

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

63-3200

APPLICATION No. 36707
PERMIT No. 28726
DISTRICT No.

1. Name of Applicant: **Sheldon S. Suiter**

Postoffice address: **Route 1, Parma**

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: **1.14**

cubic feet per second.

3. Source of water supply: **Christian Gulch Wasteway Drain. Water is seepage and drainage water.**

which is a tributary of **Dixie**

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$**
of section **1** , T. **4 N** , R. **5 W** , B. M., County of **Canyon**

5. Water is to be used for **Irrigation**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ **200.00**

8. Kind of works: **Ditches**

9. Height of dam **59"** feet; length of dam at top **6** feet; length of dam at bottom **6**
feet; material used in dam:

10. Size of headgate: Width **59"** feet; height **50" in front, 48" in back** feet.

11. Ditch: Width at bottom **59"** feet; width at water line **59"** feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

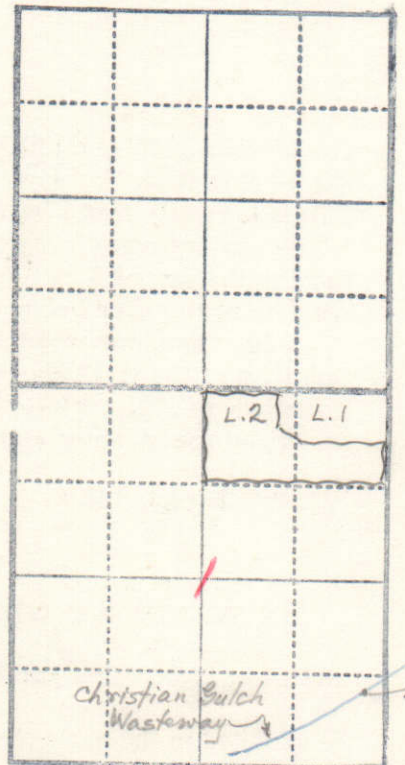
Average grade per mile feet.

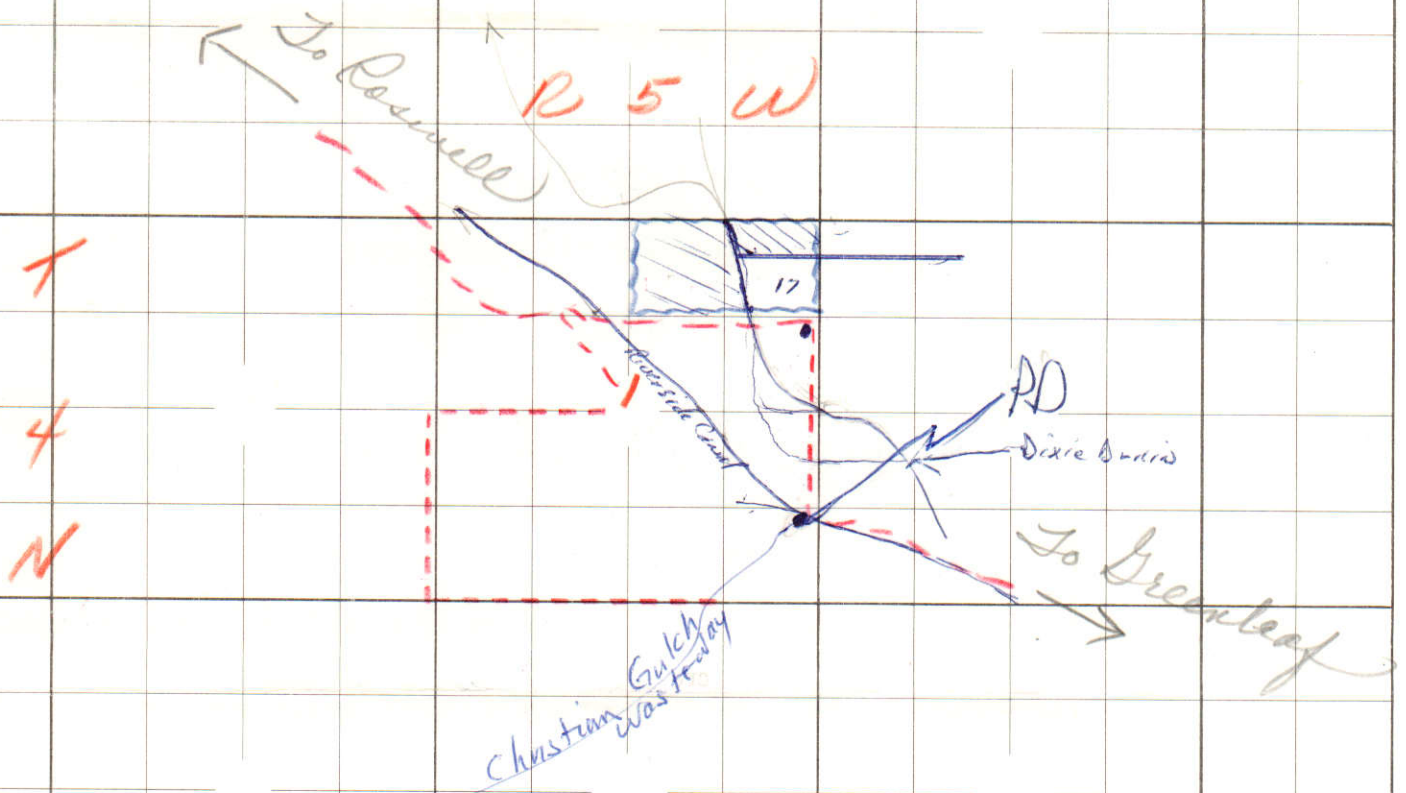
12. The time required for the completion of such work is **five** years.

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **none known**





Proof made 8-30-65
 Due 5-27-65
 filed 3-3-0
 5-20-60
 Prior 8-23-60

Subdivisions = 1

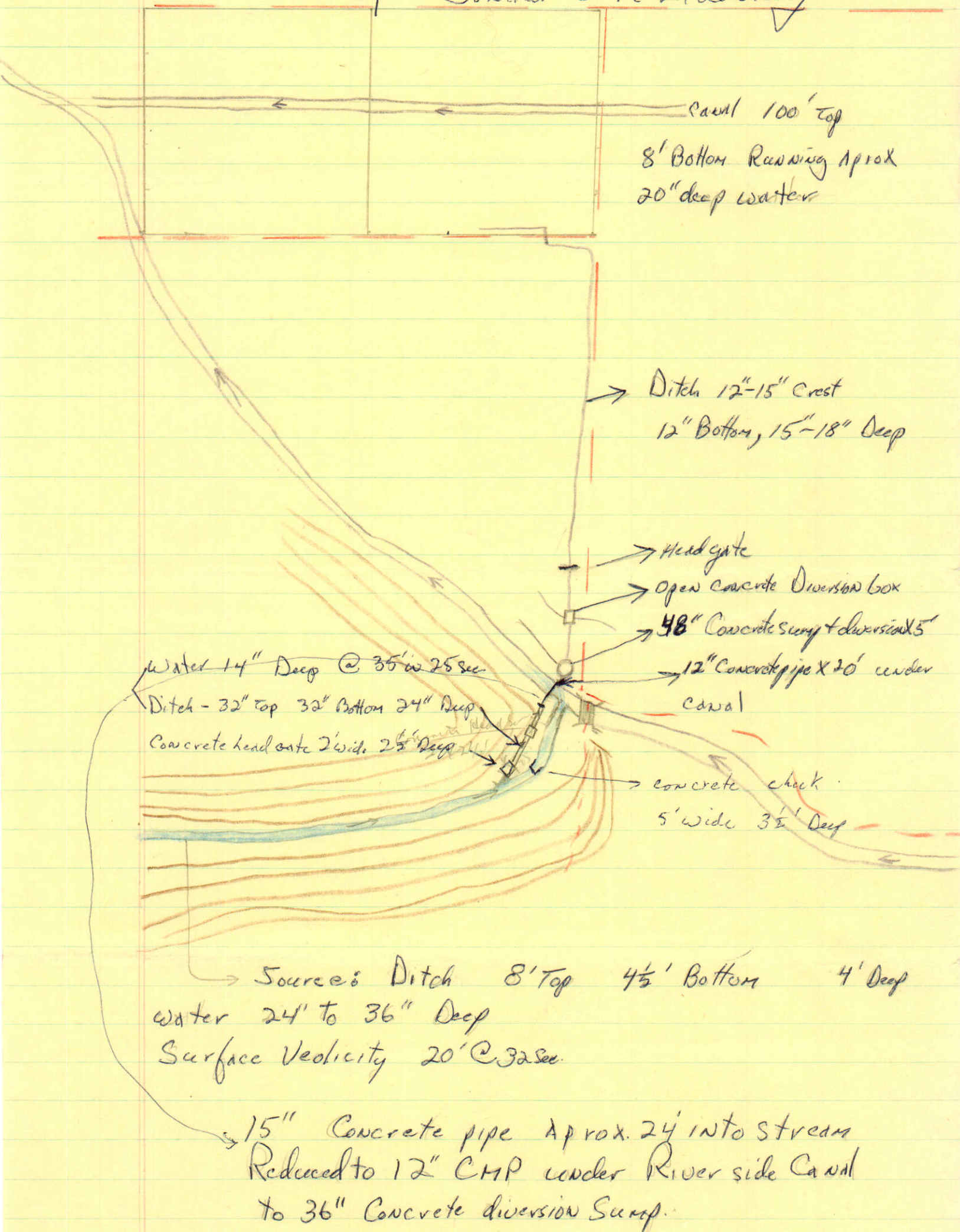
Area = 17 Acres

~~C/10 Q = 3.60 cfs or 174 inches~~

allow Q = .34 cfs or 17 inches

See Permit = 28616 Earl Martin

Permit 28726 - Oct 1-1965
by Donald W. McElowney



AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 3 1965

STATE OF IDAHO)
COUNTY OF CANYON) ss.

Department of Reclamation

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

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice herein-after mentioned, I was and now am the editor or publisher of THE WILDER HERALD, a newspaper of general circulation printed and published weekly, on Friday of each and every week, in the City of Wilder and County of Canyon and State of Idaho.

3. That the said THE WILDER HERALD has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the at-tached notice.

4. That said notice Notice of Proof of Completion
of Works and Application of Water To
Beneficial Use

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in four (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

July 30, 1965

August 6, 1965

August 13, 1965

August 20, 1965

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 23rd day of August
A. D., 1965.

Kenneth D. Shell
Notary Public in and for the State of Idaho.

residing at Wilder, Idaho.

My commission expires Aug 25, 1967

NOTICE is hereby given that at 2:00 P.M., on the 30th day of August 1965, at Cald-well, County of Canyon, State of Idaho, before Peter J. Boyd, Notary Public, at 9th & Dearborn Sts., Caldwell, Idaho, proof will be submit-ted of the completion of works for the diversion of 1.14 cubic feet per second of the waters of Christian Gulch Wasteway, and of the appli-cation to beneficial use of said water, in accordance with the terms and conditions of Permit No. 28726, hereto-fore issued by the Depart-ment of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or cor-poration holding said permit is: Sheldon S. Suiter, Route 1, Parma, Idaho.

2. Said works of diversion will be fully completed on the date set for such comple-tion and the amount of water which said works are capable of conveying to the place of use is 1.14 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 1.14 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Twp. 4N, Rge. 5 W B.M., County of Canyon.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 4N, Rge 5W B.M., County of Can-yon. Total 57 acres.

6. The date of priority which said user is prepared to establish is May 20, 1960.

CARL E. TAPPAN
State Reclamation
Engineer.

7-30-4

NAME OF APPLICANT.....Sheld S. Suiter.....

Form No. 0

Lot 4 3 2 1

Sec. 1
T. 4 N.R. 5
W.

Point of Diversion

CHRISTIN GULCH
WASTEWAY

Permit Map No. 28726
As Approved MAY 27 1960
GEO. N. CARTER
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 28726 Priority Aug. 23, 1960 Amount 0.34 c.f.s.

THIS IS TO CERTIFY that

SHELDON S. SUITER

of Parma, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 20, 1960; that Permit No. 28726 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.34 second feet, was issued thereunder on December 20, 1966, showing that said works were completed on the 30th day of August, 1965; and that on the 30th day of August, 1965

SHELDON S. SUITER

of Parma, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Christian Gulch Wasteway

a tributary of Dixie Drain for the purpose of irrigation, under Use Permit No. 28726 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 14 of Licenses, at Page 8625, on the 20th day of December, 1966.

The right hereby confirmed dates from Aug. 23, 1960.

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 1, Twp. 4 N., R. 5 W., B.M. Canyon 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 0.34 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	5 W	1	NE 1/4 NE 1/4	20	17
Total number of acres to be irrigated:					17

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 20th day of December, 1966.

R. Keith Higgins
State Reclamation Engineer.

28726

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 28726

To Sheldon S. Suiter
Parma, Idaho

Source of Supply Christian Gulch
Wasteway

Canyon County

Amount 0.34 Sec. Ft.

Point of Diversion SE¹SE¹, Sec. 1,
T. 4 N, R. 5 W, B.M.

Place of Use NE¹NE¹, Sec. 1,
T. 4 N, R. 5 W, B.M.

Purpose Irrigation

Date of Priority Aug. 23, 1960

Recorded December 20, 1966

in Book 14 of Licenses, Page 8625

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

63-3200

APPLICATION No. **36707**
 PERMIT No. **28726**
 DISTRICT No.

1. Name of Applicant: **Sheldon S. Suiter**

Postoffice address: **Route 1, Parma**

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: **1.14**

cubic feet per second.

3. Source of water supply: **Christian Gulch Wasteway Drain. Water is seepage and drainage water.**

which is a tributary of **Dixie**

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the **SE 1/4**

of section **1** , T. **4 N** , R. **5 W** , B. M., County of **Canyon**

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7. Estimated cost of works: \$ **200.00**

8. Kind of works: **Ditches**

9. Height of dam **59"** feet; length of dam at top **6** feet; length of dam at bottom **6**
 feet; material used in dam:

10. Size of headgate: Width **59"** feet; height **50" in front, 48" in back** feet.

11. Ditch: Width at bottom **59"** feet; width at water line **59"** feet; depth of water feet;
 dimensions of flume:

Diameter of pipe inches; length of conduit miles.

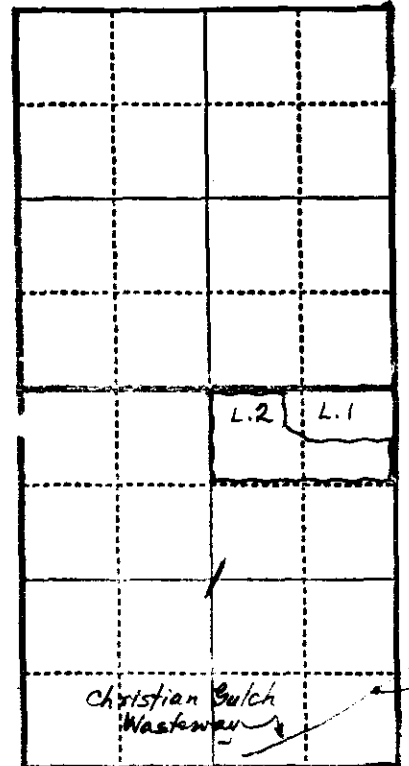
Average grade per mile feet.

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

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **none known**



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

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

s/ Sheldon S. Suiter Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. May 20, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **28726**

Recorded in Book **101** Page **28726** Approved **May 27, 1960**

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **July 27, 1960** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **November 27, 1962**

The whole of said work to be completed on or before **May 27, 1965**

Beneficial use of water appropriated in accordance herewith, to be made on or before **May 27, 1965**

WITNESS My hand this 27th day of May, 1960

s/ GEO. N. CARTER

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, W. E. DREVLIN, Acting, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th
day of May, 1960.
STATE OF IDAHO

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

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

REMARKS: Water claimed is public water and subject to appropriation

"Condition of Permit" - While Completion of Works Proof can be accepted in order to keep permit in good standing, license cannot be issued until determination is made that the water claimed is public water.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	5 W	1	20	37													57		
Permit No. 28726 ✓ CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that SHELDON S. SUITER of Parma, County of Canyon, and State of Idaho, the holder of Permit No. 28726, issued upon Application No. 36707 bearing date of priority of Aug. 23, 1960, authorizing the diversion of 1.14 second feet of waters of Christian Gulch Wasteway County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.34 second feet of the waters of Christian Gulch Wasteway, tributary of Dixie Drain; that the point of diversion of said waters SE1/4, Sec. 1, T. 4 N., R. 5 W., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NE1/4, Sec. 1, T. 4 N., R. 5 W., B.M.																			
Proof of Completion of Works Made: August 30, 1965																			
Witness my hand this 20th day of December, A. D. 1966																			
/s/ R. KEITH HIGGINSON State Reclamation Engineer																			
LICENSE ISSUED FOR <u>0.34</u> SEC. FT. LICENSE PAGE NO. <u>8625</u>																			

WATER RIGHT NUMBER 63-3200

OWNER LAST NAME - SUITER

FIRST NAME - SHELDON S.

ORIG OWNER -

ADDRESS LINE 1 - RT. 1

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - PARMA

STATE - ID ZIP CODE - 83660

SOURCE - CHRISTIAN GULCH WASTEWAY

TRIBUTARY OF - DIXIE DRAIN

STAGE - LICENSE

STATUS -

PRIORITY - 08-23-1960 COUNTY - CANYON

TOTAL DIV. RATE - .3400 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESE 01 04N 05W LOT

REDIV -

272.0 312.0

8.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.3

FROM -

TO -

USE - IRRIGATION

USE DIV. RATE -

.3400 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 05W SEC 01 TRACT NENE LOT AC 17

DECREE NAME -

DATE -

TOTAL ACRES 17

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 28726

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
LICENSE
ASSIGNMENT OF ~~PERMIT~~

We, Sheldon S. Suiter and Berta I. Kandler
Barbara W. Suiter, hereby assign to Alfred C. Kandler and/,
Name
of Route 2, Caldwell, Idaho 83605
Address

CHECK ONE

☒ All my right, title, and interest, in and to ~~Permit~~ License No. 28726
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

NE 1/4 Sec. 1, T4N, R5W B.M.
Canyon County, Idaho

Made this _____ day of _____, 19 69.

Sheldon S. Suiter

Permit Holder

Barbara W. Suiter

Wife of Permit Holder

State of Idaho

County of King SS.

On this 29th day of March, 19 69, personally ap-

peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Conia J. Shaw

Notary Public residing at

Renton, Wash.

My commission expires

Sept 28, 1971

28726

STATE OF IDAHO) ss.

County of CANYON)

On this 1st day of April, 1969, personally appeared before me the signer of the above instrument, who duly acknowledged to me that she executed the same.

Ronald E. Power

Notary Public residing at Caldwell, Idaho

My commission expires 11-20-69

RECEIVED
APR 14 1969

Department of Reclamation

28720

ALEXANDERSON, DAVIS & RAINEY

LAWYERS

TITAN BUILDING

POST OFFICE BOX 26

CALDWELL, IDAHO 83605

ROBERT L. ALEXANDERSON
WAYNE E. DAVIS
RONALD P. RAINEY

April 11, 1969

Department of Reclamation
State of Idaho
State House - Annex 2
Boise, Idaho

Attention: Mr. Donald W. McEldowney

Dear Mr. McEldowney:

Re: Water License No. 28726
Sheldon S. Suiter

Recently Sheldon S. Suiter and Barbara W. Suiter, husband and wife, transferred to Alfred C. Kandler and Berta I. Kandler, husband and wife, Route 2, Caldwell, Idaho, Water License No. 28726. As evidence of this transfer, we enclose herewith Assignment by Mr. and Mrs. Suiter for information purposes only.

We appreciate that your Department has no way in which to record the assignment of a water license, and this letter and enclosure are merely to inform you of the transfer.

Very truly yours,

ALEXANDERSON, DAVIS & RAINEY



Robert L. Alexander

RLA:ce

Enclosure

28726

April 16, 1969

Re: Permit No. 28726
Sheldon S. Suiter

Mr. Robert L. Alexanderson
Titan Building
P.O. Box 26
Caldwell, Idaho 83605

Dear Mr. Alexanderson:

We have no way to record the assignment of a water license as once a permit is licensed the water right becomes appurtenant to the land and transfers with the sale of the land.

We have included a copy of the enclosed assignment in our file for future reference.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

28726

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

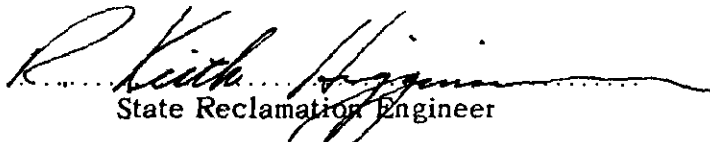
This is to certify that SHELDON S. SUITER
 of Parma, County of Canyon, and State of
Idaho, the holder of Permit No. 28726, issued upon
 Application No. 36707 bearing date of priority of Aug. 23, 1960, authorizing the
 diversion of 1.14 second feet of waters of Christian Gulch Wasteway
 County of Canyon, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.34 second feet of the waters of Christian Gulch Wasteway,
tributary of Dixie Drain;

that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 4 N, R. 5 W, B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 4 N, R. 5 W, B.M.

Proof of Completion of Works Made: August 30, 1965.

Witness my hand this 20th day of December, A. D. 19 66


 State Reclamation Engineer

Permit No. 28726

**Certificate of Completion
of Works**

Dated December 20, 1966

Stream Christian Gulch Wasteway

County Canyon

Amount 0.34

Date of Priority Aug. 23, 1960

Recorded in Book 101

of Permits, page 28726

XXXXXXXXXX

December 20, 1966

Re: Permit No. 28726

Sheldon S. Suiter
Route #1
Parma, Idaho

Dear Mr. Suiter:

Enclosed are the Certificate of Completion of Works and
License and Certificate of Water Right on the above
numbered permit.

Also enclosed is departmental receipt No. 33495 in
the amount of \$7.00 covering the fees.

Very truly yours,


M. Russell Bosch
Office Manager

MRB:mr

Enc.

28726

RECEIVED
NOV 2 1966

Department of Reclamation

Re: Permit No. 28726

Enclosed is \$7.¹⁰ statutory fee for Certificate
of Completion of Work and the License and
Certificate of Water Right from Christian Gulch
Highway

Sincerely,
Sheldon L. Suter
Rt. # 1,
Parma, Idaho

40

28726

November 15, 1965

RE: Permit No. 28726

Sheldon S. Suiter
Box 1
Parma, Idaho

Dear Mr. Suiter:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 28726 shows the headgate and ditch are capable of conveying 17 miner's inches, or .34 c.f.s. of water for irrigation of 17 acres.

Upon receipt of the statutory fees totaling \$7.00 we will issue the Certificate of Completion of Works for 1.14 c.f.s. and the License and Certificate of Water Right for 0.34 c.f.s., confirming the right, with priority of August 23, 1960, to the use of surface water with the point of diversion in the SE~~1~~SE~~4~~, Sec. 1 from Christian Gulch Wasteway for irrigation of 17 acres in the NE~~1~~NE~~4~~, Sec. 1, T. 4 N., R. 5 W., B.M.

If at some future date you irrigate the rest of the land included in the permit you may make delayed proofs and obtain a license for that land. The priority date will be advanced the length of time the proofs are delayed beyond the original date for making proof.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

28726

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

Permit No. 28726 ✓

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

1. Name of applicant Sheldon S. Suiter ✓ Rt. # 1, Parma, Idaho ✓

2. Source of water supply: Christian Gulch Wasteway ✓

3. Location of point of diversion: Is in the SE 1/4 ✓ of Section 1 ✓

T. 4 N R. 5 W County of Canyon ✓

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

5. Water is used for: Irrigation ✓

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

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

NE 1/4, NW 1/4, Sec. 1, T. 4 N., R. 5 W. B. M.

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

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

Remarks: Diversion system capable of conveying the requested 1.14 cfs also an additional 250 cfs

This examination was made on the Oct 1 & Oct 6 day of Oct. 6, 19 65

(Signed) Donald W. McEldaney Examiner.
Loy Johnson

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
NOV 9 1965

Department of Reclamation

Sheldon S. Suiter ✓
Route #1 ✓
Parma, Idaho

Permit No. 28726 ✓

Examination for Completion of Works & Beneficial Use ✓

County Canyon ✓

Sec. 1 T. 4N R. 5W ✓

Quantity:

1.14 cfs

Source:

Christian Gulch Waterway

P.D.:

*SE 1/4 SE 1/4
Sec 1 - T. 4N, R. 5W*

Use:

Irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

none

Filed:

May 20, 1960

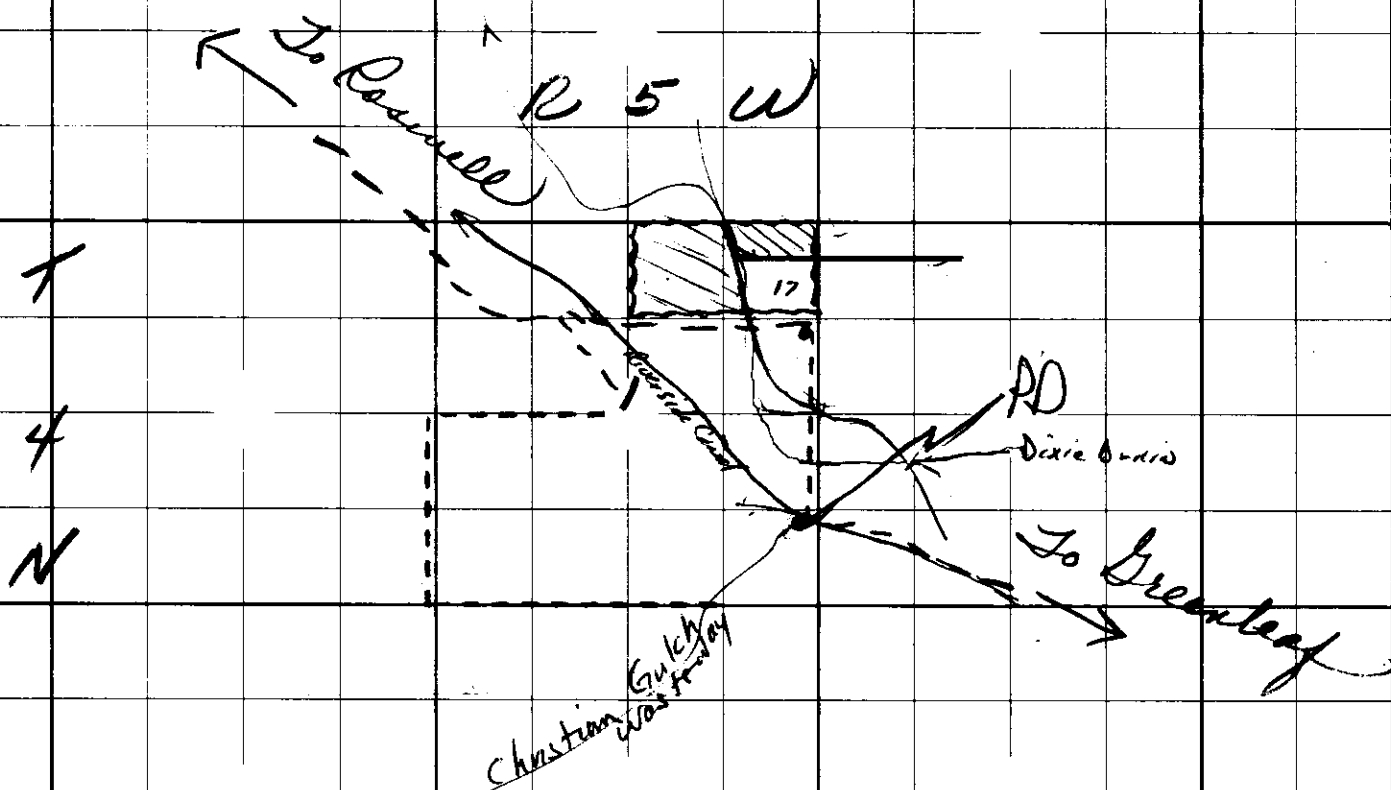
Due:

May 27, 1965

Made: *Aug. 30, 1965*

Priority: *Aug. 23, 1960*

287226



Proof made 8-30-65
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Subdivisions = 1

Area = 17 Acres

~~C/ed Q = 3.66 cfs or 174 inches~~
 allow Q = .34 cfs or 17 inches

See Permit = 28616 Eval Martin

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO 28726 ✓

REPORT ON PROOF OF Completion of Works & Beneficial Use ✓

Sheldon S. Suiter

Route #1 ✓

Parma, Idaho

Permit 28726 - Oct 1 - 1966
by Donald W. McElowney

Canal 100' Top
8' Bottom. Running approx
20" deep water

Ditch 12"-15" Crest
12" Bottom, 15"-18" Deep

Head gate
Open concrete diversion box
48" Concrete sump + discharge
12" Concrete pipe x 20' under
canal

Water 14" Deep @ 30' in 25 sec
Ditch - 32" Top 32" Bottom 24" Deep
Concrete head gate 2' wide 2' high

concrete check
5' wide 3' Deep

Source: Ditch 8' Top 4 1/2' Bottom 4' Deep
water 24" to 36" Deep
Surface Velocity 20' @ 32 sec

15" Concrete pipe approx 24' into stream
Reduced to 12" CMP under River side Canal
to 36" Concrete diversion Sump.

September 8, 1965

Re: Permit No. 28726
Sheldon S. Suiter

Sheldon S. Suiter
Route #1
Parna, Idaho

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Wilder Herald, all submitted in proof of completion of works and beneficial use on Permit No. 28726

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

sejw

EPR:
cc: Gray, Boyd & Downen, Att'ys.

28726

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

SEP 8 1965

Department of Reclamation

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice herein-after mentioned, I was and now am the editor or publisher of THE WILDER HERALD, a newspaper of general circulation printed and published weekly, on Friday of each and every week, in the City of Wilder and County of Canyon and State of Idaho.

3. That the said THE WILDER HERALD has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the at-tached notice.

4. That said notice Notice of Proof of Completion
of Works and Application of Water To
Beneficial Use

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in four (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

July 30, 1965

August 6, 1965

August 13, 1965

August 20, 1965

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 23rd day of August
A. D., 1965.

Kenneth D. Hall
Notary Public in and for the State of Idaho.

residing at Wilder, Idaho.

My commission expires Aug 25, 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. 28726

RECEIVED
SEP 3 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

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

Sheldon S. Suiter, farmer, Route #1, Parma, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit No. 28726, May 27, 1960, May 20, 1960

Ques. 4. State source of water supply: Christian Gulch Wasteway

Give location of point of diversion, showing subdivision, section, township and range

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Twp. 4 North, Range 5 West, B.M., County of Canyon

Ques. 5. Describe your works of diversion: Ditches and Dam - 1.14 Cubic ft.
per second _____; state amount of water they are capable of con-

veying from point of diversion to place of use: _____; Give name of canal or ditch
or other works by which water is conducted to such place of use: _____

_____; if a well, state depth of well _____; depth and size of
casing _____; depth to water _____; if pump is used,
state discharge of pump: _____; tell how it was measured or determined _____

_____; if sprinkler irrigation, give number and size
of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 4 North, Range 5 West of the Boise Meridian
County of Canyon, total 57 acres

28726

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

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May 1960 - Time used since first use:

five years

Ques. 10. Describe all other water rights appurtenant to same place of use:

(sign) S. Sheldon S. Switzer

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

Caldwell, County of Canyon

State of Idaho, on this 30th day of August, A. D. 19 65.

My commission expires: May 18, 1966

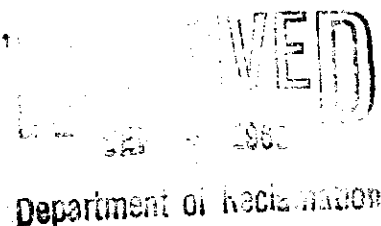
Peter J. Boyer
Notary Public for Idaho
Residing at Caldwell, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

* * * * *



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

J. L. Brown, 52, farmer, Parma, Route #1

Ques. 2 Are you acquainted with Sheldon S. Suiter, the holder of
Permit No. 28726? How long have you known him and where does he reside?

Route #1, Parma, Idaho

Ques. 3. Have you read or heard said Permit No. 28726 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Christian Gulch Wasteway

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Twp. 4 North, Range 5 West B.M. County of Canyon.

Describe works for conveying water to place of use: Ditches and dam

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.14 How much water have you seen being so
conveyed? 1.14

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Township 4 North, Range 5 West of the B.M., County of Canyon, Total 57 acres

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

1.14 cubic ft. per second

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

If so, in what way and to what extent? No ✓

Ques. 10. When did you first see this water used? May 1960

Other times you have seen such use: _____

(Signed):

P. L. Brown.

* * * * *

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 _____

Caldwell, County of Canyon, State of Idaho, on
this 30th day of August, A. D. 19 65

Peter J. Boyle

Notary Public for the State of Idaho

Residing Caldwell, Idaho

My commission expires March 1966

Filed 17th : 4M
5-6-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
SEP 3 1965
Department of Reclamation

Permit No. _____

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Glen R. Breshears, 30, Laborer, Notus, Idaho

Ques. 2 Are you acquainted with Sheldon S. Suiter, the holder of
Permit No. 28726? How long have you known him and where does he reside?

eight years, Route #1, Parma, Idaho

Ques. 3. Have you read or heard said Permit No. 28726 read, and are you familiar
with its provisions and conditions: Yes ☒ No. _____

Ques. 4. State source of water supply: Christian Gulch Wasteway

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 1, Twp. 4 North, R. 5 W.B.M. County of Canyon

Describe works for conveying water to place of use: Ditches and dam

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.14 How much water have you seen being so
conveyed? 1.14

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 4 North, Range 5 West B.M., County of
Canyon, Total 57 acres

28726

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

1.14 cubic feet per second

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

If so, in what way and to what extent? No ✓

Ques. 10. When did you first see this water used? May 1960

Other times you have seen such use: _____

(Signed):

Glen R. Brinkman

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 _____

Caldwell, County of Canyon, State of Idaho, on
this 30th day of August, A. D. 19 65

Peter J. Boyd

Notary Public for the State of Idaho

Residing Caldwell, Idaho

My commission expires May 18, 1966

GIGRAY, BOYD & DOWNEN

LAWYERS

9TH AND DEARBORN STS.

CALDWELL, IDAHO 83605

September 2, 1965

WM. F. GIGRAY, JR.
PETER J. BOYD
DONALD E. DOWNEN
SAMUEL EISMANN

AREA CODE: 208
TELEPHONE 459-4624

RECEIVED
SEP 3 1965

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

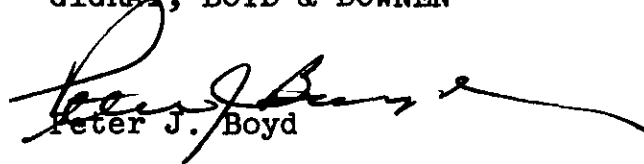
Re: Sheldon S. Suiter
Route #1, Parma, Idaho
Permit No: 28726

Gentlemen:

Enclosed find depositions of Sheldon S. Suiter, Glen R. Breshears and J. L. Brown, together with Affidavit of Publication in the above-entitled matter.

Yours very truly,

GIGRAY, BOYD & DOWNEN


Peter J. Boyd

PJB/fb
Encs (4)

28726

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(P. O.) Route #1, Parma, Idaho

Dear Sir:

Salomon Smith

I hereby certify that the facts set forth in the attached notice are true.

28726

JUL 23 1965

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

Department of Reclamation

NOTICE is hereby given that at 2:00 P.M., on the 30th day of August
19 65, at Caldwell, County of Canyon, State of Idaho, before
Peter J. Boyd, Notary Public, at (address) 9th & Dearborn Sts,
Caldwell, Idaho proof will be submitted of the completion of works for the diversion of
1.14 cubic feet per second of the waters of Christian Gulch Wasteway,
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 28726, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Sheldon S. Suiter Route 1, Parma, Idaho

2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
1.14 cubic feet per second.

3. The use to which said water has been applied is Irrigation
purposes, and the amount applied to beneficial use is 1.14 cubic
feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Twp. 4N, Rge
5 W B.M., County of Canyon

5. The place where said water is used is NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp. 4N, Rge
5W B.M., County of Canyon 57 ACRES

Total 57 acres.

6. The date of priority which said user is prepared to establish is May 20, 1960

CARL E. TAPPAN

State Reclamation Engineer

28726,

Re: Permit No. **28726**
Sheldon S. Suiter

Date: **July 23, 1965**

Wilder Herald,
Wilder, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to **August 30, 1965** the date set for proof; the expense of the publication is to be paid by the applicant **Sheldon S. Suiter** of **Rt. 1, Parma, Idaho** to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

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

July 23, 1965

Re: Permit No. 28726

July 23, 1965

Sheldon S. Saiter,
Rt. 1,
Parma, Idaho.

Dear Mr. Saiter:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 28726. The proofs are to be made at 2:00 o'clock P.M., on the 30th day of August, 1965, before Peter J. Boyd, 9th & Dearborn Sts., Caldwell, Idaho Notary Public.

As of this date, we have mailed the Notice to the Wilder Herald Wilder, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28726

July 12, 1965

Re: Permit No. 28726
Sheldon S. Suiter

Gigray, Boyd & Downen
Attorneys at Law
9th and Dearborn Sts.
Caldwell, Idaho

Attn: Peter J. Boyd

Dear Mr. Boyd:

Enclosed are Forms 36A and 11, with instructions.

Correct completed forms must be returned prior to August 1, or the permit may be cancelled.

The date of priority of water right will be advanced as the due date for proof of beneficial use of the water has passed.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RTYew
Enc. Form 36A and 11

28726

GIGRAY, BOYD & DOWNEN

LAWYERS

9TH AND DEARBORN STS.

CALDWELL, IDAHO 83605

WM. F. GIGRAY, JR.
PETER J. BOYD
DONALD E. DOWNEN
SAMUEL EISMANN

July 9, 1965

AREA CODE: 208
TELEPHONE 459-4624

RECEIVED
JUL 12 1965

Department of Reclamation

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

Attention: Mr. Carl E. Tappan

Re: Sheldon S. Suiter
Permit No. 28726

Dear Mr. Tappan:

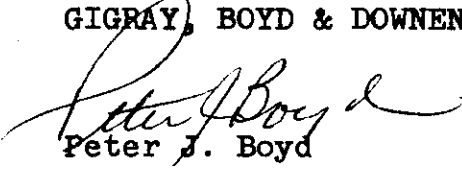
Mrs. Suiter has brought me your notice of June 21, 1965, with the requirement to show cause on or before forty days.

Mr. Suiter has been working in Glens Ferry and Mrs. Suiter was out of the state, and for this reason the initial letter of March 1, 1965, was not complied with. We can prepare an affidavit supporting all of the allegations and present it to your office.

We would appreciate greatly hearing from you at your early convenience.

Yours very truly,

GIGRAY, BOYD & DOWNEN


Peter J. Boyd

PJB/fb

28726

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

INSURED NO.

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

CSS-16-71848-6-F

28726

28726

POB Form 3811 Sep. 1963

INSTRUCTIONS TO DELIVERING EMPLOYEE☐ Deliver *ONLY* to addressee☐ Show address where delivered*(Additional charges required for these services)***RECEIPT**

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Sheldon S. Suter

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Mrs. Sheldon S. Suter

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

June 21, 1965, 195

Re: Permit No. 28726

To Sheldon S. Suiter
Rt. 1,
Parma, Idaho.

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 28726
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to

~~Completion of Works and Beneficial Use Proofs which were due May 27, 1965~~

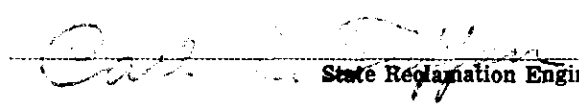
you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 28726
is hereby held for cancellation.

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

Said Permit No. 28726 claims the use of 1.14 cubic feet per second of the
waters of Christian Gulch Wasteway Drain with point of diversion located
SE 1/4, Sec. 1, Twp. 4 N., Rge. 5 W. E. M., Canyon County, and
was approved May 27, 1965

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

21st day of June, 1965


State Reclamation Engineer.

By

Assistant.

28726

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 28726

Date:

March 1, 1965

Sheldon S. Suiter
Parma, Idaho

Dear Mr. Suiter:

Under the terms of your Permit No. 28726 you are required to make proofs of completion of works and application of water to beneficial use on or before May 27, 1965

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public as advertised in the publication notice.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 36A and 11
cc:

28726

June 3, 1960

Re: Permit No. 28726
Sheldon S. Suiter

Gigray & Boyd, Lawyers
9th & Dearborn Streets.,
Caldwell, Idaho.

Attention: Peter J. Boyd

Gentlemen:

We enclose Permit No. 28726 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. 30127 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit, together with a .25¢ refund.

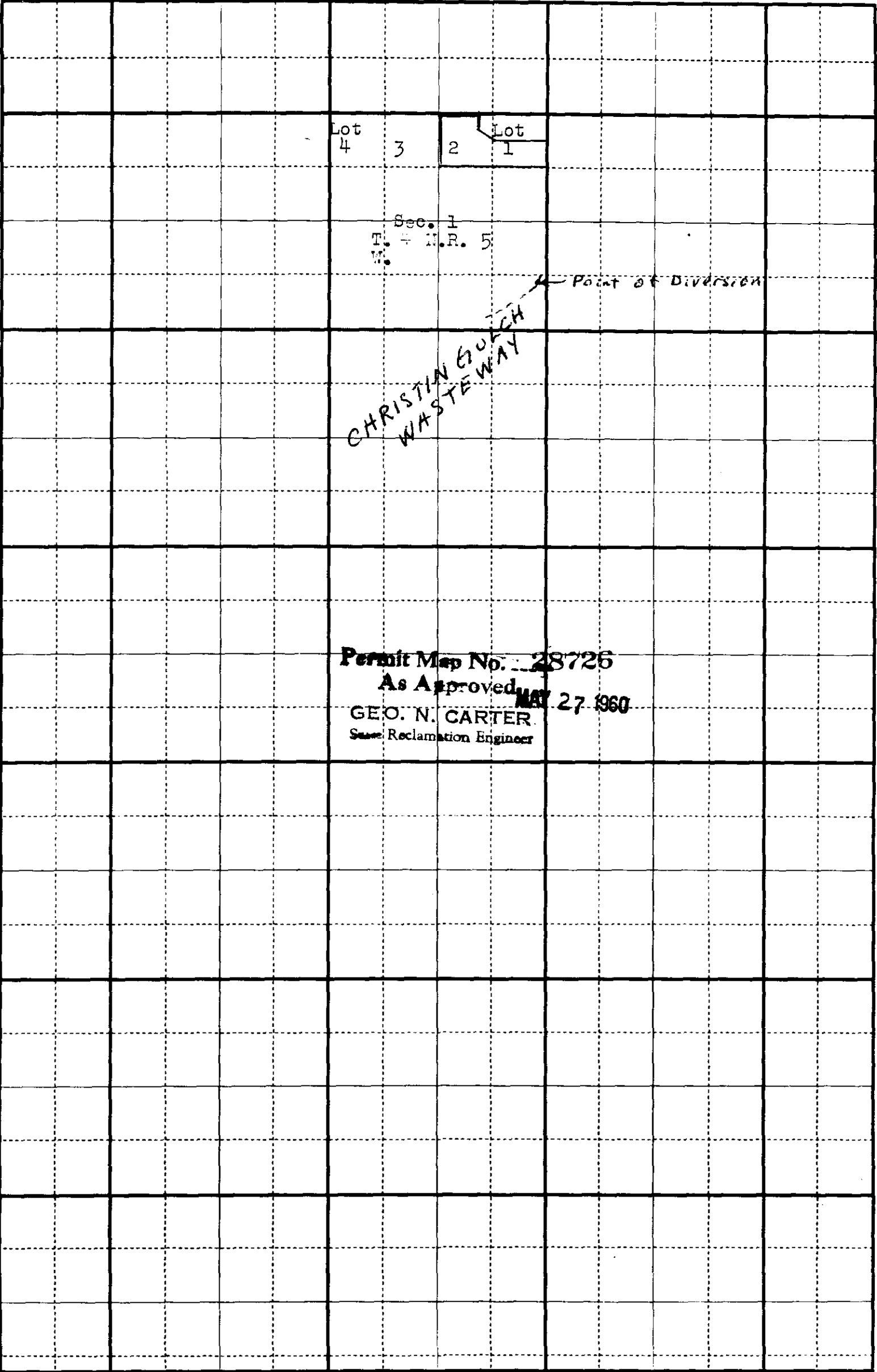
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:puk
cc: Sheldon S. Suiter
Route #1,
Parma, Idaho

28726



Permit Map No. 28726
As Approved MAY 27 1960
GEO. N. CARTER
State Reclamation Engineer

RECEIVED
MAY 2 0 1960
Department of Reclamation

GIGRAY & BOYD

LAWYERS

9TH AND DEARBORN STS.

CALDWELL, IDAHO

May 19, 1960

WM. F. GIGRAY, JR.
PETER J. BOYD

TELEPHONE 9-4624

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Application - Sheldon S. Suiter

Gentlemen:

Enclosed please find Application for Permit
of Sheldon S. Suiter, Parma, Idaho. Also enclosed
is our check in the sum of \$5.50 covering the fee in
this matter.

Yours very truly,

GIGRAY & BOYD


Peter J. Boyd

PJB/fb
Encs

28726

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

NOTICE is hereby given that at 2:00 P.M., on the 30th day of August 1965, at Caldwell, County of Canyon, State of Idaho, before Peter J. Boyd, Notary Public, at 9th & Dearborn Sts., Caldwell, Idaho, proof will be submitted of the completion of works for the diversion of 1.14 cubic feet per second of the waters of Christian Gulch Wasteway, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 28726, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Sheldon S. Suiter, Route 1, Parma, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 1.14 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 1.14 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Twp. 4N, Rge. 5W B.M., County of Canyon.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, Twp. 4N, Rge. 5W B.M., County of Canyon. Total 57 acres.

6. The date of priority which said user is prepared to establish is May 20, 1960.

CARL E. TAPPAN
State Reclamation
Engineer.