

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
To Be Beneficial**

Notice is hereby given that at 10 A. M. on the 29th day of November, 1939, at Payette, County of Payette, State of Idaho, before W. R. McClure, a Notary Public, proof will be submitted of the application to beneficial use of 0.37 cubic feet per second of the waters unnamed stream in accordance with the terms and conditions of Permit No. 18557 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Guy Lee, Payette, Idaho.

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

The amount applied to beneficial use is 0.37 cubic feet per second.

The place where said water is used 1.6 A. in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 5.0 A. in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 12.0 A. in SW $\frac{1}{4}$ NW $\frac{1}{4}$; in Section 14, Township 9 North, Range 5 West, B. M.

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

The right to take water from such works is based upon Permit No. 18557.

The source of supply from which such water is diverted is unnamed stream.

The date of priority which said user is prepared to establish is November 4, 1937. 18557

JAMES SPOFFORD,
Commissioner of Reclamation.

STATE OF IDAHO }
County of Payette } SS.

Geo. L. Whorton being

duly sworn deposes and says: That he is the publisher of the Independent-Enterprise, a weekly newspaper published at Payette, in the County of Payette, State of Idaho; that said paper is in general circulation in the county aforesaid and in the vicinity of Payette, and has been for more than 78 consecutive weeks last preceding the first publication of the advertisement, a copy of which is attached hereto; that said advertisement was published

in said newspaper once a week for four consecutive weeks in the regular and entire issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement. Such advertisement was published in the issue

beginning with Nov. 2, 1939, 19 and ending with

the issue of Nov. 23, 1939

Geo. L. Whorton

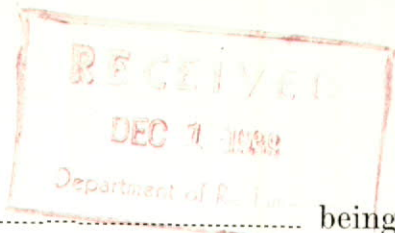
Subscribed and sworn to before me this 29th

day of Nov. 1939, 19

W. R. McClure

Notary Public for Idaho. Residence, Payette, Idaho

OK 18557
HD



NAME OF APPLICANT Guy Lee

FORM NO. 0

Map to accompany application for Permit

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

Permit Map No. 18557

As Approved

NOV 29 1937

R. W. FARIS

Commissioner of Reclamation

SNAKE RIVER

U.P. R.R.

State Highway

Point of diversion

unimproved stream

N
E
W

T 9 N R 5 W

B. M.

State of Idaho

License and Certificate of Water Right

Water License No. 18557

Amount 0.37 second feet

Water District No.

Priority November 4, 1937

THIS IS TO CERTIFY that GUY LEE

of Payette, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 4, 1937; that Permit No. 18557 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.37 second feet, was issued thereunder on February 17, 1939, showing that said works were completed on the 11th day of February, 1939; and that on the 29th day of November, 1939.

GUY LEE

of Payette, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed stream, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 18557 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 8 of Licenses at page 4883, on the 2nd day of February, 1952;

The right hereby confirmed dates from November 4, 1937;

The Point of Diversion is located

in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, Tp. 9 N., R. 5 W., B.M. Payette 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 0.37 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.	5 W.	14	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.6	2.6
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0	8.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	12.0	8.0
					18.6

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

2nd day of February, 1952.

MARK R. KULP

State Reclamation Engineer

(SEAL)

65 2409

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25881
Permit No. 18557
District No.

1. Name of Applicant: **Guy Lee**
 Postoffice address **Payette** County: **Payette** State: **Idaho**
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: **0.37** cubic feet per second.
3. Source of water supply: **Unnamed stream** which is a tributary of **Snake River**
4. Location of point of diversion: **feet distant from the**
 corner of Section , T. , R. , B. M., and is in the **NE $\frac{1}{4}$ NW $\frac{1}{4}$**
 of Section **14**, T. **9 N.**, R. **5 W.**, B. M., County of **Payette**
5. Water is to be used for: **Irrigation and domestic purposes**
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: \$ **50.00**
8. Kind of works: **ditch and diversion dam and headgate combined**
9. Height of dam **2** feet; length of dam at top **4** feet; length of dam at bottom **4**
 feet; material used in dam: **Wood**
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom **1.0** feet; width at water line **3.0** feet; depth of water **1.0**
 feet; dimensions of flume:
 Diameter of pipe inches; length of conduit **$\frac{1}{2}$** miles.
 Average grade per mile **5.0** feet.
12. The time required for the completion of such work is **one (1)** years.
13. The time required for the complete application of the water to the proposed use is **one** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 N.	5 W.	14					1.6	5.0	12.0									18.6	
In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 29th day of November, 1937.																			
(SEAL)																			
Countersigned:																			
By IRA H. MASTERS Secretary of State																			
STATE OF IDAHO DEPARTMENT OF RECLAMATION																			
In the Matter of Reinstatement of Permit No. 18557, under the Provisions of Sec. 41-311 Idaho Code Annotated.))))																			
ORDER REINSTATING PERMIT																			
WHEREAS, Permit No. 18557 lapsed through failure of the holder to make the required proof of completion of works within the specified time, to-wit: November 29, 1938; and																			
WHEREAS, Due notice was given the holder that said permit had lapsed and would be canceled, under the provi of Section 41-311, Idaho Code Annotated, unless appearance was made to offer proof to show why said permit should not canceled, within 40 days from the date of such notice, to-wit: January 17, 1939; and																			
WHEREAS, on the 14th day of February, 1939, depositions of the holder and two witnesses were filed in the ment of Reclamation showing the works to have been fully completed some time prior to November 29, 1938, the date spec said permit, and that the holder had acted in good faith:																			
IT IS THEREFORE HEREBY ORDERED That said Permit No. 18557 be, and the same is, hereby reinstated, and that Certificate of Completion of Works be issued the Applicant, as provided by the laws of Idaho.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Boise, Idaho, this 17 day of February, 1939																			
(SEAL)																			
JAMES SPOFFORD Commissioner of Reclamation																			

Permit No. 18557
 CERTIFICATE OF COMPLETION OF WORKS.

ALL WHOM IT MAY CONCERN:

This is to certify that GUY LEE, of Payette, County of Payette, and State of Idaho, the holder of Permit No. 18557, issued upon Application No. 25881, bearing date of priority of November 4, 1937, authorizing the diversion of 0.37 second foot of the waters of an unnamed stream, which is a tributary of Snake River, County of Payette, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to place of intended use 0.37 second foot of the waters of an unnamed stream, a tributary of Snake River; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14, Township 9 North, Range 5 West, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M.

Witness my hand this 17th day of February, A. D. 1939

JAMES SPOFFORD
 Commissioner of Reclamation

Proof of Completion of Works made February 11, 1939
 Certificate of Completion of Works issued February 17, 1939

LICENSE ISSUED FOR 0.37 SEC. FL

88-4883

APPLICATION FOR AMENDMENT
 TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
 OF THE STATE OF IDAHO, NO. 18557.

Comes now Guy Lee and represents to the State Reclamation Engineer of the State of Idaho:

That he is the record owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18557;

That the point of diversion is described in said Permit as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M.

That he now requests that the point of diversion be changed to a point located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M.

That his reasons for desiring to make such change are as follows: The original location was in error.

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

Signed at Payette, Idaho, this 21st day of January, 1952.

/s/ Guy Lee

Date of receipt at Department of Reclamation. Jan. 22, 1952

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18557. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
 State Reclamation Engineer

WATER RIGHT NUMBER 67-2395

OWNER LAST NAME - LEE

FIRST NAME - GUY

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - PAYETTE

STATE - ID ZIP CODE -

SOURCE - UNNAMED STREAM

TRIBUTARY OF - SNAKE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 11-04-1937 COUNTY - PAYETTE

TOTAL DIV. RATE -

.3700 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNW 14 09N 05W LCT

REDIV -

272.0 294.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.3

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

.3700 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 09N RNS 05W SEC 14 TRACT NENW LOT

AC 03 TRACT

NWNW LCT

AC 08

TRACT SWNW LOT

AC 08

DECREE NAME -

DATE -

TOTAL ACRES

19

REMARKS - AC. IRR. = 18.5.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 13557

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

IDENT.

67-2395

WATER RIGHT
DATA ENTRY LOG[illegible]

February 2, 1952

RE: Permit No. 18557

Mr. Guy Lee
Payette
Idaho

Dear Mr. Lee:

We return your application for amendment to point of diversion in Permit No. 18557 which has been approved by the State Reclamation Engineer and duly recorded.

We also enclose license and certificate of water right, issued under this permit, confirming your right to the use of 0.37 second foot of water from an unnamed stream, tributary to Snake River with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M., and priority of November 4, 1937, for irrigation and domestic use on the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14.

The fee of \$6.00 in connection with beneficial use proof under this permit was paid by Mr. George J. Malstead, to whom we are sending departmental receipt No. 24123.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: Mr. George J. Malstead

18557



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 31, 1952

RE: Permit No. 18557

RECEIVED
FEB 2 1952
Department of Reclamation

Mr. George J. Malstead
Box 531
Payette, Idaho

Dear Mr. Malstead:

There seems to be a misunderstanding regarding the issuance of this license. The license cannot be issued to one man and delivered to another, by this department, without proper transfer first being recorded on the record in this office, or we receive a notarized order from the licensee (in this case Mr. Lee) to deliver the license to some other person (to you).

We can send the license to Mr. Lee and he can give it to you, if you desire it that way, and that will keep the records in this office straight.

We will await additional word from you before mailing the license to Mr. Lee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By *E. N. Humphrey*
E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

cc: Mr. Guy Lee
Mr. W. R. McClure

Dear Mr Kulp

*Please send the license to Mr Guy Lee
then we can get it from him*

Very Truly Yours

George J Malstead

18557

January 31, 1952

Re: Permit No. 18557

Mr. George J. Malstead
Box 531
Payette, Idaho

Dear Mr. Malstead:

There seems to be a misunderstanding regarding the issuance of this license. The license cannot be issued to one man and delivered to another, by this department, without proper transfer first being recorded on the record in this office, or we receive a notarized order from the licensee (in this case Mr. Lee) to deliver the license to some other person (to you).

We can send the license to Mr. Lee and he can give it to you, if you desire it that way, and that will keep the records in this office straight.

We will await additional word from you before mailing the license to Mr. Lee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg
cc: Mr. Guy Lee
Mr. W. R. McClure

18557

Payette Idaho.
Jan 30, 1952.

Dear Mr Kulp.

We mailed you a money order
\$6.00, for the license, please
forward it to us.

Yours Truly
George J. Malstead
Box 531.

RECEIVED
JAN 31 1952
Department of Reclamation

18557

✓
January 22, 1952

RE: Permit No. 18557

Messrs. McClure & McClure
Attorneys at Law
Payette, Idaho

Gentlemen:

In reply to your letter of January 31, 1952, in regard
to Permit No. 18557:

Since this permit is of record in this department in the
name of Guy Lee, and there is no record of any transfer of title,
the license will be issued in the name of Guy Lee.

Thereafter, the transfer or assignment of the license
may be made to Mr. Melstead in whatever manner you and he may
deem best.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. W. Humphrey
Deputy State Reclamation Engineer

fg
cc: Mr. George J. Melstead

18557

McCLURE & McCLURE

ATTORNEYS AT LAW

PAYETTE, IDAHO

W.R. McCLURE
JAMES A. McCLURE

January 21, 1952

State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Sir:

Re: Permit No. 18557

George J. Malstead was in today with your letter of the 18th and with the signed application of Guy Lee for change of point of diversion, which we are enclosing herewith.

Mr. Malstead also wanted to know if the permit might go to Lee and then direct from Lee to him, ignoring Reiher.

Payette County Abstract & Title Company, Payette, has been and now is escrow holder of papers in connection with the Guy Lee property and we understand that the deed from Lee to Reiher has been recorded, and that the deed from Reiher to Malstead is in escrow at this time. Mr. Malstead states that in his contract it is mentioned that there is no irrigation right and that he understands Lee gave Rheier none. We also understand that Rheier is around this part of the country some place so he can be found. Your suggestion as to chain of interest in this will be followed.

Mr. Malstead will reply to your letter to him and will make the required remittance mentioned therein.

Yours very truly,

McClure & McClure

By *W.R. McClure*

18557



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 18, 1952

RE: Permit No. 18557

Mr. George J. Malstead
Payette
Idaho

Dear Mr. Malstead:

We now have on file the report of our field engineer on Permit No. 18557, showing that 18.6 acres have been irrigated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M.

A license will therefore be issued for 0.37 second foot of water from an unnamed stream, in accordance with said permit, upon receipt of the statutory fee of \$6.00 which is at the rate of \$2.00 for each legal subdivision in which the land is located.

However, the inspection shows that the correct point of diversion is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section, instead of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ as described in the application. An amendment will therefore be necessary before the license is issued. We enclose a form of application for amendment which should be signed by Guy Lee, the record owner of the permit. No fee is required in connection with this amendment.

Title to the water should, and probably did, pass along with the deed from Mr. Lee to Mr. Reiber and then should pass from Mr. Reiber to you, along with the deed.

However, license will be issued to Mr. Lee, following which he can transfer to Mr. Reiber and Mr. Reiber can transfer to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeanne L. Anderson*
Chief Clerk

A:fg
Enc.
cc: Mr. Guy Lee

18557

✓
January 18, 1952

RE: Permit No. 18557

Mr. George J. Malstead
Payette
Idaho

Dear Mr. Malstead:

We now have on file the report of our field engineer on Permit No. 18557, showing that 18.6 acres have been irrigated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 3 West, B.M.

A license will therefore be issued for 0.37 second foot of water from an unnamed stream, in accordance with said permit, upon receipt of the statutory fee of \$6.00 which is at the rate of \$2.00 for each legal subdivision in which the land is located.

However, the inspection shows that the correct point of diversion is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section, instead of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ as described in the application. An amendment will therefore be necessary before the license is issued. We enclose a form of application for amendment which should be signed by Guy Lee, the record owner of the permit. No fee is required in connection with this amendment.

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However, license will be issued to Mr. Lee, following which he can transfer to Mr. Reiber and Mr. Reiber can transfer to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: Mr. Guy Lee

18557

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18557

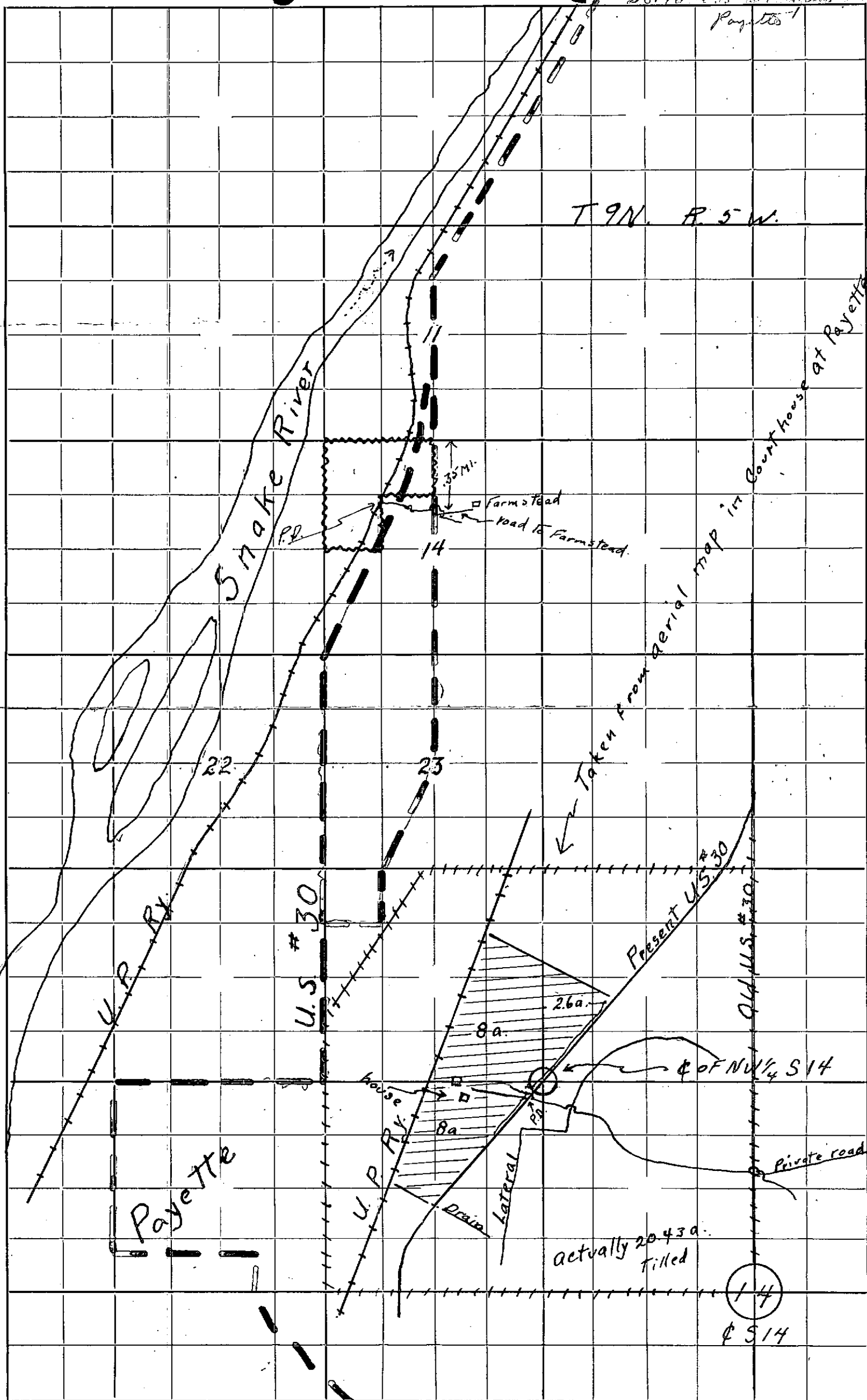
REPORT ON PROOF OF Beneficial use

GUY LEE, Payette, Idaho

.37 cfs
SMRR

app - 0.37 cfs

18.6 acres
20.43 acres now
3-40's



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

Permit No. 18557This proof is for Beneficial use In Water District No. _____1. Name of applicant Guy Lee, Payette, Idaho2. Source of water supply: An un-named stream3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14T. 9 N. R. 5 W. County of Payette

4. Describe works as they exist, giving dimensions and capacities of same: This is a natural drain that has been improved or changed by man. Water has been put into a ditch and flows under and across two highways and one private road, as well as under a lateral. Most of the water is waste water from irrigation. The Point of Diversion is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ though he actually keeps the ditch or drain cleaned up to the lateral in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$. Water passes under U. S. #30 through an 18 in. culvert, then it goes into ample size ditches and is conducted over the fields and pastures. Drainage flows into a large drain canal in the SW corner of the place and flows under the Railway and on West into the Snake River

5. Water is used for: Irrigation and domestic purposes.

6. State whether or not water has been turned into works of diversion: Yes, has been used for years.

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):

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Twp. 9 N., Range 5 W., B.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ -- 2.6 acres

NW $\frac{1}{4}$ NW $\frac{1}{4}$ -- 8.0 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ -- 8.0 acres

18.6 acres

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

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

Remarks: This is a small dairy farm. It supplies all hay and pasture for 9 to 12 head of dairy cattle.

allow full filling.

This examination was made on the 17th day of January, 19 52.

(Signed)

E. H. Humphrey

Examiner.

18557

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.
-
-

Guy Lee
Payette, Idaho

Permit No. 18557

Examination for Beneficial use

County Payette

9N. 5W.

Q = .37 cfs

S = unnamed st.

Irreg + down.

P.D. =

NE NW 3 14

Area = 18.6 acres.

NE NW = 1.6 a.

NW NW = 5.09

SW NW = 12.09

18.6

B. 7 due Nov 29-37

Priority = Nov 4-37



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 10, 1952

Mr. George Malstead
Box 531, Route 2
Payette, Idaho

Dear Mr. Malstead:

The weather has made it impossible for me to make your inspection within the last few days as you suggested, especially as the forecast was for a heavy snow storm yesterday.

However, I will try and do this the first day that weather conditions are suitable and if you will advise me as to your telephone number, I will notify you in advance.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

E. N. Humphrey

E. N. Humphrey

Deputy State Reclamation Engineer

fg

*Payette Idaho
June 12-1952.*

Dear Sir:

*We will be home all of this week
except Wed Jan the 16th
we have no phone.*

*Yours truly
Geo. Malstead.*

18557

18557

January 10, 1952

Mr. George Melstead
Box 531, Route 2
Payette, Idaho

Dear Mr. Melstead:

The weather has made it impossible for me to make your inspection within the last few days as you suggested, especially as the forecast was for a heavy snow storm yesterday.

However, I will try and do this the first day that weather conditions are suitable and if you will advise me as to your telephone number, I will notify you in advance.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

fg

18557

RECEIVED

JAN 10 1952

Department of Reclamation

Payette clda
Jan 9 - 1952

Dear Sir,

As you did not come when
you were suppose to, could
you please tell ^{us} what day
you can come, we would
like to get this settled

Yours truly

Geo Walstead

Box 531. Route 2

P.S.

Please let us know as early as
possible what day I can expect you.

18557

Payette Idla Jan 3:52

Dear Sir

You may come Jan 7th or 8th
if you can we will be home,
Mr. Lee is not here now. we
have bought the place.

Yours

George J. Malstead

RECEIVED
JAN 4 1952

Department of Reclamation

18557

December 29, 1951

RE: Permit No. 18557

Messrs. McClure & McClure
Attorneys at Law
Payette, Idaho

Gentlemen:

Permit No. 18557 was issued to Guy Lee for an amount of 0.37 cubic foot per second of water from an unnamed stream, with point of diversion in the NE 1/4 Section 14, Township 9 North, Range 5 West, B.M., to be used for irrigation and domestic purposes upon certain lands described in the permit. The agent making the filing was Mr. C. P. Lattig.

Proof of completion of works was due on November 29, 1938, and beneficial use proof was due one year later on November 29, 1939. The first proof was not made on the date set according to law and the permit was up for cancellation. Registered notice was sent Mr. Lee, advising him of the fact. Shortly thereafter, he furnished proof that the work had been done and the permit was reinstated by the Commissioner of Reclamation.

Beneficial use proof was made on November 29, 1939. After that proof, field inspection should have been made and the license issued or refused. We do not know whether or not there was a question in connection with the field examination and report that has delayed action in connection with this permit. However that may be, a field inspection will be made at the earliest opportunity, possibly sometime in January, after which license may be issued.

I would appreciate word from Mr. Lee as to whether or not he will be home and available to accompany me on an inspection sometime in January, probably the fore part of the month. If there is any particular day that would be more convenient for Mr. Lee than some other day, if he will so advise, I will try to arrange schedule to accommodate him.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg
cc: Mr. Guy Lee

18557

December 29, 1951

RE: Permit No. 18557

Messrs. McClure & McClure
Attorneys at Law
Payette, Idaho

Gentlemen:

Permit No. 18557 was issued to Guy Lee for an amount of 0.37 cubic foot per second of water from an unnamed stream, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M., to be used for irrigation and domestic purposes upon certain lands described in the permit. The agent making the filing was Mr. C. P. Lattig.

Proof of completion of works was due on November 29, 1938, and beneficial use proof was due one year later on November 29, 1939. The first proof was not made on the date set according to law and the permit was up for cancellation. Registered notice was sent Mr. Lee, advising him of the fact. Shortly thereafter, he furnished proof that the work had been done and the permit was reinstated by the Commissioner of Reclamation.

Beneficial use proof was made on November 29, 1939. After that proof, field inspection should have been made and the license issued or refused. We do not know whether or not there was a question in connection with the field examination and report that has delayed action in connection with this permit. However that may be, a field inspection will be made at the earliest opportunity, possibly sometime in January, after which license may be issued.

I would appreciate word from Mr. Lee as to whether or not he will be home and available to accompany me on an inspection sometime in January, probably the fore part of the month. If there is any particular day that would be more convenient for Mr. Lee than some other day, if he will so advise, I will try to arrange schedule to accommodate him.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg
cc: Mr. Guy Lee

18557

McCLURE & McCLURE

ATTORNEYS AT LAW

PAYETTE, IDAHO

W.R. McCLURE
JAMES A. McCLURE

December 28, 1951

RECEIVED
DEC 29 1951
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Permit No. 18557

The owner of the lands involved in this permit has made application for loan from the Federal Land Bank of Spokane and the question of water right for irrigation has come up and this raises the question as to the present status of the above permit. According to your letter to Guy Lee dated November 2, 1939 he was to make proof of application to beneficial use. The papers given to us with this letter does not indicate that such proof was made. We wonder what the present condition in this matter is. A long time has elapsed since this was to be done and it may have been done, though apparently Mr. Lee does not now remember. If it was not completed would it be possible now to take up where it was left off and complete it?

Yours very truly,

McClure & McClure

By *W.R. McClure*

B/W due 11-29-39

11-4-37

18557

December 1, 1939

Re: Permit No. 18557

Mr. Guy Lee,
Route 2,
Payette, Idaho.

Dear Sir:-

We acknowledge receipt, from the Notary Public, Mr. W. R. McClure, of the deposition of yourself, as holder, the depositions of two witnesses, and the affidavit of proof of publication from the Payette Independent-Enterprise, all in connection with beneficial use proof under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the Department has but one field engineer, who makes examinations all over the state.

However, Mr. Tolman, field engineer for this department, will contact you at the time set for examination, so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees before the issuance of your license.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

JLA

By

Chief Clerk

18557

FREEHAFFER & McCLURE

ATTORNEYS AT LAW

PAYETTE, IDAHO

A. L. FREEHAFFER

W. R. McCLURE

November 29, 1939.

Department of Reclamation
State of Idaho,
Boise, Idaho.

Gentlemen:

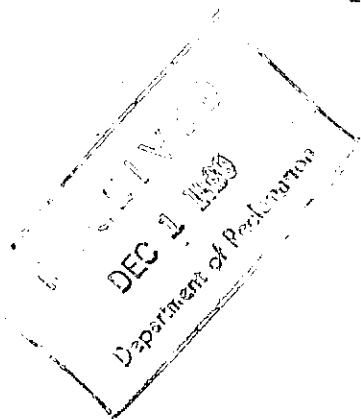
Re: Permit No. 18557
Guy Lee, Payette.

I am enclosing herewith the following instruments
in the above matter:

1. Affidavit of publication of notice for
proof application of water to beneficial use.
2. Deposition of Guy Lee.
3. Deposition of witness E. M. Palmer.
4. Deposition of Witness W. E. Heslop.

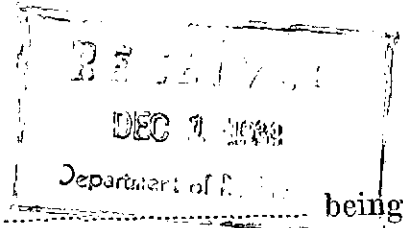
Yours very truly,

W R McClure
W. R. McClure.



18557

STATE OF IDAHO }
County of Payette } SS.



Geo. L. Whorton

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER

To Be Beneficial

Notice is hereby given that at 10 A. M. on the 29th day of November, 1939, at Payette, County of Payette, State of Idaho, before W. R. McClure, a Notary Public, proof will be submitted of the application to beneficial use of 0.37 cubic feet per second of the waters unnamed stream in accordance with the terms and conditions of Permit No. 18557 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Guy Lee, Payette, Idaho.

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

The amount applied to beneficial use is 0.37 cubic feet per second.

The place where said water is used 1.6 A. in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 5.0 A. in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 12.0 A. in SW $\frac{1}{4}$ NW $\frac{1}{4}$; in Section 14, Township 9-North, Range 5 West, B. M.

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

The right to take water from such works is based upon Permit No. 18557.

The source of supply from which such water is diverted is unnamed stream.

The date of priority which said user is prepared to establish is November 4, 1937. 18557

JAMES SPOFFORD,
Commissioner of Reclamation.

duly sworn deposes and says: That he is the publisher of the Independent-Enterprise, a weekly newspaper published at Payette, in the County of Payette, State of Idaho; that said paper is in general circulation in the county aforesaid and in the vicinity of Payette, and has been for more than 78 consecutive weeks last preceding the first publication of the advertisement, a copy of which is attached hereto; that said advertisement was published

in said newspaper once a week for four consecutive weeks in the regular and entire issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement. Such advertisement was published in the issue

beginning with Nov. 2, 1939, 19 and ending with

the issue of Nov. 23, 1939

Geo. L. Whorton

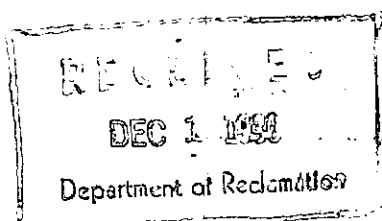
Subscribed and sworn to before me this 29th

day of Nov. 1939, 19

W. R. McClure

Notary Public for Idaho: Residence, Payette, Idaho

OK 18557
HD



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18557

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Guy Lee, residence Payette, Idaho, R#2, farmer, Payette, Idaho

✓ 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. am not

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

Ans. No. 18557, date Nov. 4, 1937, Nov. 4, 1937

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

Ans. un-named stream; in Northeast Quarter of the Northwest Quarter of Section 14, Twp. 9 North, Range 5 West, B.M.

✓ 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.

Ans. Box 8 ft. long, 2 ft. wide and 1 foot deep, ditch; the ditch being sufficient to carry 50 inches of water. The ditch is un-named.

✓ 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. Used in - 1.6 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 5 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$; and 6 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$, all in Sec. 14, Twp. 9 N., R. 5 W., B.M. About 8 $\frac{1}{2}$ a. farmed and remainder pasture land; land irrigated reclaimed by use of this water.

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

Ans. not

18557

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

Ans. 0.37 cubic feet per second

✓ 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. not corporation

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

Ans. This water has been continuously used on this property during irrigation season since Nov. 4, 1937. For irrigation of ablove land and have so used all of such water.

✓ 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. This is the only source of irrigation waters for these lands.

(Sign)

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 Payette, County of Payette, State of Idaho, on this 29th day of November, A. D. 1939.

W. M. Lewis
Notary Public for Idaho,
Residing at Payette, Idaho.

My commission expires July 5, 1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEC 4 1919

PERMIT NO. 18557

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. E. M. Palmer, age 66 years, Payette, Idaho, farmer, Payette, Idaho R#2

✓ Ques. 2. Are you acquainted with Guy Lee, the holder of Permit No. 18557? How long have you known him and where does he reside?

Ans. Have known him something over two years and he resides near Payette, Idaho.

✓ Ques. 3. Have you read or heard read said Permit No. 18557, 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. Un-named stream; place of diversion is in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, T. 9 N., R. 5 W., B.M. Box 8 ft. or more long; 2 ft. or more wide, and 1 ft. or in depth. Ditch from box upon lands to be irrigated capable of carrying 50 or more inches.

✓ 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. Is capable of carrying 0.37 cu. ft. per second, or more, and have seen that much or more being carried.

✓ Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation; 1.6 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 5 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$; and about six in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14, Twp. 9 N., R. 5 W., B.M. Better than 8 farmed and remainder pasture. These lands have been reclaimed and made more valuable because of the use of this water, and there is no other irrigation water for this land.

18557

OK HD

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

Ans. for irrigation

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

Ans. Ash which requires irrigation and it will take at least 0.37 cu.ft. per minute to irrigate this property.

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

Ans. No.

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

Ans. Have seen its use by Mr. Guy during the past two irrigation seasons and as claimed by him.

(Signed)

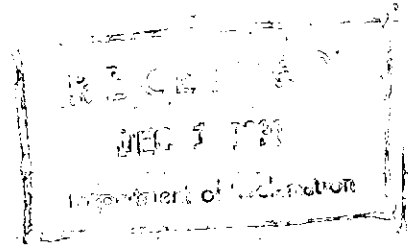
E. M. Dalmer

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 Payette, County of Payette, State of Idaho, on this day of November 29th, A. D. 1939.

My commission expires July 5, 1940.

W. M. McClure
Notary Public for Idaho
residing at Payette, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18557

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. W. E. Haslop, age 55 years, residence Payette, Idaho; farmer
Payette, Idaho, R.#2

✓ Ques. 2. Are you acquainted with Guy Lee, the holder of Permit No. 18557? How long have you known him and where does he reside?

Ans. Yes I have known him about two years and he resides near
Payette, Idaho

✓ Ques. 3. Have you read or heard read said Permit No. 18557, 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. Un-named stream. Place of diversion is in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.14,T.9 N.,
R. 5 W., B.M. Box 8 ft. long, 2 ft. wide and 1 foot deep, into
ditch which goes upon lands to be irrigated. The ditch is capable
of carrying 50 or more inches.

✓ 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. Will carry more than 0.37 cu.ft. per second and have seen it
carry that much.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. 1.6 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 5 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$; and about 6 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$, all
in Sec.14,T.9 N.,R.5 W.,B.M. Between 8 and 9 acres farmed and
remainder Pasture. This land has been reclaimed and made more valuable
by the use of this water, and there is no other irrigation waters
for this land.

18557

OK, ID

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

Ans. not

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

Ans. land is ash, requiring water and will require at least 0.37 cu. ft. per second for its profitable cultivation.

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

Ans. No.

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

Ans. Have seen the whole thereof used upon this land during the past two irrigation seasons and during the period claimed.

(Signed) W. E. Heslop

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 Payette, County of Payette, State of Idaho, on this day of 29th day of November, A. D. 1939.

My commission expires July 5, 1940.

W. R. McCrene
Notary Public for Idaho,
residing at Payette, Idaho.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. 18557
Guy Lee

Boise, Idaho, November 18, 1939

Mr. W. R. McClure,
Notary Public,
Payette, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18557

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On November 29, 1939, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Payette, Idaho before W. R. McClure, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

JAMES SPOFFORD
Commissioner of Reclamation.

18557

November 2, 1939

Re: Permit No. 18557

Mr. Guy Lee,
Payette, Idaho.

Dear Sir:-

This will acknowledge receipt of Notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Independent-Enterprise, of Payette, Idaho, all in connection with Permit No. 18557

A copy of the notice has been mailed to the newspaper, with instructions to publish same once a week for four consecutive weeks prior to November 29, 1939.

About ten days prior to this date depositions, consisting of one for the holder and one for each of two witnesses, will be mailed to W. R. McClure, Notary Public, at Payette, Idaho, so that he will have them in ample time for the proof.

On the date designated, you should appear at Mr. McClure's office, with two disinterested witnesses who are familiar with the terms of your permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

JLA

By

Chief Clerk

18557

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Date . October 31, 1939

Re: Permit No. 18557

~~THE INDEPENDENT-ENTERPRISE~~
Payette, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 29, 1939** , the date set for proof, the expense of the publication to be paid by the applicant,
Guy Lee, Payette, Idaho

to whom you should furnish proof of publication on or prior to the date for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

18557

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

Notice is hereby given that at 10 A. M. on the 29th day of November, 1939,
 at Payette, County of Payette, State of Idaho, before
W. R. McClure, a Notary Public, proof will be submitted of the
 application to beneficial use of 0.37 cubic feet per second of the waters of unnamed
stream in accordance with the terms and conditions of Permit No. 18557
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Guy Lee, Payette, Idaho.

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

The amount applied to beneficial use is 0.37 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) 1.6 A. in Ne $\frac{1}{4}$ NW $\frac{1}{4}$; 5.0 A. in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 12.0 A. in SW $\frac{1}{4}$ NW $\frac{1}{4}$;
in Section 14, Township 9 North, Range 5 West, B.M.

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

The right to take water from such works is based upon Permit No. 18557

The source of supply from which such water is diverted is unnamed stream.

The date of priority which said user is prepared to establish is November 4, 1937

JAMES SPOFFORD

Commissioner of Reclamation.

18557

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 6, 1939

(P. O.) Payette, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Independent-Enterprise of Payette, Idaho, published in
the county in which the works are situated.

Gary Lee

(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.

18557

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 18557

September 7, 1939

Guy Lee
Payette, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. ~~18557~~, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is November 29, 1939, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

~~R. W. FARIS~~
~~Commissioner of Reclamation~~ JAMES SPOFFORD
Commissioner of Reclamation

18557

Re: Permit No. 18557

February 17, 1939

Mr. Guy Lee,
Route 2,
Payette, Idaho.

Dear Sir:-

We enclose herein Order reinstating Permit No. 18557, and also Certificate of Completion of Works issued under the above numbered permit to appropriate 0.37 second foot of the waters of an unnamed stream, which is a tributary of Snake River, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 9 North, Range 5 West, B.M., Payette County, for irrigation and domestic purposes.

The Department's Receipt No. 16871 for the \$5.00 fee which you paid in connection with your completion of works proof is also enclosed.

Under the terms of your permit proof of beneficial use is due on or before November 29, 1939, but if you will not be able to make such proof by that time, you may make application to this department for an extension of time.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
BY

Chief Clerk

JLA
Encs.

18557

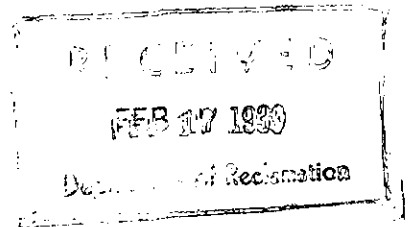
FREEHAFFER & McCLURE

ATTORNEYS AT LAW

PAYETTE, IDAHO

A. L. FREEHAFFER

W. R. McCLURE



February 16, 1939

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Permit number 18557
Mr. Guy Lee
Route 2, Payette, Idaho

In reply to your letter of yesterday addressed to Mr. Lee concerning the point of diversion in the depositions, will say that this is typographical error. The point of diversion actually is as stated in the application for permit, - in the Northeast Quarter of the Northwest Quarter of Section 14, Township 9 North, Range 5 West of the Boise Meridian, and we would appreciate very much your making this correction.

Thanking you very much for your assistance in this matter, we are,

Yours very truly,

FREEHAFFER & McCLURE

By *W. R. McClure*

WRM:lc

18557

February 15, 1939

Re: Permit No. 18557

Mr. Guy Lee,
Route 2,
Poyette, Idaho.

Dear Sir:-

We are in receipt of your letter of February 11th, enclosing deposition of yourself and two witnesses in connection with proof of completion of works under the above numbered permit- together with \$5.00 in payment of fee.

We note, however, that in your deposition you give the point of diversion as in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, Township 9 North, Range 5 West, B.M., whereas your permit describes the point of diversion as being in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of this section.

Please advise if this is a typographical error in your deposition--and if so, we will correct it accordingly.

Of course, if the point of diversion has been changed from the point shown in your original application and permit, it will be necessary for you to file another application to cover same.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation

By

JLA

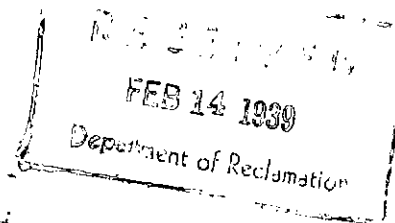
Chief Clerk

18557

FREEHAFFER & McCLURE
ATTORNEYS AT LAW
PAYETTE, IDAHO

A. L. FREEHAFFER
W. R. McCLURE

February 11, 1939.



Department of Reclamation
State of Idaho
Boise Idaho.

Gentlemen:

Re: Permit No. 18557
Guy Lee, Payette, Idaho.

I am enclosing herewith affidavits of two witnesses and my own affidavit in connection with proof of completion of works in compliance with terms of application and permit in the above numbered matter.

I am also enclosing herewith five dollars in currency according to your instructions upon making such proof.

In case anything additional is needed from me please advise at once.

Yours very truly,

Guy Lee
R#2 Payette, Idaho.

18557

PERMIT No. 18557...

FEB 14 1939

Proof of Completion of Works

DEPOSITION OF HOLDER

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

✓ Ans. ... Guy Lee, residence about $4\frac{1}{2}$ mi. Northerly from Payette, Idaho, postoffice address Payette, Idaho, R. #2.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

✓ Ans. ... Not for a corporation

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. ... No. 18557, date of approval of commissioner Nov. 29, 1937, date received at such office Nov. 4, 1937; 0.37 cu. ft. per sec. Source... un-named stream; Sec. 14, T. 9 N. R. 5 W. B. M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. ... Irrigation of about 8 acres, located in $N\frac{1}{2}NE\frac{1}{4}$ Sec. 14, T. 9 N. R. 5 W. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. ... Turned in May 15th, 1938, 0.37 cu. ft. per sec.

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with terms of the permit.

Ans. ... Fully completed, completed about first of June 1938; comply with terms of permit

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. ... complies

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on... 1st June..., 1938., and give cost of same.

Ans. Dam 3 ft. high, 8 ft. top, 8 ft. at bottom, connecting with ditch 1 ft. bottom and about 3 ft. at top, 1 ft. deep.

(Sign here.)

Guy Lee

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 the City of Payette, County of Payette, State of Idaho, on this 11th day of February, A. D. 1939.

My Commission expires July 5, 1940.

W. M. Cline
Notary Public for Idaho
Residing at Payette, Idaho.

18557

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 18557...

FEB 14 1939

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Ed. Boren, farmer, residence 4 mi. N. Payette, Idaho, ...
R. #2, Payette, Idaho

Ques. 2. Are you acquainted with Guy Lee, the

holder of Permit No. 18557 authorizing the diversion of ... 0.37 second-feet of the waters
of ... un-named stream, at SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14-9-5...
for ... irrigation purposes? How long have you known him, and where does he reside?

Ans. yes ... have known him more than 14 years

Ques. 3. Have you read or heard read said Permit No. 18557, and are you familiar with
its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated
under said permit? If so, describe same, state its character, and give your estimate of the amount of
water required for its profitable cultivation.

Ans. Yes. Will require about 8 inches of water. Character of land ...
is fairly level, somewhat sandy soil

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the
entire amount of water set out in the permit from point of diversion to place of use? If so, when
were they so completed?

Ans. Yes. Completed about June 1st, 1938

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question
5, and give your estimate of their capacity on that date.

Ans. Dam about 3 ft. high and about 8 ft. long, wood, properly constructed
to divert water and of permanent character and of sufficient
capacity to divert this water.

(Sign here.) E. D. Boren

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, at my office in ... the city of Payette, County of
Payette, State of Idaho, on this ... 11th ... day of
February ... A. D. 1939

My Commission expires ... July 5, 1940

W. J. M. Lewis
Notary Public for Idaho
Residing at Payette, Idaho.

18557

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 18557

RECEIVED
FEB 14 1939
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. ... Eugene M. Palmer, residence Payette (5 mi. N.), address
Payette, Idaho, R#2

Ques. 2. Are you acquainted with Guy Lee, the

holder of Permit No. 18557 authorizing the diversion of ... 0.37 second-feet of the waters
of un-named stream, at SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14-9-5.
for irrigation purposes? How long have you known him, and where does he reside?

Ans. ... Yes, have known him about 2 $\frac{1}{2}$ years and he resides about
4 $\frac{1}{2}$ mi. Northerly from Payette, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18557, and are you familiar with
its terms and conditions?

Ans. ... Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated
under said permit? If so, describe same, state its character, and give your estimate of the amount of
water required for its profitable cultivation.

Ans. ... Yes. Character of land is somewhat sandy and will require ...
at least 1 inch per acre

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the
entire amount of water set out in the permit from point of diversion to place of use? If so, when
were they so completed?

Ans. ... Yes. Completed in June, 1938

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question
5, and give your estimate of their capacity on that date.

Ans. ... Materials of dam, -wood, height about 3 ft. high and about ...
8 ft. wide on top. Well constructed and should be permanent
and is of sufficient capacity to divert the water applied for.

(Sign here.)

Eugene M. Palmer

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, at my office in ... the City of Payette, County of
Payette, State of Idaho, on this ... 11th ... day of
February ... A. D. 1939 ..

My Commission expires July 5, 1940

W. M. Lee
Notary Public for Idaho
Residing at Payette, Idaho.

18557

Indep. ad.

January 26, 1939

Re: Permit No. 18557

GUY LEE
Payette, Idaho

Dear Sir:

We have your letter of January 23, in which you refer to our notice of cancellation dated January 17. In reference to this notice, you state that through a misunderstanding you did not make your proof of completion of works when due. However, your works were completed at the time this proof was due.

We are enclosing herewith necessary forms for making proof of completion of works in accordance with Section 41-311, Idaho Code Annotated, and upon receipt of these forms properly executed by yourself and two witnesses, and accompanied by a fee of \$5.00, your permit will be reinstated and a certificate of completion of works will issue.

Yours very truly,

JAMES SPOFFORD,
Commissioner of Reclamation

By PAUL H. BERG
Deputy Commissioner

HMB/cl
Enc.

18557

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. _____

4068

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

POSTMARK OF DELIVERING
OFFICE

Return to _____

DEPT OF RECLAMATION

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

STATE HOUSE

BOISE,

IDAHO.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Harry Lee
(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery, **JAN 20 1939**, 19

Form 7

U. S. GOVERNMENT PRINTING OFFICE

10557

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

January 17, 1939, 192

Re: Permit No. 18557

To Guy Lee

Payette, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 18557,
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works, November 29, 1938

you are hereby notified in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. 18557
is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days
from date of this notice why said Permit should not be cancelled.

Said Permit No. 18577 claims the use of 0.37 cubic feet per second of the
waters of Unnamed stream, with point of diversion located
in NE 1/4 Section 14, T. 9 N., R. 5 W., B. M., and
was approved November 29, 1937

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

17th day of January, 1939, 192

JAMES SPOFFORD

Commissioner of Reclamation.

By

Paul H. Berg

Assistant.

Deputy Commissioner of Reclamation

18557

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

September 12, 1938

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Guy Lee
Payette, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 18557 you are required to complete your diversion works on or before November 29, 1938. I enclose herewith 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 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, together with a fee of \$5.00 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.

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

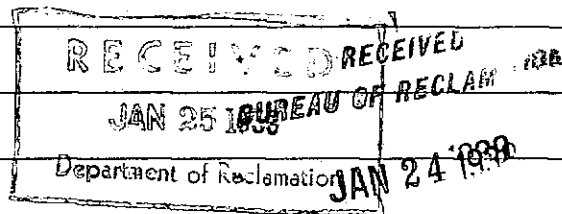
18557

Boise
Dept of Reclamation
Boise Ida

Jan 23-1938
Payette
Re Ida

Sirs In reply to yours
of Jan 17th in regard to
Permit no 18557 will
say that through misunder-
ing
on my part the proof
has not been made
have the work done;
will you please let
me know how to proceed?
Yours Resp.

Gray Lee



BOISE, IDAHO
18557

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18557

Boise, Idaho, December 3, 1937

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

C. P. Lattig, Agent
Guy Lee
Payette, Idaho

R. W. FARIS
Commissioner of Reclamation.

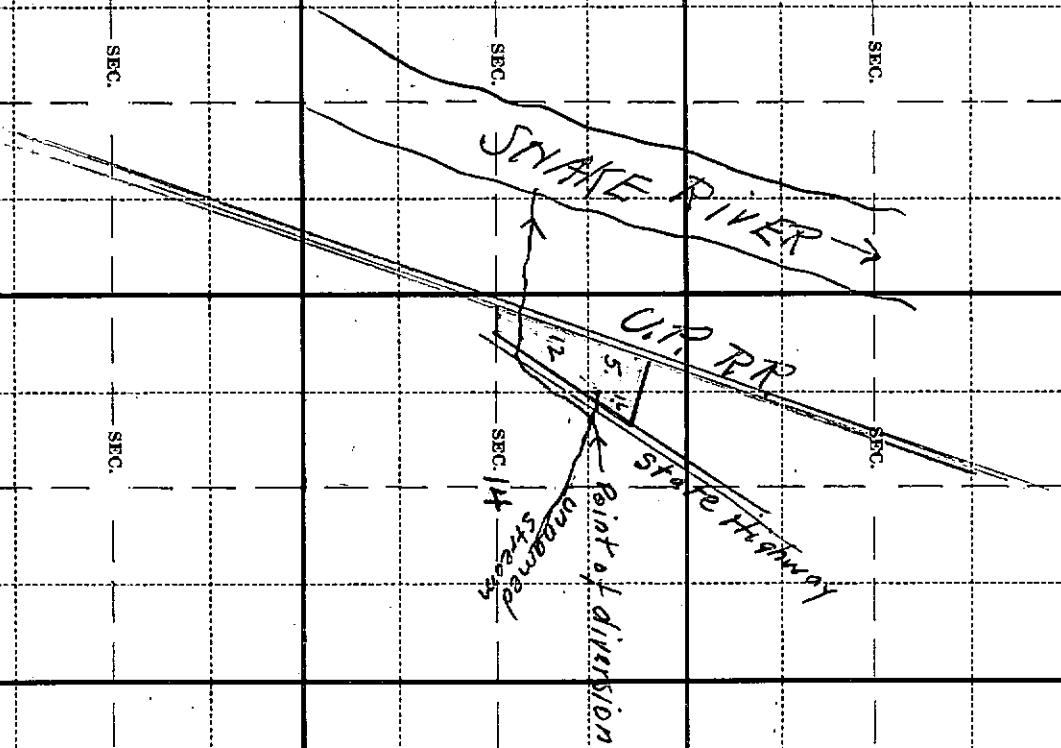
Encl.
Office Receipt for \$5.00.

18557

NAME OF APPLICANT Guy Lee

FORM NO. 0

Map to accompany application for Permit



T 9 N R 5 W B. M.

Permit Map No. 18557
As Approved
NOV 29 1937
R. W. FARIS
Commissioner of Reclamation

18557

18557
25881

C. P. LATTIG
County Surveyor
PAYETTE - - IDAHO

RECEIVED

NOV 4 1937

November 3 1937

193

The Commissioner of Reclamation

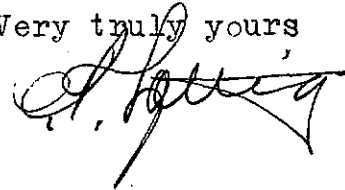
Boise Idaho.

Dear Sir;

I hand you herewith Application for Permit to Appropriate public waters for Irrigation and Domestic purposes by Gay Lee of Payette Idaho along with my check for \$5.00 filing fee.

Please return papers as necessary to the ^x ~~WRITER~~ ^{APPLICANT.} ~~AGENT.~~

Very truly yours



18557