

Donald S. Brown
Rt. #2,
Meridian, Idaho

Application For Permit To Appropriate the Public Waters of the State of Idaho

78-2064

APPLICATION No. 36768
PERMIT No. 28784
DISTRICT No.

Assigned to Donald S. Brown
#1 New Meadows
Idaho

1. Name of Applicant: Donald S. Brown and Flo Rogers

Postoffice address: Rt. #2, Meridian R #1 New Meadows County: Ada

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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.0

cubic feet per second.

3. Source of water supply: Un-named Stream

which is a tributary of Little
Salmon River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
of section 16 , T. 22 N , R. 1 E , B. M., County of Adams

5. Water is to be used for domestic and 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 of , 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: \$300

8. Kind of works: Diversion and ditch

9. Height of dam 1 feet; length of dam at top 20 feet; length of dam at bottom 20
feet; material used in dam: rock

10. Size of headgate: Width none feet; height feet.

11. Ditch: Width at bottom 1 fee; width at water line 16" ~~feet~~ depth of water 3" ~~feet~~;
dimensions of flume:

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

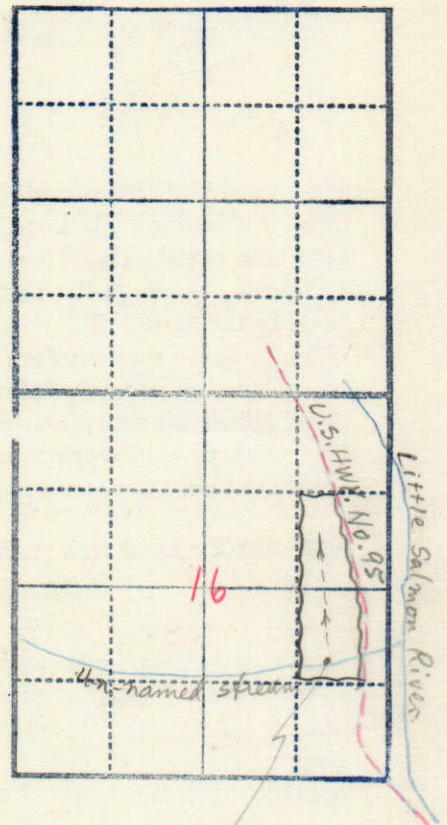
Average grade per mile 50 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 0 additional years.

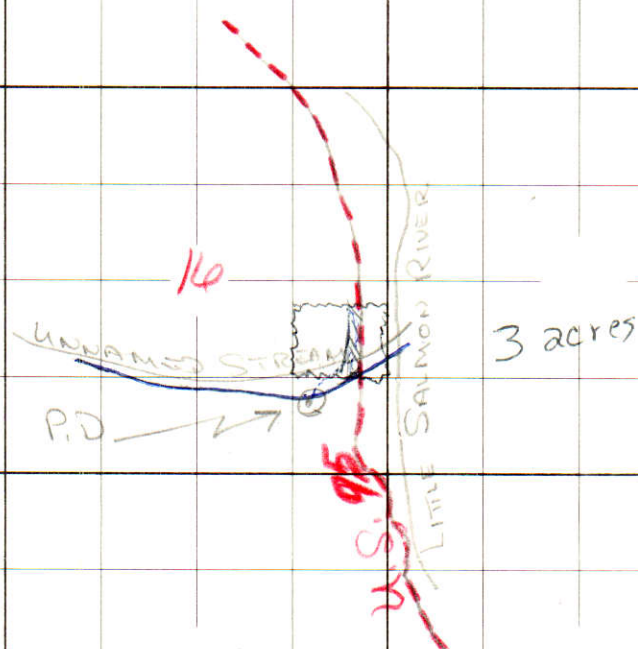
14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: this water has been
used on this land for many years.



R I E

T
22
N



3 acres

Area - 3 A

Subdivisions - 1

Q - 0.06 cfs

RECEIVED
JUN 13 1965
Department of Reclamation

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Application of Water

Beneficial Use" as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four (4) consecutive weeks, the first publication of the

same being made in the issue dated May 20, 1965.

and the last in the issue dated June 10, 1965; that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this

day of JUN 11 1965, 196...

Carl E. Tappan

Notary Public for Idaho,
Residing at Council, Idaho

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

NOTICE is hereby given that at 3 P.M., on the 14 day of June 1965, at Council, County of Adams, State of Idaho, before Carl Swanstrom, Notary Public, at Council, Idaho, proof will be submitted of the completion of works for the diversion of .05 cubic feet per second of the waters of Un-named Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23784, 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: Donald S. Brown R. 1, New Meadows, 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 .05 cubic feet per second.

3. The use to which said water has been applied is domestic & irrigation purposes, and the amount applied to beneficial use is .05 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 T. 22 N. R. 1 E:

5. The place where said water is used is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 22 N. R. 1 East. Total 4 acres.

6. The date of priority which said user is prepared to establish is June 9, 1960.

CARL E. TAPPAN
State Reclamation Engineer
Pub. May 20, 27, June 3 & 10, 1965

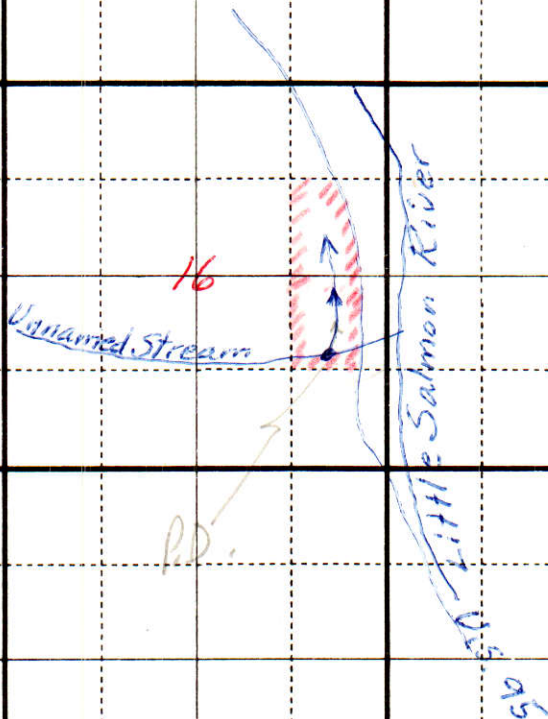
28784

NAME OF APPLICANT Donala S. Brown and Flo Rogers

Form No. 0

R1E

T
22
N



Permit Map No. 28784
As Approved JUN 16 1960
GEO. N. CARTER
Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 28784 Priority June 9, 1960 Amount 0.06 c.f.s.

THIS IS TO CERTIFY that

DONALD S. BROWN and FLO ROGERS

of Meridian, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 9, 1960; that Permit No. 28784 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.06 second feet, was issued thereunder on June 1, 1966, showing that said works were completed on the 14th day of June, 1965; and that on the 14th day of June, 1965

DONALD S. BROWN

of New Meadows, Idaho, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Unnamed Stream

a tributary of Little Salmon River for the purpose of domestic use and irrigation, under Use Permit No. 28784 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 8481, on the 1st day of June, 1966.

The right hereby confirmed dates from June 9, 1960, 1966.

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 16, Twp. 22 N, R. 1 E, B.M. Adams 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 0.06 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
22 N	1 E	16	NE 1/4 SE 1/4	5	3

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 1st day of June, 1966.

R. Keith Higgins
Deputy State Reclamation Engineer.

78 2064

28784

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No.	28784
To	Donald S. Brown New Meadows, Idaho
Source of Supply	Unnamed Stream
County	Adams
Amount	0.06 Sec. Ft.
Point of Diversion	SE $\frac{1}{4}$ Sec. 16, T. 22 N., R. 1 E., B.M.
Place of Use	NE $\frac{1}{4}$ Sec. 16, T. 22 N., R. 1 E., B.M.
Purpose	irrigation and domestic
Date of Priority	June 9, 1960
Recorded	June 1, 1966
in Book	101 of Licenses, Page 8481

Application For Permit To Appropriate the Public Waters of the State of Idaho

Donald S. Brown
Rt. #2,
Meridian, Idaho

78-7164

APPLICATION No. 36768
PERMIT No. 28784
DISTRICT No.

Assigned to Donald S. Brown
#1 Meridian
State: Idaho

1. Name of Applicant: Donald S. Brown and Flo Rogers.

Postoffice address: Rt. #2, Meridian R#1 Meridian County: Ada

- 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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.0

cubic feet per second.

3. Source of water supply: Un-named Stream

which is a tributary of Little
Salmon River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
of section 16 , T. 22 N , R. 1 E , B. M., County of Adams

5. Water is to be used for domestic and 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 of , 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: \$ 300

8. Kind of works: Diversion and ditch

9. Height of dam 1 feet; length of dam at top 20 feet; length of dam at bottom 20
feet; material used in dam: rock

10. Size of headgate: Width none feet; height feet.

11. Ditch: Width at bottom 1 fee; width at water line 16" ~~depth~~ depth of water 3" ~~feet~~;
dimensions of flume:

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

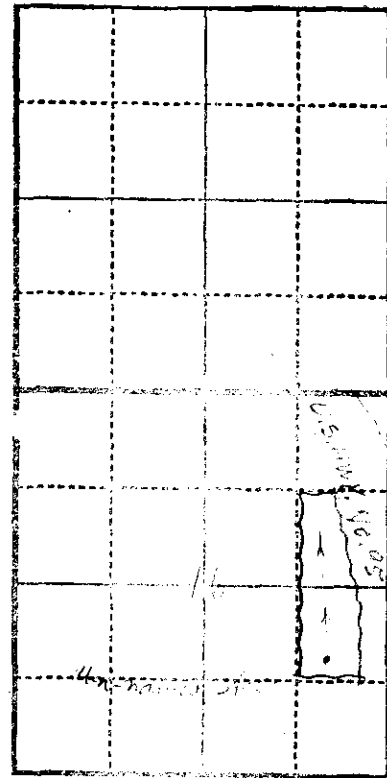
Average grade per mile 50 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 0 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: this water has been
used on this land for many years.



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.

s/ Donald S. Brown Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 4:00 P.M. June 9, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 28784

Recorded in Book 101 Page 28784 Approved June 16, 1960

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 16, 1960

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 **December 16, 1962**

The whole of said work to be completed on or before June 16, 1965

Beneficial use of water appropriated in accordance herewith, to be made on or before June 16, 1965

WITNESS My hand this 16th day of June, 1960

s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, W. E. DREVLLOW, Acting, Governor of the State of Idaho,

and ARNOLD WILLIAMS, 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 16th

day of June, 19 60.

STATE OF IDAHO

Countersigned:

(SEAL) - s/ ARNOLD WILLIAMS

By s/ W. E. DREVLLOW,
Acting Governor.

Secretary of State.

REMARKS: Soil very porous and requires a large flow of water

14.

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	
22N	1 E	16	5												5				10
A S S I G N M E N T ✓																			
For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 28784 to DONALD S. BROWN of Route #1, New Meadows, Idaho.																			
s/ FLO ROGERS Permit Holder																			
s/ JACK ROGERS Husband of Permit Holder																			
STATE OF MISSOURI)) ss County of Lawrence)																			
On this 1st day of May, 1965, before me, a Notary Public for the State of Missouri, residing at Pierce City, Missouri, personally appeared Flo Rogers and Jack Rogers, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
s/ JUANITA L. MURPHY Notary Public Residing at Pierce City, Missouri																			
My commission expires June 29, 1967																			

Application for Amendment
POINT OF DIVERSION
Permit No. 28784

Comes now DONALD S. & LAVETA Brown (husband and wife) and represents to the State Reclamation Engineer of the State of Idaho:

That they are the owners and holders of Permit to Appropriate the Public Waters of the State of Idaho, No. 28784.

That the point of diversion is described in said Permit as being located: on the S 940' of NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 22 N., R. 1 East.

That he now requests that the point of diversion be changed to a point located: on the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 22N. R. 1 East.

That the reason for desiring to make such change is as follows: the original point of diversion was found to be incorrect.

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

Signed at New Meadows, Idaho, this 26th day of April, 1965.

s/ DONALD S. BROWN
LAVETA BROWN

Date of receipt at Department of Reclamation: April 27, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 28784. 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.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: May 6, 1965

Permit No. 28784 ✓

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONALD S. BROWN AND FLO ROGERS of Meridian, County of Ada, and State of Idaho, the holders of Permit No. 28784, issued upon Application No. 36768 bearing date of priority of June 9, 1960, authorizing the diversion of 1.00 second feet of waters of Unnamed Stream, County of Adams, State of Idaho, for domestic and irrigation purposes, have 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 0.06 second feet of the waters of Unnamed Stream, tributary of Little Salmon River; that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 22N., R. 1 E., B.M., and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 22 N., R. 1 E., B.M.

Proof of Completion of Works Made: June 14, 1965
Witness my hand this 1st day of June, A.D. 1966

s/ R. Keith Higginson
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 0.06 SEC. FT.
LICENSE PAGE NO. 8481

WATER RIGHT NUMBER 78-2064

OWNER LAST NAME - BROWN
OWNER LAST NAME - RODGERS
OWNER LAST NAME - BROWNFIRST NAME - DONALD S.
FIRST NAME - FLO
FIRST NAME - DONALD S.ORIG OWNER - 0
ORIG OWNER - 0
ORIG OWNER -

VERIFIED LGS

ADDRESS LINE 1 -

ADDRESS LINE 2 -

STATE - ID ZIP CODE -

SOURCE - UNNAMED STREAM

TRIBUTARY OF - LITTLE SALMON RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 06-09-1960 COUNTY - ADAMS

TOTAL DIV. RATE -

.0600 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFX/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

.00 AFA

DIVERSION POINT -

.00 AFA TRFX/AMEND -

REDIV -

272.0 92.0 104.0 17.0

.0600 CFS

USE DIV. VOLUME -

.00 AFA

FROM -

USE - IRRIGATION

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 22N RNS 01E SEC 16 TRACT NESE LOT

AC 03

TOTAL ACRES

3

DEGREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 28734

PROOF MADE -

FLO EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

201 FEB 1985

June 1, 1966

RE: Permit No. 28784

Donald S. Brown
Rt 1
New Meadows, Idaho

Dear Mr. Brown:

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. 33224 in the amount of \$7.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

28784

Permit No. 28784

Certificate of Completion
of Work

Dated June 1, 19 66

Stream Unnamed Stream

County Adams

Amount 0.06 c.f.s.

Date of Priority June 9, 1960

Recorded in Book 101

of Permits, page 28784

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONALD S. BROWN and FLO ROGERS
 of Meridian , County of Ada , and State of
 Idaho , the holders of Permit No. 28784 , issued upon
 Application No 36768 bearing date of priority of June 9, 1960 , authorizing the
 diversion of 1.00 second feet of waters of Unnamed Stream

County of Adams , State of Idaho, for domestic and irrigation
 purposes, have 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 0.06 second feet of the waters of Unnamed Stream
 tributary of Little Salmon River;

that the point of diversion of said waters SE 1/4 Sec. 16, T. 22 N., R.
 1 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: NE 1/4 Sec. 16, T. 22 N., R. 1 E., B.M.

Proof of Completion of Works Made: June 14, 1965

Witness my hand this 1st day of June , A. D. 19 66

Deputy

State Reclamation Engineer

#1012-21461 May 25, 1966

Dept. of Reclamation
 Boise, Idaho.

Dear Sirs:

I am enclosing my
check for \$7⁰⁰, for statutory
fees for permit # 28784

Sincerely,
Mrs. Donald L. Brown
R1
New Meadows
Idaho

RECEIVED
MAY 26 1966
Department of Reclamation

28784

May 11, 1966

RE: Permit No. 28784

Donald S. Brown
Rt 1
New Meadows, Idaho

Dear Mr. Brown:

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. 28784 shows the pipe line and sprinklers are capable of conveying 3 miner's inches, or 0.06 c.f.s. of water for irrigation of 3 acres.

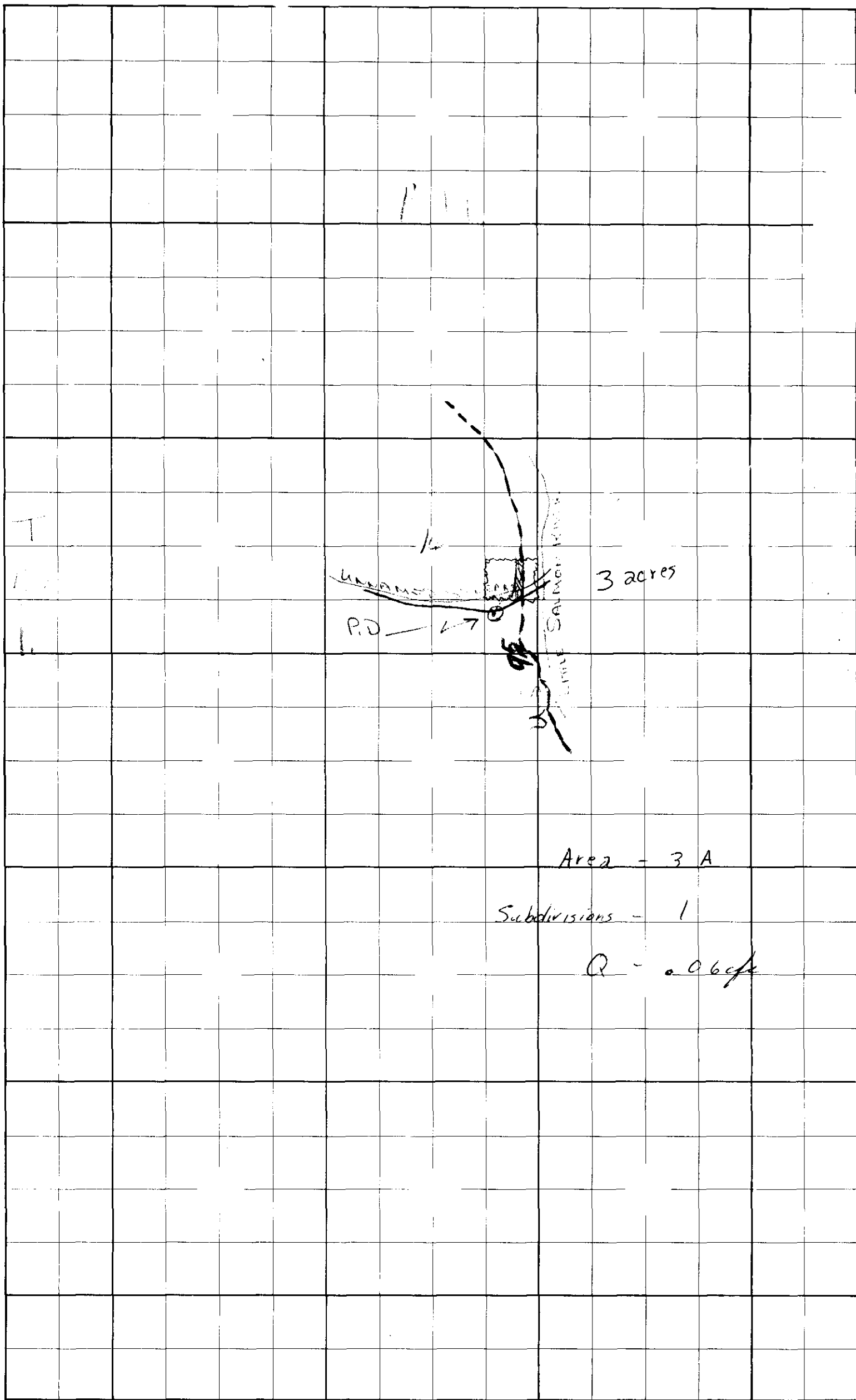
Upon receipt of the statutory fees totaling \$7.00 we will issue the Certificate of Completion of Works and License and Certificate of Water Right, confirming the right, with priority of June 9, 1960, to the use of 0.06 c.f.s. of water from an unnamed creek with the point of diversion in the SE~~1~~SE~~4~~, Sec. 16 for irrigation of 3 acres in the NE~~1~~SE~~4~~, Sec. 16, T. 22 N., R. 1 E., B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:MR

28784



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 28784

REPORT ON PROOF OF Completion of Works & Beneficial Use

Donald S. Brown
Route # 1
New Meadows, Idaho

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

Permit No. 28784

This proof is for Comp. of Works & Bene. Use

In Water District No.

1. Name of applicant Donald S. Brown

2. Source of water supply: unnamed creek

3. Location of point of diversion: Is in the SE¹/₄SE¹/₄ of Section 16

T. 22N R. 1E County of Adams

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

Screened pickup and 2" line from stream to lawn sprinklers. The system is gravity operated.

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):

4 acres in NE¹/₄SE¹/₄, Section 16, T22N-R1E

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

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

Remarks:

55 gal drum filled in 45 sec
7.3 gpm = 16 cfs

This examination was made on the 3rd day of May, 1966

(Signed) Don Matto Examiner.

✓
Donald S. Brown
Route 1
New Meadows, Idaho

Permit No. 28784

Examination for Comp. of Works & Bene. Use

County Adams

Quantity: 1.0 CFS
Sec 16 T. 22N R1E

Source: UN-NAMED STREAM

P.D.: SELYSEY, Sec. 16, T. 22N
R1E.

Use: IRRIGATION

Extension: —

Protest: —

Completion of Works: —

Other Rights: —

Filed: June 9, 1960

Due: June 16, 1965

Adm. 6-14-1965

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

MAY 10 1966

Department of Reclamation

June 18, 1965

Re: Permit No. 28784
Donald S. Brown

Donald S. Brown
Route 1
New Meadows, Idaho

Dear Mr. Brown:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ADAMS COUNTY LEADER, all submitted in proof of completion of works and beneficial use on Permit No. 28784

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,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ot
EPR:

28784

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Application of W

Beneficial Use " as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four (4) consecutive weeks, the first publication of the

same being made in the issue dated May 20, 1965

and the last in the issue dated June 10, 1965; that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice " as aforesaid.

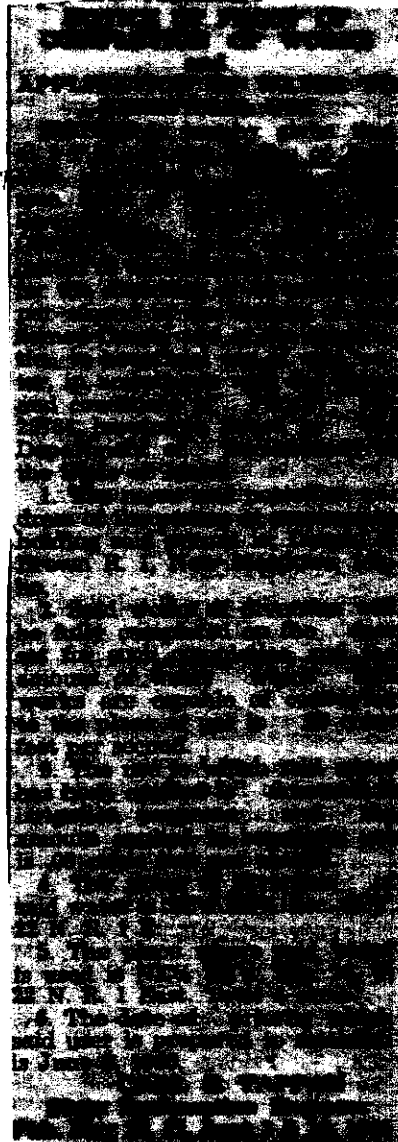
Bert J. Rogers

Subscribed and sworn to before me this

day of JUN 11 1965, 196

Robert D. Wood

Notary Public for Idaho,
Residing at Council, Idaho



RECEIVED
JUN 18 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 28784

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Donald S. Brown - Contractor R / New Meadows Ida

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; # 28784 June 10, 1960 June 9, 1960

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

SE 1/4 SE 1/4 Sec. 16 T22N R1E

Ques. 5. Describe your works of diversion: 6" pipe placed in Rock Dam

_____ ; state amount of water they are capable of con-

veying from point of diversion to place of use logal per dia. 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 cas-

ing: _____ ; depth to water _____ ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined: by measuring in 55 gal drums

_____ ; if sprinkler irrigation, give number and size of nozzles and operating pressure: 6" Garden & lawn sprinklers - 50# pressure

Ques. 6. State for what purpose water is used: Irrigation

If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water : _____

approximately 4 1/2 Acres

NE 1/4 Sec 16 T22N R1E

(with 1/2 - 1/4 - 1/4 - 1/4)

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

Pasture, Fruit Trees, Garden, Lawns, Home use

28784

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

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

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

60 gal per Minute

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

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: July 1960 8 Sec Ft Time used since first use:

Every Summer Since 1960

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

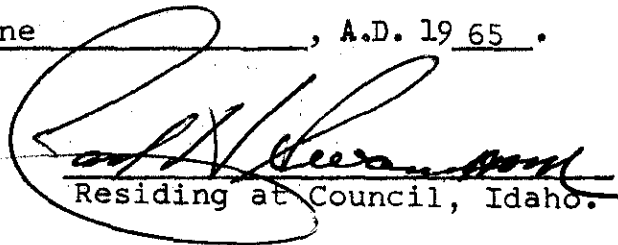
none

(sign) Donald D. Brown

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

Council, County of Adams

State of Idaho, on this 14th day of June, A.D. 1965.


Residing at Council, Idaho.

My Commission expires: April 13, 1968.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. 28784

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:

Wes Henske, 35, Rt 1, New Meadows
Excavating Contractor Rt 1, New Meadows, Idaho

Ques. 2. Are you acquainted with Donald Brown, the holder of
Permit No. 28784 ? How long have you known him and where does he reside:

16 years Rt 1, New Meadows, Idaho

Ques. 3. Have you read or heard said Permit No. 28784 read, and are you familiar
with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: Unnamed creek

State place of diversion: on the SE 1/4 SE 1/4 Sec 16 T22N R1E

Describe works for conveying water to place of use: pipe line

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1/2 of second foot How much water have you seen being so
conveyed: same

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

approximately 4 acres
S 940' of NE 1/4 SE 1/4 Sec 16 T 22 N R 1 East

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

None

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:

Pasture land

1/2 of second foot

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so,

in what way and to what extent:

Rent a trailer space and

use water for garden and lawn

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

1961

Other times you have seen such use:

1962, 1963, 1964, 1965

(Signed)

Wes Henke

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 Council

 , County of Adams, State of Idaho, on this 14th day of June, 1965.

XXXXXXXXXX

Carl H. Lewiston
Notary Public for State of Idaho

Residing: Council, Idaho

My commission expires: April 13, 1968.

RECEIVED
JUL 13 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 28784

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Continuation of Form 17A

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:

Wm F. Schiffman, 50, Route 1 New Meadows, Retired,

Ques. 2. Are you acquainted with Donald Brown, the holder of
Permit No. 28784? How long have you known him and where does he reside:

one year

Ques. 3. Have you read or heard said Permit No. 28784 read, and are you familiar
with its provisions and conditions: Yes: ✓ No:

Ques. 4. State source of water supply: Unnamed creek

State place of diversion: on the S E 1/4 S E 1/4 Sec 16 T22N R1E

Describe works for conveying water to place of use: pipe line

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 110 of second foot How much water have you seen being so
conveyed: same

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

Approx. 4 acres
S 940' of N.E. 1/4 S.E. 1/4 Sec. 16 T22N R1E East

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

None

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:

Pasture land

1/10 of second foot

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

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

Other times you have seen such use: 1965

(Signed)

Wm F Schaffman

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 Council

 , County of Adams, State of Idaho, on this 14th day of June, 1965.

xxx0xx1965xx

[Signature]

Notary Public for State of Idaho

Residing: Council, Idaho

My commission expires: April 13, 1968.

May 19, 1965

Re: Permit No. 28784
Donald S. Brown

Adams County Leader
Council, Idaho

Gentlemen:

On May 5th we mailed you a Notice of Publication on the above numbered permit requesting a tear sheet or copy of the first publication for checking purposes.

To date we have not received such copy and ask that one be mailed to this office as soon as possible.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. ~~PERI~~
Head of Section
State Water Rights & Records

HP:ew

28784

May 5, 1965

Re: Permit No. 28784

Mr. Donald S. Brown,
Rt. 1,
New Meadows, Idaho.

Dear Mr. Brown:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 28784. The proofs are to be made at 3:00 o'clock P.M., on the 14th day of June, 1965, before Carl Swannstrom, Council, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28774

Re: Permit No. 28784
Donald S. Brown

Date: May 5, 1965

Adams County Leader,
Council, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to June 14, 1965
the date set for proof; the expense of the publication is to be paid
by the applicant Donald S. Brown
of R. 1, New Meadows, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

28784

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

NOTICE is hereby given that at 3 P M., on the 14 day of June
1965, at Council, County of Adams, State of Idaho, before
Carl Swanson, Notary Public, at (address) Council Ida
_____, proof will be submitted of the completion of works for the diversion of
_____ cubic feet per second of the waters of unnamed
Adams Creek
_____ . 05 _____, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 28784, 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: Donald S. Brown R1 New Meadows Ida

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
_____ . 05 _____ cubic feet per second.

3. The use to which said water has been applied is domestic administration
pasture gardens purposes, and the amount applied to beneficial use is _____ . 05 _____ cubic
feet per second.

4. The point of diversion of said water is on the SE 1/4 Sec 16
T22N R1E

5. The place where said water is used is SE 1/4 NE 1/4 Sec 16
T22N R1E East

6. The date of priority which said user is prepared to establish is _____ Total 4 acres.
June 9, 1960

CARL E. TAPPAN

State Reclamation Engineer

28784

RECEIVED
MAY 5 1965

Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 26784 to Donald S. Brown of R1 New Meadows, Ida.

*

Flo Rogers
Permit Holder

Jack Rogers
Permit Holder

STATE OF ~~MISSOURI~~ Missouri
County of Lawrence) ss

On this 1st day of May, 1965, before me, a Notary Public for the State of Missouri, residing at Pierce City, Missouri personally appeared Flo Rogers and Jack Rogers are known to me to be the person s whose name s are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

Luanita L. Murphy
Notary Public
Residing at Pierce City, Missouri

My commission expires: June 29, 1967

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

28774

May 5, 1965

Re: Permit No. 28784

Mr. Donald S. Brown
Route #1
New Meadows, Idaho

Dear Mr. Brown:

Enclosed is the Assignment of the above permit to you from Flo Rogers, her interest, which has been recorded in this office. Also recorded in this office is the amendment to the point of diversion enclosed.

Attached hereto is departmental receipt 32766 in the amount of \$1.50 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment
assignment
receipt

28784

April 27, 1965

RE: Permit 26784
Donald S. Brown

Donald S. Brown
Route # 1
New Meadows, Idaho

Dear Mr. Brown:

This will acknowledge receipt of your Amendment to the point of diversion with \$1.00 fee and Publication notice for the above numbered permit.

It is noted that the original permit was in the name of Donald S. Brown & Flo Rogers. Before any further action can be taken an assignment from Flo Rogers will be required assigning all her interest to you. The fee for recording each assignment is \$.50.

Enclosed is an assignment form. Please return promptly so the publication notice can be forwarded to the newspaper.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

M. RUSSELL BOSCH
Assistant
State Water Rights & Records

MRB:ct
Enc. assignment form

28784

APR 27 1965
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 26, 1965
(P. O.) R1 New Meadows 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 Adams Co. Leader of
Council Published in
the county in which the works are situated.

Donald A. Brown
R1 New Meadows Idaho

(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

28784

Application for Amendment

RECEIVED
APR 27 1965

POINT OF DIVERSION

Department of Reclamation

Permit No. 28784

Comes now Donald S. & Laveta Brown (husband & wife) and represent to the State Reclamation Engineer of the State of Idaho:

That he (are) the owner^s and holder^s of Permit to appropriate the Public Waters of the State of Idaho, No. 28784.

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

on the SE 1/4 of Sec 16 T22N R1E

That he now requests that the point of diversion be changed to a point located: on the SE 1/4 of Sec 16 T22N R1E

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

The original point of diversion was found to be incorrect

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

Signed at Nowhere, Idaho, this 26 day of April 1965

Donald S. Brown
Laveta Brown

Date of Receipt at Department Of Reclamation: April 27, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph A. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 28784. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 101 of
Permits, at Page 28784
May 6, 1965

Ralph A. Thomas
Deputy State Reclamation Engineer

28784

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Re: Permit No. 28784
Donald S. Brown & Flo Rogers

Date:
April 1, 1965

Donald S. Brown & Flo Rogers
Route #2
Meridian, Idaho

Dear Sir:

Under the terms of your Permit No. 28784 you are required to make proofs of completion of works and application of water to beneficial use on or before **June 16, 1965**

Before this proof 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 in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as 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, or you may have to readvertise and complete another set of proof forms.

Also enclosed 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 Forms 36-A

At the time we send the notice to the newspaper we will send 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, and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 36 and 11
cc:

28784

July 8, 1960

Re: Permit No. 28784

Mr. Donald S. Brown,
Route #2,
Meridian, Idaho.

Dear Mr. Brown:

We enclose Permit No. 28784 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. 30853, which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit, was given to you while in our office.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

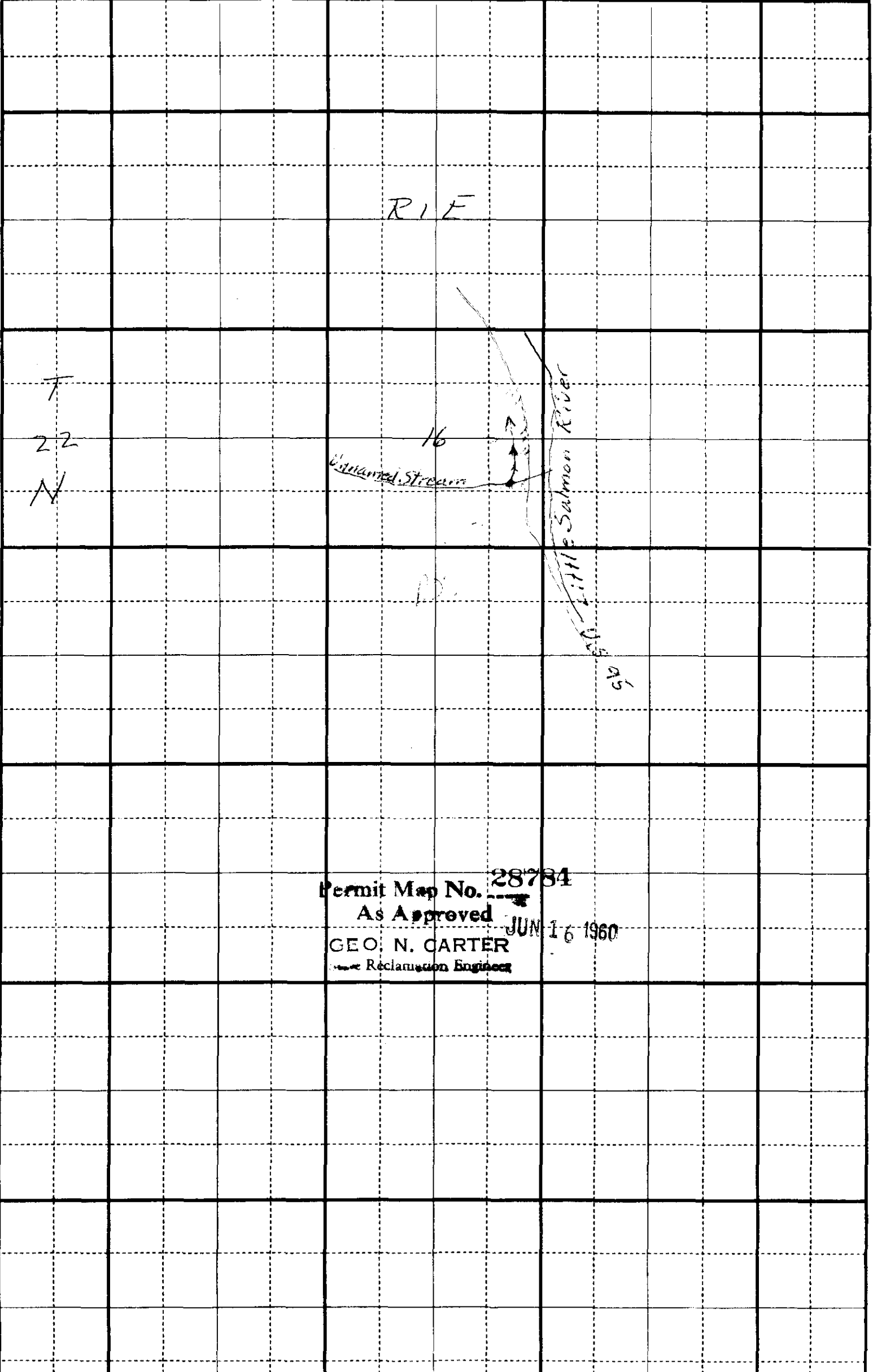
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

28784

NAME OF APPLICANT Donald S. Brown and Flo. Rogers

Form No. 0



Permit Map No. 28784
As Approved JUN 16 1960
GEO. N. CARTER
Reclamation Engineer

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

28784