about 80 acres and portions of SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec 1 Twn 9 N R 22 E B.M. (60 acres)
Crops consist of Alfalfa hay & grain & Meadow land

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

Ans. _____

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. upland loam cleared of Sagebrush.
requires $\frac{1}{2}$ to one inch to the acre

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

Ans. None

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 seen water being pumped & seen
good crops of Alfalfa Hay & grain mainly oats
produced

(Signed) Ferry Carter

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 Missoula,
County of Bitter, State of Idaho, on this 24 day of February,
A. D. 1959.

William
Notary Public.

My commission expires Aug 10, 1961

21055

January 16, 1959

Re: Permit No. 21055

Mr. David Fulton
Mackay, Idaho

Dear Mr. Fulton:

This acknowledges the Notice of Proof of Application of Water to Beneficial Use under Permit No. 21055. The proofs are to be made at 2:00 P. M. on the 24th day of February, 1959, before Don Green, Notary Public, at Mackay, Idaho.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

TRR/lw
Encls. (3)
cc: Don Green, Notary Public
Mackay, Idaho

21055

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: January 16, 1959

21055

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

Notice is hereby given that at 2:00 P.M. on the 24th day of February, 1959,
at Mackay, _____, County of Custer, State of Idaho, before
Don Green, Mackay, Idaho Notary Public, proof will be submitted of the
application to beneficial use of 2.8 cubic feet per second of the waters of a well
_____ in accordance with the terms and conditions of Permit No. 21055
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

David Fulton, Mackay, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is ✓ 1.6 c.f.s.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 6., Twp. 9 N., Rge. 22 E., B.M. and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 1.,
Twp. 9 N., Rge. 21 E., B. M.

✓ Point of Diversion is Lot 6 of Sec. 6., Twp. 9 N., Rge. 22 E., B. M.

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

The right to take water from such works is based upon Permit No. 21055

The source of supply from which such water is diverted is Subterranean (well)

The date of priority which said user is prepared to establish is May 16, 1949

GEO. N. CARTER

State Reclamation Engineer.

21055

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
JAN 16 1959
Department of Reclamation

(Date) January 16, 1959

(P. O.) Mackay, 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

Mackay Miner

of

Mackay, Idaho

published in

the county in which the works are situated.

David Fulton

(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.

21055

May 20, 1953

RE: Permit No. 21055

Mr. David Fulton
Chilly
Idaho

Dear Mr. Fulton:

We enclose Certificate of Completion of Works issued on Permit No. 21055 for the diversion of 2 second feet of water from a well in Lot 6, Section 6, Township 9 North, Range 22 East, B.M., for irrigation of land in $W\frac{1}{2}$ $SW\frac{1}{4}$ Section 6, Township 9 North, Range 22 East, B.M., and $SE\frac{1}{4}$ $NE\frac{1}{4}$, $NE\frac{1}{4}$ $SE\frac{1}{4}$ Section 1, Township 9 North, Range 21 East, B.M.

We also enclose departmental receipt No. 25931 for the \$5.00 fee paid in connection with proof of completion of works

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21055

Permit No. 21055

STATE OF IDAHO
Department of ReclamationPERMIT
21055
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

David Fulton, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21055, and that his postoffice address is Chilly State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Subterranean Flow, (Well)

Third: That the point of diversion of said water is Lot 6, Section 6, Twp. 9.N. R. 22.E.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 18, 1954, 19.

Fifth: That the use for which said water is intended is Irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Well, Pump and ditches.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.
Ditch(d) Conduit 1 1/2 width at bottom 2 feet, width at water line 1
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 2.0 second feet of water.

Eighth: That water appropriated under said permit is available for 140 acres, 22.E. acres of land described as follows: 80 acres in the W 1/2 SW 1/4 Section 6, and 12 acres in the SE 1/4 NE 1/4, 30 acres in the NE 1/4 SE 1/4 and 18 acres in SE 1/4 SE 1/4 Section 1 all in Twp. 9.N. 21.E.

Well is 12" in diameter, and 112 feet in depth, equipped with a 6 inch Peerless Pump, and powered by Desil Engine, capable of pumping 100 inches water,

Ninth: Remarks: That

David Fulton

(Sign Here)

Subscribed and sworn to before me this 15th day of May, 19 53

My commission expires 5-15-55

Charles A. Rogge

Notary Public.

21055

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 21055

Date May 25, 1949

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

David Fulton
Chilly, Idaho

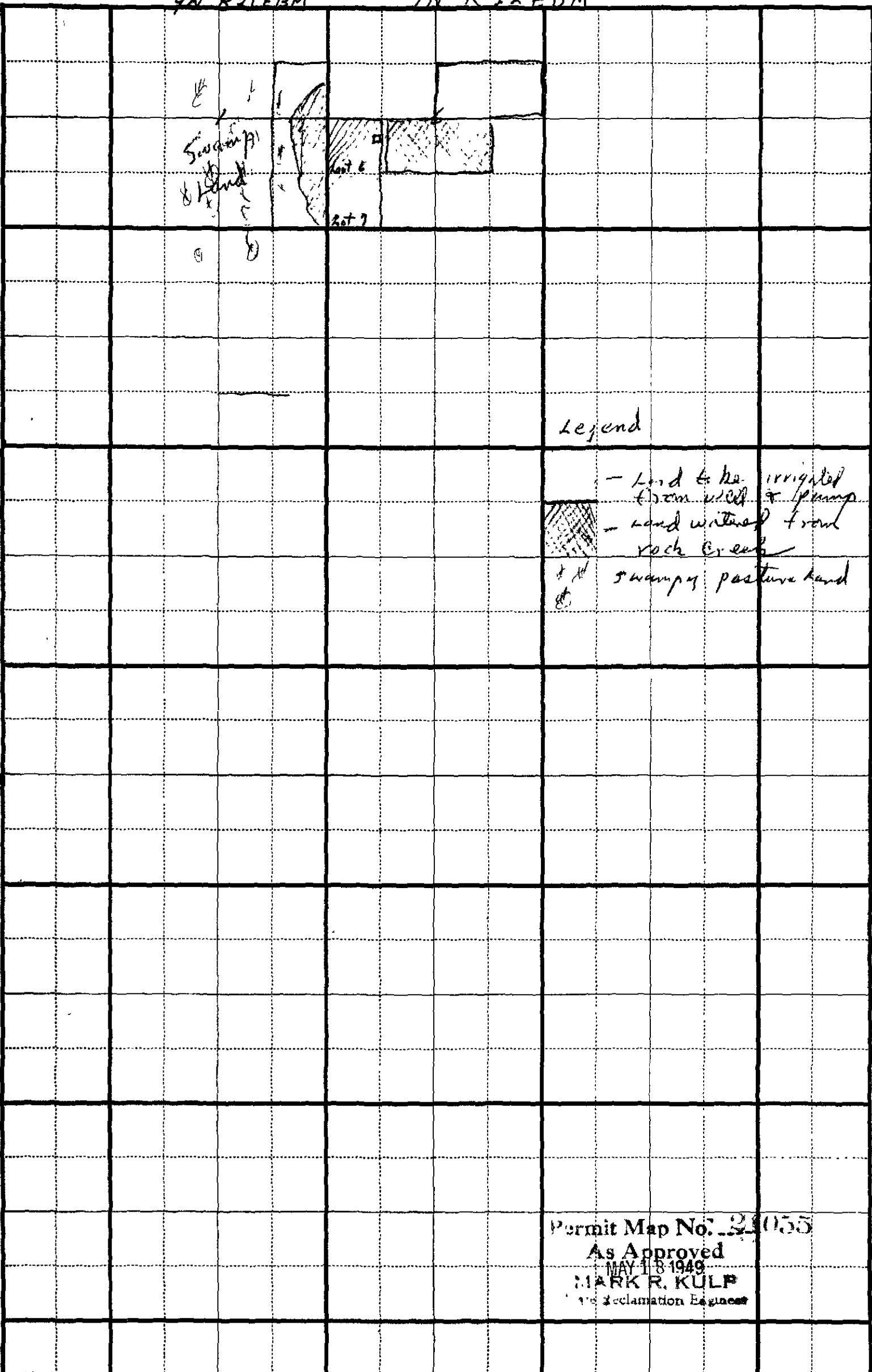
MARK R. TULP
State Reclamation Engineer

Enc. Departmental Receipt No. 21510

21055

NAME OF APPLICANT David W. Fulton
9N R 21 E 3M 9N R 22 E 3M

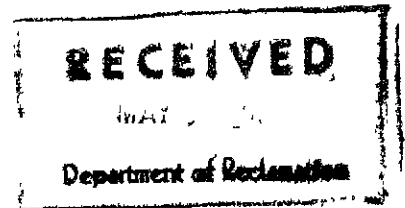
FORM No. 0



Permit Map No. 21055
As Approved
MAY 18 1949
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

21055



David Fulton
Chilly, Idaho

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

Dear Sir:

As requested I have cross hatched the land I intend to irrigate from a pump. Although the first year or two will be for experimental purposes to study costs and feasibility of pumping at this elevation and will probably not utilize more than 60 or 70 acres. It will probably take four or five years to get the whole 140 acres into cultivation as some parts of the land will require extensive leveling.

In answer to question 15, I have a water right for 120 inches from Rock creek, a small mountain stream emerging from the foot of Mt. Borsh, and in addition a high water right after the second 160 inches is taken out. This creek is about four miles from the ranch and the ground over which it runs is very rocky thus our ditch loss in spite of a mile of iron flume amounts to about a third of the right and as is usually the case during mid July and August when we need the water most there is an insufficient supply to irrigate the 75 acres or so now under cultivation. I have also cross hatched the land now under cultivation and also pasture land lying below the land I expect to pump water onto.

Please find a Check for \$5.50 for filing fee.

Sincerely yours,

David Fulton
David Fulton

21055

May 11, 1949

Mr. David Fulton
Chilly, Idaho

Dear Mr. Fulton:

We acknowledge receipt of your letter of May 4, 1949, enclosing Application for Permit to Appropriate 140 inches of water from a well located on Lot 6, Section 6, Township 9 North, Range 22 East, B.M..

We are not quite able to locate the land which you wish to irrigate and we return your sketch map with the request that you cross-hatch the subdivision to be irrigated.

We note that you describe 140 acres and the statutes allow you a maximum of one (1) inch to the acre, or 2.80 second feet. The correct filing fee on this amount is \$5.50 and upon receipt of this amount, and the return of the sketch map, your application will be placed on file.

Please also answer Question 15 in regard to existing water rights, if any, appurtenant to the land to be irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21055

To All Whom it May Concern:

The following letter was received by this Department from the U C Land and Cattle Company, of Contact, Nevada, and we are passing this information on to you with the thought that if your district is in the market for water recorders it may be of interest to you:

"It has come to our attention that your department might be interested in the purchase of several used water recorders. Several months ago we sold the water on five of our ranches along the Salmon River to the Salmon River Canal Company, so we have no immediate use for these water recorders, and could make you a very attractive price in case you are interested.

The following is a complete list of recorders now on hand:

One Week Recorders

7	Type E Stevens Water Level Recorders - complete	1916
4	" E " " " " without clock works	1916
3	" E " " " " - complete	1920
1	" E " " " " without clock works	1920
1	" E " " " " - complete	1931
2	" E " " " " - complete	1935
9	" L " " " " - complete	1932
2	" L " " " " without clock works	1932
8	" L " " " " - complete	1932
3	" E " " " " - complete	1916
2	" E " " " " - complete	1931
1	" E " " " " - complete	1935

Thirty Day Recorder

1	Type E Stevens Water Level Recorder - complete	1914
---	--	------

We reserve the right to sell 14 of these recorders to people who have purchased property from us and who are using these recorders at the present time."

If you are interested, please get in touch with the U C Land and Cattle Company, at Contact, Nevada.

MARK R. KULP
State Reclamation Engineer
By Roy W. Thompson
Supervisor of Water Distribution

Enclosing a sketch map showing location of Lot
Numbers in Sec. 6 - Twp. 9 N. R. 2 E. This being
on a Township correction, Sec. 6 is a large section and
has been divided differently than an ordinary section.
In order that your application and land location
be correct we will request that you mark this
enclosed map either by color or cross hatch showing
the land you ^{own or} expect to acquire, also the location
of your well by some appropriate marking.

The amount of filling 1.40 c.yd. equals 90 miner inches
is that sufficient to water your land, we
will accept your filling based on 1 miner inch per acre
you show 140 acres under irrigation therefore you
could fill on 2.80 c.yd. instead of 1.40

Am 2 15

21055

David Fulton
Chilly, Idaho
May 4, 1949

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

Dear Sir:

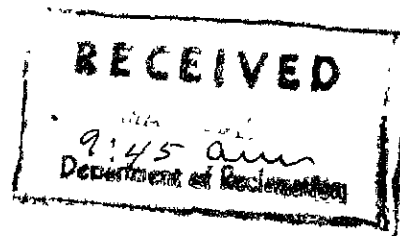
With reference to your letter of May 10, 1948 and
in answer to the same: enclosed you will find the
completed applications for permit to drill a well.

I now have my affairs in shape to start construction
of a well for irrigation purposes. I have secured
the services of a well driller for some time in June.

I hope all questions have been answered satisfactorily
that no unnecessary delays be encountered.

Sincerely yours,

David Fulton
David Fulton



21055

21055

May 12, 1948

Mr. David Fulton
Chilly, Idaho

Dear Mr. Fulton:

Your letter of May 10, 1948 addressed to Mr. Roy Thompson has reached us during his absence from the office, but in order to save time we are enclosing a form of application for permit to appropriate the public waters of the State of Idaho, together with regulations and instructions in regard to filing same.

This form is used for filing on subterranean water from a well the same as from any other source. The point of diversion called for under Question 4 should be the legal subdivision in which the well is located.

When this application is approved it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense and at the time set for proof depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

21055

David Fulton
Chilly, Idaho
May 10, 1948

Mr. Roy Thompson
Bureau of Reclamation
Capitol Building
Boise, Idaho

Dear Sir:

I am contemplating the drilling of an experimental well for irrigation on my ranch. The water table is about twenty-five feet deep.

I should like to receive from you the necessary application papers to be filled out, and also the necessary papers and procedure followed in filing on the water right of such a well. I have about 160 acres of irrigable land to be irrigated if the well proves successful.

Sincerely yours,

David Fulton
David Fulton



21055