

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

) ss.

County of Valley)

Donald E. McMahan

, being first duly sworn, deposes and

says: That he is the Publisher

of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said news-

paper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began

March 4, 1971, and ended March 11, 1971

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 11th day of March, 1971

Donald E. McMahan, Notary Public.
My commission expires 2-5, 1974

NOTICE OF EXISTING

WATER PERMIT

Notice is hereby given that Dean Cummins, 108 Winther, Nampa, Idaho, has received an approved Permit No. 30724/77-2150 issued by the Idaho Department of Water Administration authorizing the diversion of 0.40 cubic feet per second of water from an unnamed stream, tributary to Big Creek. The priority to be established under this permit is September 14, 1962, and the permit was approved September 20, 1962.

Water is to be diverted by headgate and pipe from a point within the NW quarter NE quarter, Sec. 35, T. 21N, R. 9E, B.M., Valley County, to be used for domestic, irrigation and stock watering purposes in the SW quarter NE quarter, Sec. 35, T. 21N, R. 9E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 20, 1973. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit.

Licensing may commence prior to the date beneficial use proof is due without further notice.

R. Keith Higginson, Director
Idaho Dept. of Water Administration
Statehouse, Boise, Idaho

Published in the Star News
on March 4 & 11, 1971

RECEIVED

MAR 17 1971

Department of Water Administration

77 2150

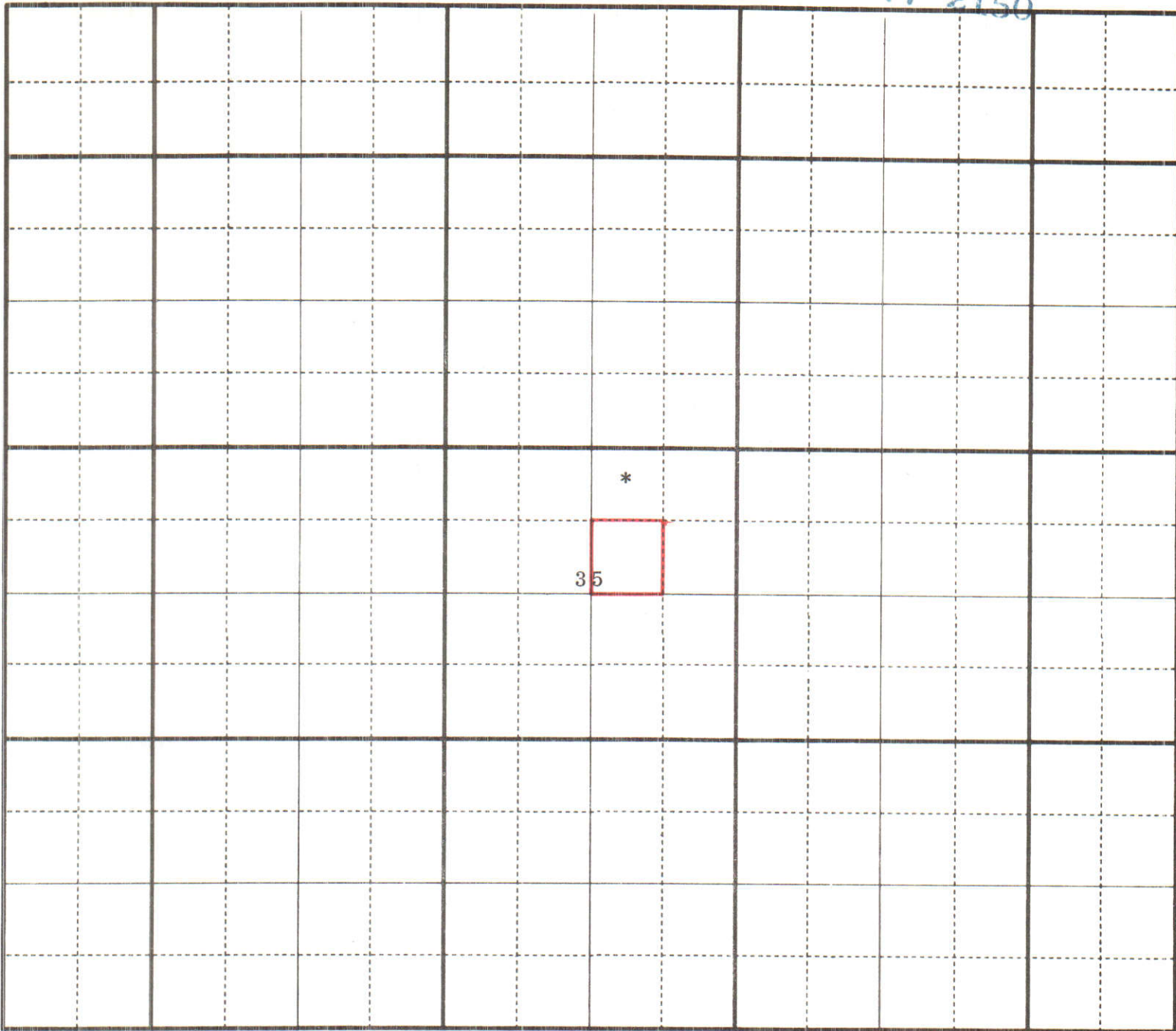
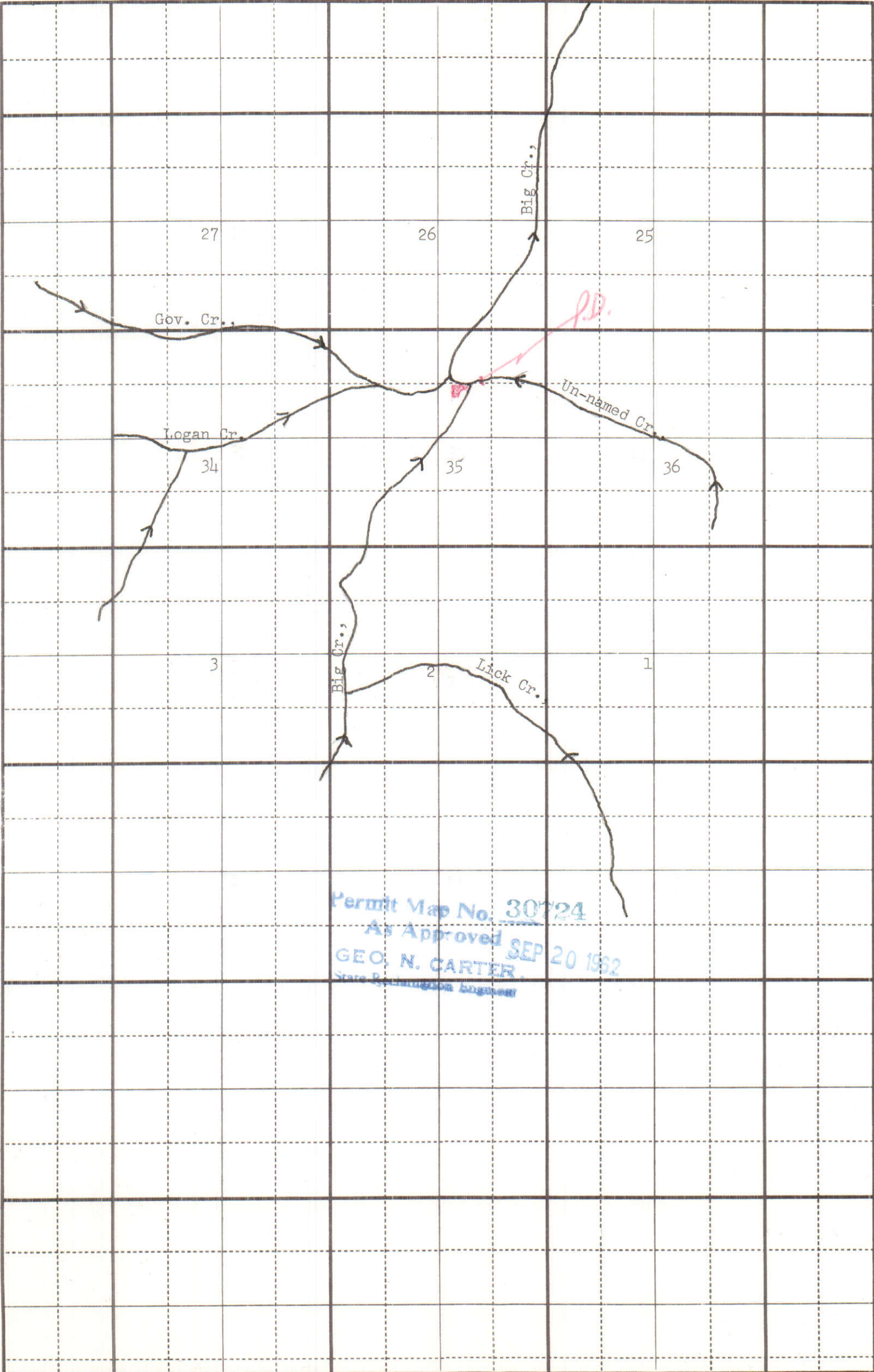


Diagram of System

NAME OF APPLICANT

DEA CUMMINS

Form No. 0



Permit Map No. 30724
As Approved SEP 20 1962
GEO. N. CARTER
State Registration Engineer

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 30724/77-2150 Priority Sept. 14, 1962 Amount 0.08 cfs

THIS IS TO CERTIFY, that DEAN CUMMINS
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 30724/77-2150 issued pursuant to Application for Permit dated September 14, 1962,
and has submitted proof to the Department of Water Administration on July 28, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.08 cfs of water from an unnamed stream,
tributary to Big Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.08</u> cfs and	<u>2.4</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.4 acre feet per year, said waters to be diverted within the NW¹/₄ NE¹/₄ of Sec. 35,
Twp. 21 N, Rge. 9 E, B.M. in the County of Valley

Description and location of place of use:

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	
21 N	9 E	35			X														

Total number of acres irrigated _____

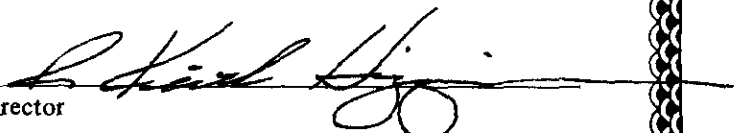
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of
February, 19 74.

77 2150

Director



Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Water Administration

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder DEAN COMMINS
b) Post Office Address 108 Weinther Nampa, Idaho
2. Permit Number _____
3. Date of Priority that you are prepared to establish Sep. 14, 1962
4. a) Source from which water was appropriated Unnamed stream
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 35
Township 21N, Range 9E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .04 for Irrigation purposes from 4/1 to 10/31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .02 for Domestic purposes from 1/1 to 12/31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .06 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By owner. Approximation
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Diversion box and gravity line
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

Exam typed 8-15-72 by de

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

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	
21N	9E	35			2.0														2.0

Total number of acres irrigated 2.0

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

7/28/1972
(Date)

Dean Cummings
(Signature)

State of Idaho)
County of Ada) ss.

On this 28 day of July, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Larry L. Page
Notary Public residing at Boise, Idaho

My commission expires 7/29/1975

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)
Donald E. McMahan, being first duly sworn, deposes and

says: That he is the Publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began March 4, 1971, and ended March 11, 1971

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this day of March, 1971, at McCall, Idaho.
My commission expires March 11, 1971

Notary Public

Dean Cummins, 106 Winchester, Nampa, Idaho, has received an approved Permit No. 30724/77-2150 issued by the Idaho Department of Water Administration authorizing the diversion of 0.40 cubic feet per second of water from an unnamed stream, tributary to Big Creek. The priority to be established under this permit is September 14, 1962, and the permit was approved September 20, 1962.

Water is to be diverted by headgate and pipe from a point within the NW quarter NE quarter, Sec. 35, T. 21N, R. 9E, B.M., Valley County, to be used for domestic, irrigation and stock watering purposes in the SW quarter NE quarter, Sec. 35, T. 21N, R. 9E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 20, 1978. Any person who violates the terms of this permit shall be liable to the Department of Water Administration for the cost of the lost days of the lost days.

Idaho Department of Water Administration
R. Keith Engstrom, Director
Idaho Dept. of Water Administration
Statehouse Building
Boise, Idaho

Published in the Star News on March 4 & 11, 1971

77 2150

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 30724/77-2150)
in the name of DEAN CUMMINS)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

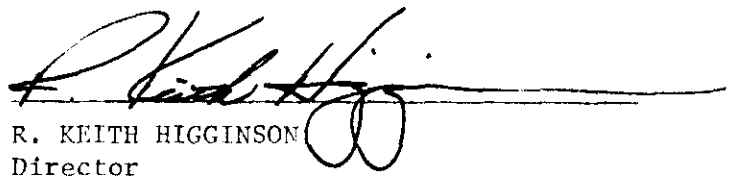
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 30724 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 11th day of February, 1971.


R. KEITH HIGGINSON
Director

3-16-71

77-2150 - Dean Cummins

77-2151 - William Merrick

77-2152 - Chet Moulton

These inspections are in a remote area and should be made together. William Merrick was in and suggested the examiner contact him and possibly fly in with the owners when they go.

Bob Fleenor

77-2150

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

APPLICATION No. 38797
PERMIT No. 30724
DISTRICT No.

1. Name of Applicant: Dean Cummins

Postoffice address: Nampa

County: Canyon

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: 0.40 cubic feet per second.

3. Source of water supply: Un-named stream which is a tributary of Big Creek

4. Location of point of diversion: Approx. 2100' SW feet distant from the NE corner of Section 35, T. 21 N, R. 9 E, B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 35, T. 21 N, R. 9 E., B. M., County of Valley

5. Water is to be used for Domestic, irrigation and stock

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: \$ 250.00

8. Kind of works: Headgate

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 2' feet; height 2' feet.

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

Diameter of pipe $\frac{1}{4}$ " to 6" inches; length of conduit 700' to 1000' miles.
Average grade per mile Less than 20% feet.

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

13. The time required for the complete application of the water to the proposed use is Six 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

16. (a) Is reservoir to be used? 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/ Dean Cummins

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 4:00 P.M. September 14, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30724

Recorded in Book 108

Page 30724

Approved

Sept. 20, 1962

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 November 20, 1962

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 March 20, 1965

The whole of said work to be completed on or before September 20, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before September 20, 1973

WITNESS My hand this 20th day of September, 1962

s/ CARL E. TAPPAN, Assistant
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 20th

day of September, 19 62

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor.

By: PAULA L. FLEENOR

Deputy Secretary of State

REMARKS:

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 $\frac{1}{4}$	
21 N	9 E	35	4.67																4.67
							Permit No. 30724 + CERTIFICATE OF COMPLETION OF WORKS												
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that DEAN CUMMINS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 30724, issued upon Application No. 38797 bearing date of priority of September 14, 1962 authorizing the diversion of 0.4 second feet of waters of an un-named stream, County of Valley, State of Idaho, for domestic, irrigation and stock purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.3 second feet of the waters of an un-named stream, tributary of Big Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 21 North, Range 9 East, Boise Meridian and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 21 North, Range 9 East, Boise Meridian.																
			Proof of Completion of Works made: September 18, 1967.																
			Witness my hand this 26th day of October, A.D. 1967.												S/ R. KEITH HIGGINSON State Reclamation Engineer				

USE FOR 08 SEC. 11,
LICENSE PAGE NO.

FROM Kay Walker

DATE 6/24/87

TO File 77-2150

SUBJECT present owners -

Loyal & 4/2 Mildred Hower
of Rt. 3, Box 3648, Nampa, Idaho,
83651 are the present owners
of this license. They were in the
office to file an additional
right for irrigation wll.

SIGNATURE

WATER RIGHT NUMBER 77-2150

OWNER LAST NAME - CUMMINS

FIRST NAME - DEAN

ORIG OWNER -

VERIFIED LGS

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - NAMPA

STATE - ID ZIP CODE - 83651

SOURCE - UNNAMED STREAM

TRIBUTARY OF - BIG CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 09-14-1962 COUNTY - VALLEY

TOTAL DIV. RATE - .0800 -CFS

TOTAL DIV. VOLUME - 2.40 AFA TRFR/AMEND -

WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NW 25 21X 09E LOT

REC'D -

272.0 92.0 279.0 35.0 0.0 0.0 0.0 0.0 0.0 0.0 0.1

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0800 CFS USE DIV. VOLUME - 2.40 AFA

USE - DOMESTIC

PLACE OF USE - TWN 21N RNG 09E SEC 35 TRACT SWNE LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 30724

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED LGS

3/79

IDENT. NO.

77-2150

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

CA

10-9-79

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

February 8, 1974

Re: Permit No. 30724/77-2150

Mr. Dean Cummins
103 Winther Blvd.
Nampa, Idaho 83651

Dear Mr. Cummins:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

77 2150

January 25, 1974

Re: Permit No. 30724/77-2150

Dean Cummins
108 Winther Blvd.
Nampa, Idaho 83651

Dear Mr. Cummins:

A representative of this Department has made an examination of the works covered by your Permit No. 30724/77-2150 and has found the following:

Quantity of water diverted: 0.08 cfs Source: unnamed stream

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 cfs

The maximum quantity diverted shall not exceed 2.4 acre feet per year.

Beneficial use: For domestic purposes within the SW 1/4, Sec. 35, Twp. 21 N. Rge. 9 E

Point of diversion: NW 1/4, Sec. 35, Twp. 21 N. Rge. 9 E, B.M.

Priority date established: September 14, 1962

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

77 2150

FIELD REPORT

Work - Dept Accounting

- 4.67

R. 9 E

77 2150

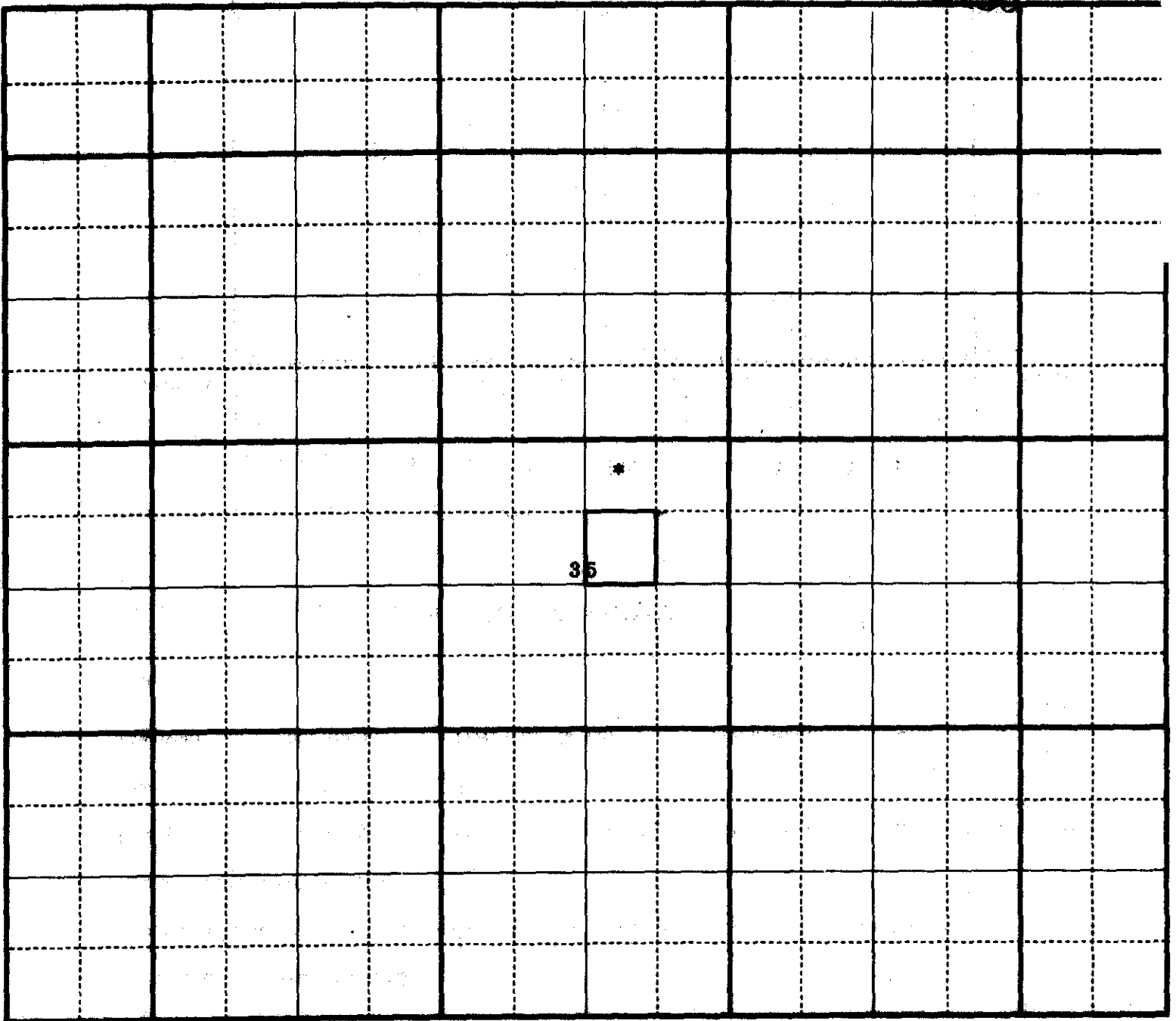


Diagram of System

DATE OF EXAM 8/7/1973

ACREAGE
Found _____
Recommended _____

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.08 c.f.s. V= 2.4 AF/Ann. from 1/1 to 12/31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured N/A Method of measurement _____

Total Q recommended 0.08 Meter No. _____ Type _____ Condition _____

Total V recommended 2.4 AF/Ann.

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:
2" plastic pipeline from P.D. approx. 600' to place of use.

REMARKS:
Domestic Use for 2 homesites.

Examiner's Signature M. Clayre Barron Date 8/7/1973
Checked by _____ Date _____
Approved by _____ Date _____

August 15, 1972

Re: Permit No. 30724/77-2150

Mr. Dean Cummins
108 Winther Blvd.
Nampa, Idaho 83651

Dear Mr. Cummins:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Western District Office
Enc: Field exam report

77 2150

March 26, 1971

Re: Permit No. 30724/77-2150

C
Dean Cummins
108 Winther Blvd.
Nampa, Idaho 83651

O
Dear Mr. Cummins:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

P
Since proof of beneficial use of water is not required until September 20, 1973, the Department will notify you sixty days in advance of the due date. We wish to advise you, however, that if you have fulfilled the requirements under this permit, you may submit proof at any time prior to the above mentioned date.

Very truly yours,

Y
Donald W. McEldowney
Appropriation Supervisor

DWM:DR

77 2150

February 22, 1971

Re: Permit No. 30724/77-2150

Mr. Dean Cummins
108 Winther Boulevard
Nampa, Idaho 83651

Dear Mr. Cummins:

The legal notice for the above-referenced permit is being published in the

Star News, McCall, Idaho on March 4, 1971

and March 11, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:CM

77 2150

February 22, 1971

Re: Permit No. 30724/77-2150

The Star News
Post Office Box #985
McCall, Idaho 83638

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Dean Cummins, 108 Winther Boulevard, Nampa, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

77 2150

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Dean Cummins, 108 Winther, Nampa,
Idaho, has received an approved Permit No.
30724/77-2150 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~of~~ of 0.40 cubic feet per second ~~per~~
~~per~~ of water from an unnamed stream, tributary to Big Creek.
The priority to be established under this permit is September 14, 1962.
and the permit was approved September 20, 1962.

Water is to be diverted by headgate and pipe
from a point within the NW 1/4, Sec. 35, T. 21N, R. 9E, B.M., Valley
County,
to be used for domestic, irrigation and stock watering purposes
in the SW 1/4, Sec. 35, T. 21N, R. 9E, B.M.

Proof of the application of the water to beneficial use is to be sub-
mitted to the Department on or before September 20, 1973. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration within ten (10)
days of the last date of publication of this notice or prior to the licensing
of the permit. Licensing may commence prior to the date beneficial use proof
is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Star News, McCall, Idaho,
on March 4, 1971 and March 11, 1971.

Permit No. 30724/77-2150

Director:

You are hereby authorized to have the above notice published at my expense
in the Star News of McCall, Idaho;
published in the county in which the works are situated.

(Signature)

Feb 18 - 71
(Date)

(Address)

108 Winther Blvd.
Nampa Idaho 83651

77 2150

February 12, 1971

Re: Permit No. 30724 (New No. 77-2150)

Dean Cummins
108 Winther
Nampa, Idaho 83651

Dear Mr. Cummins:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof of beneficial use of water.

The enclosed order modifies the above referenced permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department.

If you will complete the enclosed form and return it to the Department, we will cause the notice to be published. If you have any questions regarding this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Order

Advertising package

77 2150

October 26, 1967

Re: Permit No. 30724

Dean Cummins
108 Winther
Nampa, Idaho 83651

Dear Mr. Cummins:

Enclosed is the Certificate of Completion of Works for the above referenced permit.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Certificate

30724

Permit No. ... 30724

**Certificate of Completion
of Works**

Dated ... October 26 ..., 19 67 ...

Stream Unnamed stream

County Valley

Amount 0.3 c.f.s.

Date of Priority September 14, 1962

Recorded in Book 108

of ... Permits, page 30724

30724

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ... DEAN CUMMINS
 of Nampa , County of Canyon , and State of
 Idaho , the holder of Permit No. 30724 , issued upon
 Application No. 38797... bearing date of priority of September 14, 1962, authorizing the
 diversion of 0.4 second feet of waters of an un-named stream, ...

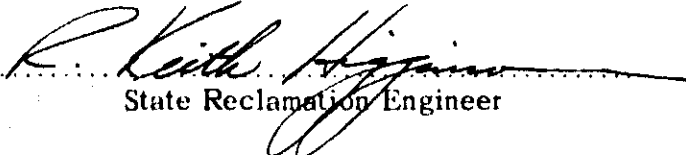
 County of Valley , State of Idaho, for domestic, irrigation and stock
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.3 second feet of the waters of an un-named stream, ...
 tributary of Big Creek;

that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, ...
 Township 21 North, Range 9 East, Boise Meridian

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 21 North, Range
 9 East, Boise Meridian.

Proof of Completion of Works Made: September 18, 1967.

Witness my hand this 26th day of October, A. D. 19 67....


 State Reclamation Engineer

30724

Permit No. 30724STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of VALLEY

} ss.

DEAN CUMMINS

, 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. 30724, and that his postoffice address is 108 Winther Blvd., Nampa, State of Idaho

Second: That the name of the stream from which said water is to be diverted is "UN-NAMED STREAM"

Third: That the point of diversion of said water is within 1000' of stream mouth

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept. 20th, 1967

Fifth: That the use for which said water is intended is Domestic

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: Pipe Line

(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 _____

2" plastic pipe

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water two feet; diameter of pipe 2" inches, average grade per mile is _____ feet. Length of conduit is miles. Less than 1000'.

Seventh: That said works are capable of conducting to the place of intended use 0.3 second feet of water.

Eighth: That water appropriated under said permit is available for 4.65 acres of land described as follows: all situate in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35. Patent #950632 of the W. A. Edwards homestead.

Ninth: Remarks:—That project serves three owners of land parcels as per letter dated February 23, 1965. Said three owners have worked a cooperative in completing work and will share in future maintenance and/or improvements.

Dean Cummins

(SIGN HERE)

Subscribed and sworn to before me this 18 day of Sept, 1967

John E. Cooper

NOTARY PUBLIC

My commission expires April 10 1967

30724

Copy

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

DEPARTMENT OF RECLAMATION

Boise, Idaho
June 29, 1967

Dean Cummins
108 Winther
Nampa, Idaho 83651

Dear Mr. Cummins:

Under the terms of your Permit No. 30724 you are required to complete your diversion works on or before September 20, 1967. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

30724

March 16, 1965

Department of Reclamation,
107 State House,
Boise, Idaho.

RE: PERMIT NO. 30724

Gentlemen:

In keeping with the requirements of Permit No. 30724 for appropriation of water from the "Un-named Stream", which is a tributary of Big Creek, I wish to report the following completed work to deliver said water to the property of the applicant.

During the period since issuance of the above mentioned permit, three persons sharing in appropriation of these waters joined in finances and labor to properly prepare diversion of water to related properties. These three persons were, namely: Chet Moulton, Dean Cummins, and Wm. Merrick.

A section of the stream-bed was lowered for a distance of approximately 30-feet with a fall of one-to-eight. A double-capped 20-foot length of 8" galvanized culverting, half of which was drilled, was placed in this depression and covered over with selected gravel material until the stream-bed level was regained.

A 2" drain for flushing the depressed casing was installed on the bottom of the outlet cap and 2" outlet gate-valve was installed above the drain. Several hundred feet of 2" plastic hose was extended from the outlet to, and across, Big Creek where it will be connected to plastic hose laterals to the properties of the three above named applicants.

The 2" plastic hose was buried several inches below ground from the point of outlet from the "Un-named Stream" to the place of crossing Big Creek. At this point, a cable was suspended across Big Creek and the plastic hose attached thereto at close spacing intervals.

The cost of plastic hose (\$127.15), galvanized culverting (\$49.40), drilling of pipe, outlet plug and gate-valve, cable, and joining nipples and connectors for coupling lengths of plastic hose (\$22.50), and blasting powder (\$16.40), amounted to a total materials cost of \$215.45. Labor for said installation, burying of plastic hose, depressing a section of stream, etc, is \$288.00 -- based on 96 man hours at \$3.00 an hour. Total cost assigned to project as of January 1, 1965, is \$503.45.

It is estimated three-fifths of the project was completed before the close of 1964. When final completion is finished, a culminating report will be filed with your office.

Sincerely,

Dean Cummins
Dean Cummins, Permit No. 30724
108 Winther Blvd.
Nampa, Idaho

30724

October 4, 1962

Re: Permit No. 30724

Mr. Dean Cummins,
108 Winther
Nampa, Idaho.

Dear Mr. Cummins:

We enclose Permit No. 30724 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~We also enclose~~ Departmental Receipt No. 31234 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. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

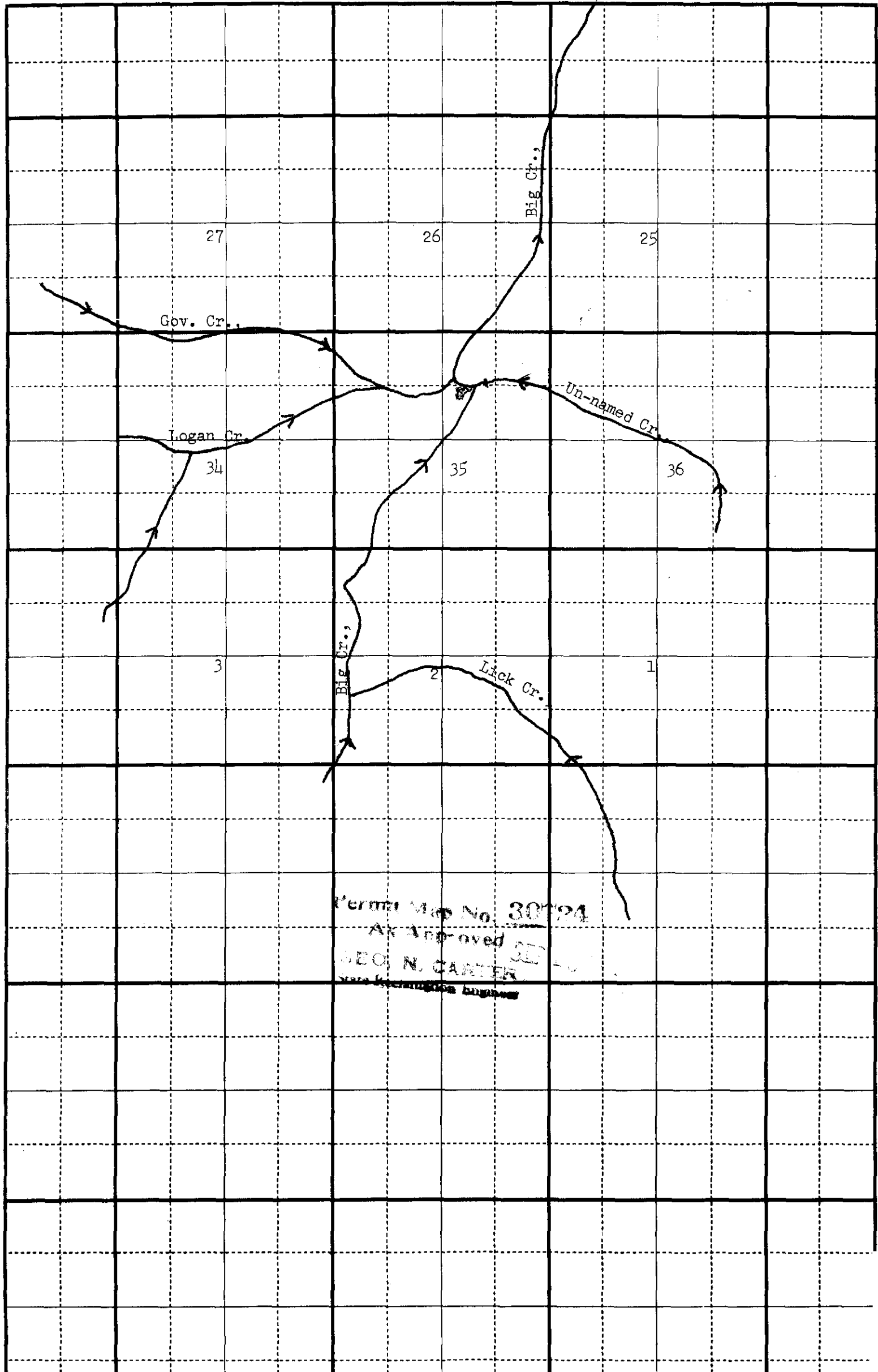
EPR:pmk
Encl. -

30724

NAME OF APPLICANT

DEA CUMMINS

Form No. 0



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

30724