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632878

RECEIVED
MAY 12 1967

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

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

Notice is hereby given that on the 11th day of May 1967, at Caldwell, County of Canyon, State of Idaho before Helen Ulmen, Notary Public, at (address) 1316 Denver St., Caldwell, Idaho, proof will be submitted of the completion of works for the diversion of .5 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-82878, 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 B.D.M. PARTNERSHIP, Box 787, Caldwell, Idaho 83605.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is (.5) 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 .5 cubic feet per second.

4. The point of diversion of said water is N1/2NE1/4SE1/4, Sec. 3, T. 3 N, R. 3 W, B. M.

5. The place where said water is used is N1/2NE1/4SE1/4, Sec. 3, T. 3 N, R. 3 W, B. M.

6. The date of priority which said user is prepared to establish is May 11, 1966.

R. KEITH HIGGINSON
State Reclamation
Engineer

March 25, April 1, 8, 15, 1967

Jeanne Bruner
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

four times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 25, April 1, 8, 15, 1967

Subscribed and sworn to before me this

15th day of April, 1967

Adam L. Kain

Notary Public, Residing at Caldwell, Idaho

MY COMMISSION EXPIRES JUNE 23, 1967

832878

$N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$
Section 3,
Township 3N,
Range 3, B.M.
(Well: •)

32878
Permit Map No. _____
As Approved MAY 12 1966
CARL E. TAPPAN
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. G-32878 Priority May 11, 1966 Amount 0.4 c.f.s.THIS IS TO CERTIFY that B. D. M. Partnership

of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 11, 1966; that Permit No. G-32878 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.4 second feet, was issued thereunder on April 24, 1968, showing that said works were completed on the 11 day of May, 1967; and that on the 11 day of May, 1967 B. D. M. Partnership by C. A.

of Caldwell, 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 a well

a tributary of subterranean flow for the purpose of supplemental irrigation, under Use Permit No. G-32878 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 ~~xx~~ ~~Volume xx of Licenses at Page xx~~, on the 24 day of April, 1968.

The right hereby confirmed dates from May 11, 1966.

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 3, Twp. 3 N, R. 3 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 0.4 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	3 W	3	N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	20	20

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 24 day of April, 1968.

Jack A. Barnett
Deputy State Reclamation Engineer.

63-3507 63-D 4-32878

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

B.D.M. Partnership
% C.A. Davenport, Agent
Box 787, Caldwell, Ida. 83605
telephone 459-8243

Application No. G- 41049
Permit No. G- 32878
District No.

1. Name of Applicant: B. D. M. Partnership
Postoffice address: Box 787, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second .5 or Idaho
Miners' inches 25 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the N¹/₂NE ¹/₄ of the SE ¹/₄ of Section 3
Twp. 3 N , Rge. 3 W. , B.M., County of Canyon
5. Water is to be used for: irrigation (supplemental)
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the ¹/₄ of the ¹/₄ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the ¹/₄ of the ¹/₄ of Section , Twp. , Rge. , B.M.
7. Kind of works: rotary drilled well, 8" casing at estimated 50 foot depth.
8. Estimated cost of works: \$ 1,200.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. one
11. If applicant is a corporation, give:
 - I. (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:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Twenty (20") inches.
 - (a) 20 (~~cubic feet per second~~ inches ~~or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) none (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: We have leased this twenty acres of land to the O. & G. Seed Company of Caldwell, Idaho, and they are using this land for a Sweet Corn Nursery and Experimental Farm. We need the additional twenty inches of water from the proposed well in order to ensure the O. & G. Seed Company of adequate water supply to supplement that water provided by the Pioneer Irrigation District. The proposed well will provide continuous water during the twelve-day rotating interval, if needed.

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

Applicant.

Adelph.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 32878

Recorded in Book 115 Page 32878 Approved May 12, 1966

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 _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **November 12, 1966**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **May 12, 1967**

Witness my hand this 12th day of May, 1966.

/s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, 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 12th
day of May, 19 66.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals	
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄		
3N	3W	3	PERMIT NO. G-32878 CERTIFICATE OF COMPLETION OF WORKS ✓ TO ALL WHOM IT MAY CONCERN: This is to certify that B. D. M. Partnership of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-32878, issued upon Application No. G-41049 bearing date of priority of May 11, 1966, authorizing the diversion of 0.5 second feet of waters of a well County of Canyon, State of Idaho, for supplemental 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 0.4 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is in the NE ¹ / ₄ SE ¹ / ₄ Section 3, Township 3 North, Range 3 West, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: N ¹ / ₂ NE ¹ / ₄ SE ¹ / ₄ Section 3, Township 3 North, Range 3 West, Boise Meridian. Proof of completion of works made: May 11, 1967 Witness my hand this 24 day of April, A. D. 1968. /S/ Jack A. Barnett Deputy State Reclamation Engineer LICENSE ISSUED FOR <u>0.4</u> SEC. FT. LICENSE PAGE NO. <u>32878</u>				N ¹ / ₂	20 ACRES

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that B. D. M. Partnership
of Caldwell, County of Canyon, and State of
Idaho, the holder of Permit No. G-32878, issued upon
Application No. G-41049 bearing date of priority of May 11, 1966, authorizing the
diversion of 0.5 second feet of waters of a well

County of Canyon, State of Idaho, for supplemental 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 0.4 second feet of the waters of a well from subterranean flow

that the point of diversion of said waters is in the NE¹/₄SE¹/₄ Section 3, Township 3 North,
Range 3 West, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
described as follows, to-wit: N¹/₂NE¹/₄SE¹/₄ Section 3, Township 3 North, Range 3 West,
Boise Meridian.

Proof of completion of works made: May 11, 1967

Witness my hand this 24 day of April, A. D. 19 68

Josh A. Bennett
Deputy State Reclamation Engineer

32878

April 24, 1968

Re: Permit No. G-32878

C
O
P
Y

B. D. M. Partnership
c/o C. A. Davenport, Agent
Box 787
Caldwell, Idaho 83605

Dear Mr. Davenport:

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

Also enclosed is departmental receipt No. 570 in the amount of \$7.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

B 32878

WATER RIGHT NUMBER 63-3507

OWNER LAST NAME - B. D. M. PARTNERSHIP
ADDRESS LINE 1 - C/O C. A. DAVENPORT
ADDRESS LINE 3 -FIRST NAME - ORIG OWNER -
ADDRESS LINE 2 - P.O. BOX 787
CITY - CALDWELL

STATE - ID ZIP CODE - 83605

SOURCE - GROUNDWATER
STAGE - LICENSE

TRIBUTARY OF -

STATUS -

PRIORITY - 05-11-1966 COUNTY - CANYON

TCTAL DIV. RATE - .4000 -CFS

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

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

DIVERSION POINT - NESE 03 03N 03W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO - USE - IRRIGATION

USE DIV. RATE - .4000 CFS USE DIV. VOLUME -

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 03W SEC 03 TRACT NESE LOT AC 20

DECREE NAME -

REMARKS -

DATE -

TOTAL ACRES 20

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 32878

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

February 8, 1968

Re: Permit No. 32878

B.D.M. Partnership
c/o C. A. Havenport, Agent
Box 787
Caldwell, Idaho

Dear Mr. Davenport:

A representative of this department has made an examination of the works covered by your permit G-32878 and has found the following:

Quantity of water diverted: 168 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: .40 c.f.s.

Purpose of use: irrigation of 20 acres in the
NE 1/4 Sec. 3, T. 3 N, R. 3 W, B.M.

The priority date established is: May 11, 1966.

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

32878

February 8, 1968

Re: Permit No. 32878

B.D.H. Partnership
c/o C. A. Davenport, Agent
Box 787
Caldwell, Idaho

32878

Dear Mr. Davenport:

A representative of this department has made an examination of the works covered by your permit G-32878 and has found the following:

Quantity of water diverted: 168 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: .40 c.f.s.

Purpose of use: irrigation of 20 acres in the
NE 1/4, sec. 3, T. 3 N, E. 3 E, R. 1 E.

The priority date established is: May 11, 1966.

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:ks

32878

Form 23
2M-4-65

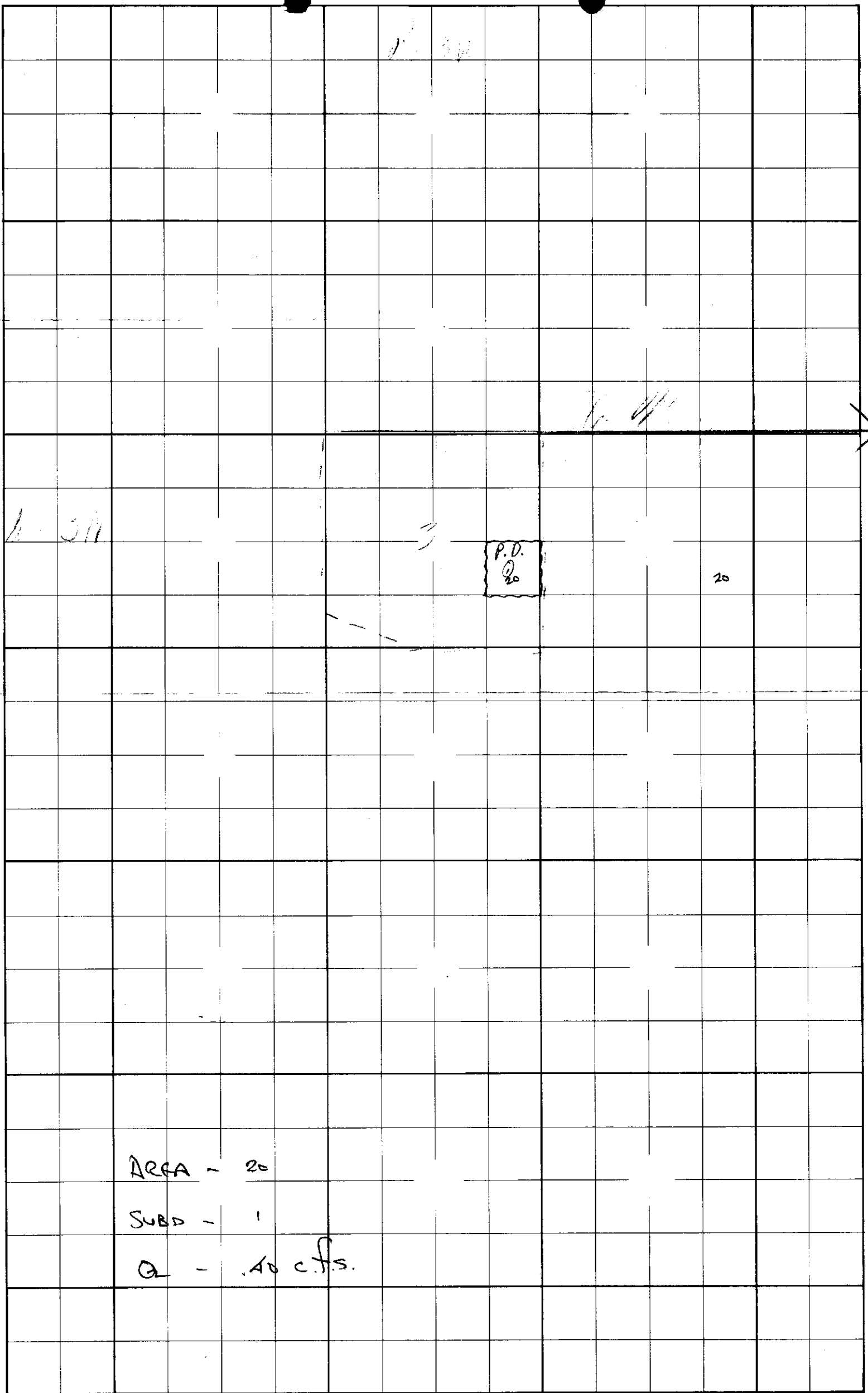
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

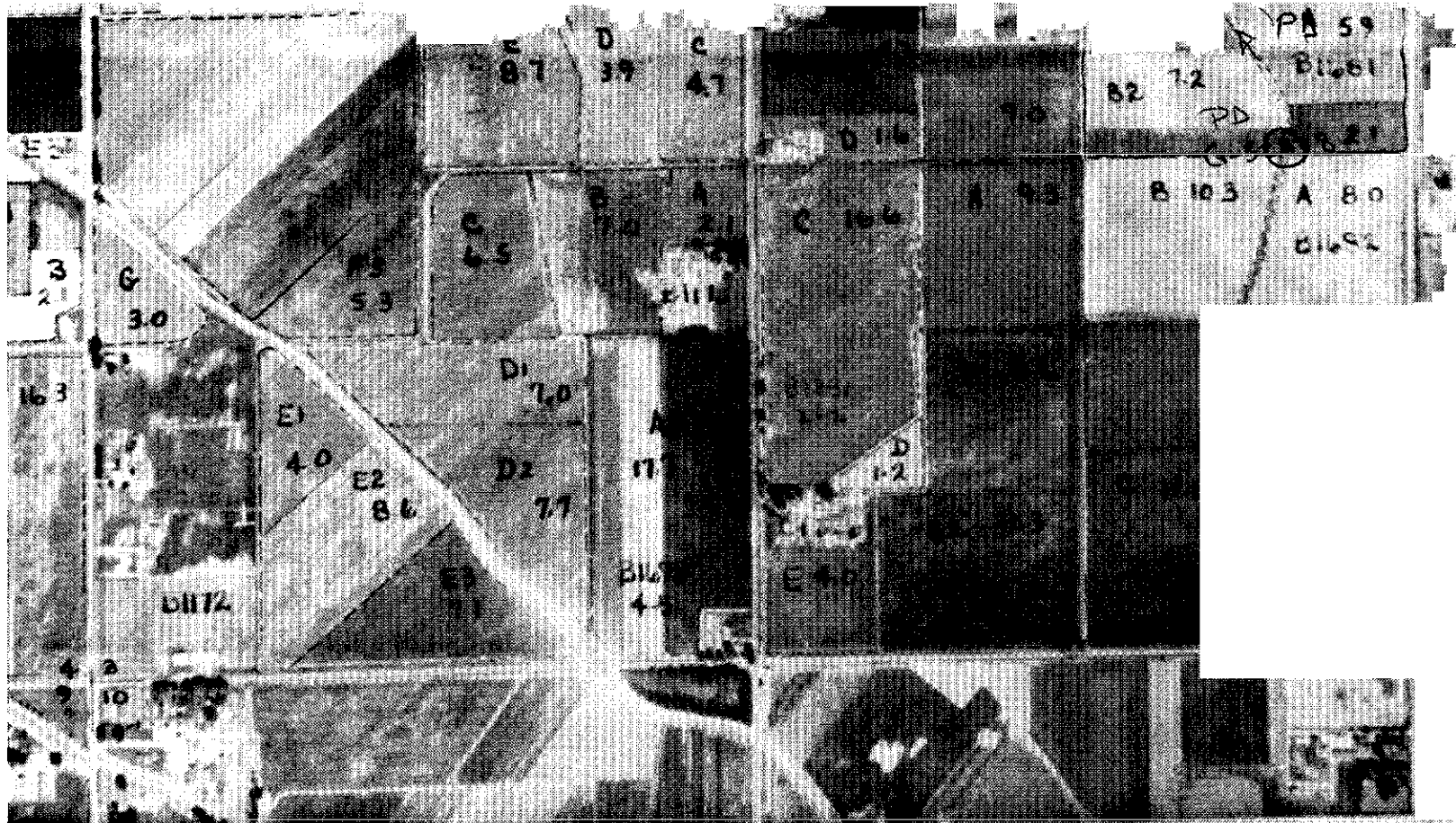
REPORT OF EXAMINER

PERMIT NO. G-32878

REPORT ON PROOF OF Completion of Works & Beneficial Use

G32878





622878

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

Permit No. G-32878

This proof is for Comp. of Works & Beneficial Use In Water District No. _____

1. Name of applicant B.D.M. Partnership

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the N¹/₂ NE¹/₄ SE¹/₄ of Section 3
T. 3 N R. 3 W County of Canyon

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

5. Water is used for: Irrigation (supplemental)

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

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):

N¹/₂ NE¹/₄ SE¹/₄, Sec. 3, T. 3 N, R. 3 W, B.M.

(20 acres)

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

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

Remarks: _____

Mr. HARVEY WICKMERS CONTACTED. (NEIGHBOR)
UNABLE TO CONTACT C. D. DAWNPOT

SPARKING METER USED
 $Q = \frac{100}{147} = .68 \text{ c.f.s.}$

This examination was made on the _____ day of Oct, 1967

(Signed) DR Examiner.

B32878

Plat
DW

B.D.M. Partnership
Box 787
Caldwell, Idaho
Permit No. G-32878

Well
12" X 85'
H-20'
Q-0.5 c.f.s.

C. A. Davenport, Agent
Box 787
Caldwell, Idaho

Examination for Comp. of Works & Beneficial Use

County Canyon

Sec. 3 T.3N R.3W

Quantity: 0.5 c.f.s.

63-

Source: Subterranean

P.D.: N 1/2 NE 1/4, Sec. 3, T. 3 N, R. 3 W, B.M.

Use: Irrigation (supplemental)

Extension:

Protest:

Completion of Works:

Other Rights: Twenty inches

Filed: May 11, 1966

Due: May 12, 1967

Made: May 11, 1967

Priority: May 11, 1966

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.

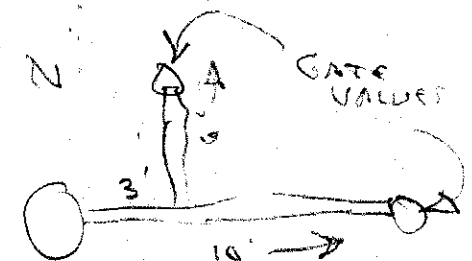
Own & send G.
CHICAGO STREET

SHA
JACUZZI

SUBMERSIBLE

556X1-S
WAF 208
-100

4" DISCHARGE - 10'
INTO CONCRETE
OUTLET BOX



METER # 2.1217

PRODUCES 35" SPARKING

832878

May 17, 1967

Re: Permit No. G-32878

B.D.M. Partnership
c/o C. A. Davenport, Agent
Box 787
Caldwell, Idaho 83605

Dear Mr. Davenport:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Caldwell News Tribune~~ all submitted in proof of completion of works and beneficial use on Permit No. G-32878.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

G32878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-32878

M.F.
RECEIVED
MAY 12 1967
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: _____

FOR: B.D.M. PARTNERSHIP, Box 787, CALDWELL, IDAHO (By C.A. DAVENPORT, PARTNER, OF CALDWELL IDA)

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:

AS A PARTNER OF B.D.M. PARTNERSHIP, OF CALDWELL, IDA., AND ITS BUSINESS AGENT.

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

PERMIT G-32878 - APPROVED MAY 12, 1966 - PRIORITY DATE OF MAY 11, 1966.

Ques. 4. State source of water supply: UNDERGROUND WATER FROM A WELL

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

SOUTH BORDER, AT MIDDLE OF FIELD, OF N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 3 N, RANGE 3W, B.M.

Ques. 5. Describe your works of diversion: 85' WELL; 10" CASING, WITH 24 $\frac{1}{2}$ FT OF 12" FACTORY-

PERFORATED CASING AT THE BOTTOM; state amount of water they are capable of con-

veying from point of diversion to place of use: APPROXIMATELY: .5 Cu Ft Sec; Give name of canal or ditch

or other works by which water is conducted to such place of use: PIONEER IRRIGATION

DISTRICT; if a well, state depth of well 85 Foot; depth and size of casing 10", with 24 $\frac{1}{2}$ Ft OF 12" PERFORATED; depth to water 20 Ft; if pump is used,

state discharge of pump: .5 CFS; tell how it was measured or determined BY THE

INSTALLERS: B. & M. EQUIPMENT Co. CALDWELL; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: TO SUPPLEMENT IRRIGATION WATER

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

20 ACRES, OR N1/2NE1/4SE1/4 SECTION 3, TOWNSHIP 3 NORTH, RANGE 3 WEST, B.M.

Log in

32878

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

FULL USE OF LAND FOR CROP GROWING, AFTER ASSURANCE OF ADEQUATE WATER FOR GROWTH AND MATURITY OF SEED CROPS FROM THIS SUPPLEMENTAL WATER SOURCE.

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: JUNE 7TH, 1966 OF .5 CFS - Time used since first use:

SUPPLEMENTAL TO DITCH IRRIGATION, DURING GROWING SEASON, PER QUESTION 10 BELOW.

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

APPROXIMATELY 80" AVAILABLE FOR 48 HOURS USE, OUT OF EACH TWELVE DAY PERIOD, DURING FARMING SEASON, SINCE JUNE 7TH, 1966 TESTING DATE.

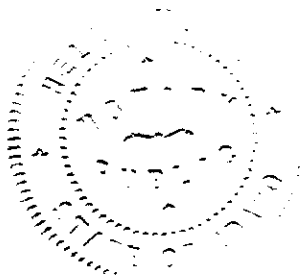
(sign) *[Signature]*
Agent.

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 11 day of May, A. D. 1967.

[Signature]
Helen Ulmen

My commission expires: Dec. 3, 1968



B32878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 32878

* * * * *

RECEIVED
MAY 12 1967
Department of Reclamation

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:

IRVINE LEROY COLEMAN, 65, OF RT. 3, CALDWELL, IDAHO 83605, REGULAR EMPLOYEE

WHO ASSISTS WITH FARMING AND CULTIVATION AND IRRIGATION OF THIS LAND DURING SEASON.

Ques. 2 Are you acquainted with C. A. DAVENPORT, PARTNER, the holder of

Permit No. (G-32878) Yes? How long have you known him and where does he reside?

FIVE YEARS, RESIDING AT 2614 So. KIMBALL AVE. CALDWELL, IDA., OR PO BOX 787, CALDWELL

Ques. 3. Have you read or heard said Permit No. G 32878 read, and are you familiar with its provisions and conditions: Yes yes No. _____

Ques. 4. State source of water supply: Underground water (85' well)

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

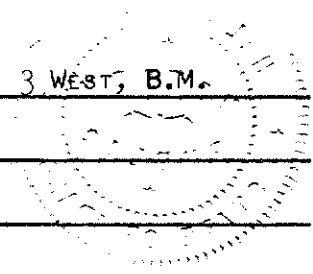
TWENTY ACRES, OR N¹/₂NE¹/₄SE¹/₄ SECTION 3, TOWNSHIP 3 NORTH, RANGE 3 WEST, B.M.

Describe works for conveying water to place of use: WATER FROM THE WELL IS CONVEYED FROM CEMENT BOXES TO DITCHES AND ONTO THE TWENTY ACRES.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: .5 cu feet per second How much water have you seen being so conveyed? Up to maximum of permit, or, .5 cu feet second.

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

TWENTY ACRES, OR NE¹/₂NE¹/₄SE¹/₄ OF SECTION 3, TOWNSHIP 3 NORTH, RAGE 3 WEST, B.M.



G 32878

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.

LAND HAS BEEN UNDER CULTIVATION FOR SEVERAL YEARS, WITH INADEQUATE IRRIGATION WATER. THIS ADDITIONAL .5 CFS PROVIDED BY THE WELL WAS NECESSARY FOR GOOD PRODUCTION.

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? After testing on June 7th 1966.
Other times you have seen such use: Assisted in irrigating each time, including supplemental well water.

(Signed):

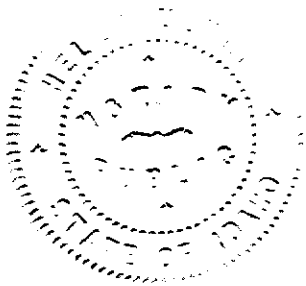
Irving Leroy Coleman
IRVING LEROY COLEMAN

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 11th day of May, A. D. 1967

Helen Ulmen
Notary Public for the State of Idaho
Residing CALDWELL, IDAHO, 83605

My commission expires Dec. 3, 1968



832878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-32878

RECEIVED
MAY 12 1967
Department of Reclamation

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:

HUGH JOHNSON DONNELLY, AGE 52 OF 3109 SO. INDIANA AVE., CALDWELL, IDA 83605

GENETICIST AND MANAGER OF TRIAL GROUNDS-FARM OF LAND OWNED BY B.D.M. PARTNERSHIP

Ques. 2 Are you acquainted with C. A. DAVENPORT, A PARTNER OF , the holder of

Permit No. yes? How long have you known him and where does he reside?

Eight YEARS, RESIDING AT 2614 SO. KIMBALL AVE., CALDWELL, IDA, OR PO Box 787.

Ques. 3. Have you read or heard said Permit No. G32878 read, and are you familiar with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: Underground water (85' well)

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

20 ACRES = N1/2NE1/2SE1/2 SECTION 3, TOWNSHIP 3 NORTH, RANGE 3 W.B.M.

Describe works for conveying water to place of use: THE WELL WATER IS DISTRIBUTED TO

DITCHES AND OVER THE LAND FROM CEMENT BOXES CONSTRUCTED AT THE OUT-FLOW OF WELL.

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: .5 cu feet per second How much water have you seen being so conveyed? Up to maximum of permit, or .5 cu ft second

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

20 ACRES, IN N1/2-NE1/4SE1/4 SECTION 3, TOWNSHIP 3 NORTH, RANGE 3WEST, B.M.

G32878

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.

CULTIVATION OF THIS LAND OVER PREVIOUS YEARS WAS MAINTAINED, BUT WITH INADEQUATE IRRIGATION WATER FROM DITCHES. THE .5 CFS WELL FLOW NOW PERMITS PROPER FARMING OF LAND.

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? Testing on June 7, 1966,

Other times you have seen such use: AS SUPERVISOR OF SEEDS GROWN ON THIS LAND, I ALWAYS SUPERVISE EACH IRRIGATION, INCLUDING SUPPLEMENTAL WATER, DURING SEASON, SINCE TEST DATE.

(Signed):

Hugh Johnson Donnelly
HUGH JOHNSON DONNELLY

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 11TH day of MAY, A. D. 1967.

Helen Elmen
Notary Public for the State of Idaho
Residing CALDWELL, IDAHO.

My commission expires Dec. 3, 1968

832878

RECEIVED
MAY 12 1967

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

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

Notice is hereby given that on the 11th day of May 1967, at Caldwell, County of Canyon, State of Idaho before Helen Ulmen, Notary Public, at (address) 1316 Denver St., Caldwell, Idaho, proof will be submitted of the completion of works for the diversion of .5 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-82878, 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 B.D.M. PARTNERSHIP, Box 787, Caldwell, Idaho 83605.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is .5 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 .5 cubic feet per second.

4. The point of diversion of said water is N1/2NE1/4SE1/4, Sec. 3, T. 3 N, R. 3 W, B. M.

5. The place where said water is used is N1/2NE1/4SE1/4, Sec. 3, T. 3 N, R. 3 W, B. M.

6. The date of priority which said user is prepared to establish is May 11, 1966.

R. KEITH HIGGINSON
State Reclamation

NOTARY PUBLIC - IDAHO
My Comm. Expires June 23, 1967

Jeanne Bruner
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

four times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 25, April 1, 8, 15, 1967

Subscribed and sworn to before me this

15th day of April, 1967

Adam L. Kain
Notary Public, Residing at Caldwell, Idaho

MY COMMISSION EXPIRES JUNE 23, 1967

832878

March 9, 1967

Re: Permit No. G-32878

B.D.M. Partnership
Box 787
Caldwell, Idaho 83605

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-32878. The proofs are to be made ~~at~~ statutory, on the 11th day of May, 19 67, before Helen Ulmen, Caldwell, Idaho. Notary Public.

As of this date, we have mailed the Notice to the News-Tribune, 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,

MRB:rw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

G32878

March 9, 1967

Re: Permit No. G-32878

News-Tribune
Caldwell, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 11, 1967. The expense of the publication is to be paid by C. A. Davenport, Agent of B.D.M. Partnership, Box 787, Caldwell, Idaho 83605, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

G 32878

(Date) MARCH 8TH, 1967

(P. O.) Box 787, CALDWELL, IDAHO 83605

Dear Sir:

B. D. M. PARTNERSHIP.

BY

AGENT

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

Engineer

B32878

No. 36 - 4M
1/65

RECEIVED
MAR 8 1967

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

Department of Reclamation

*with affidavit
5-29-67
JUL*

Notice is hereby given that at 10 A. M., on the 11th day of MAY 1967, at CALDWELL, County of CANYON, State of Idaho before HELEN ULMEN, Notary Public, at (address) 1316 DENVER ST., CALDWELL, IDAHO, proof will be submitted of the completion of works for the diversion of 0.5 cubic feet ^{or 25 INCHES} per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 32878, 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 B.D.M. PARTNERSHIP, Box 787, CALDWELL, IDAHO 83605.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is irrigation ~~TO SUPPLEMENT PRESENT AVAILABLE WATER DELIVERED BY~~ THE PIONEER IRRIGATION DIST., purposes and the amount applied to beneficial use is 0.5 cubic feet per second.

4. The point of diversion of said water is SOUTH BORDER AT MIDDLE OF FIELD OF PROPERTY DESCRIBED IN ITEM # 5, BELOW. N 1/2 NE 1/4 SEC 4 T. 3 N, R. 3 W.

5. The place where said water is used is N 1/2 SEC 1 SECTION 3, RANGE 3N, 3W, B.M.

6. The date of priority which said user is prepared to establish is

JUNE 7TH, 1966, WHEN ABOVE WELL WAS TESTED.

May 11, 1966

State Reclamation Engineer

G 32878 *nr*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

March 1, 1967

Re: Permit No. G - 32878

BDM Partnership
c/o C. A. Davenport, Agent
Box 787
Caldwell, Idaho

Dear Mr. Davenport:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 32878 are due not later than May 12, 1967

Before these proofs 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 within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also 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 two Forms 36.

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

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

32878

RECEIVED
MAY 24 1966

B. D. M. PARTNERSHIP

P. O. Box # 787

CALDWELL

IDAHO.

MAY 23RD, 1966

MR. M. RUSSELL BOSCH, OFFICE MGR.
DEPARTMENT OF RECLAMATION
STATE OF IDAHO,
BOISE, IDAHO

DEAR MR. BOSCH:

WITH REFERENCE TO THE GRANTED PERMIT # G 32878 RECENTLY RECEIVED FROM YOUR OFFICE, I AM PLEASED TO REPORT THE NAMES OF THE INDIVIDUALS REPRESENTING THE B.D.M. PARTNERSHIP. THE PARTNERS ARE AS FOLLOWS:

C. A. DAVENPORT 2614 So. KIMBALL AVE., RT. 6,
CALDWELL, IDAHO 83605

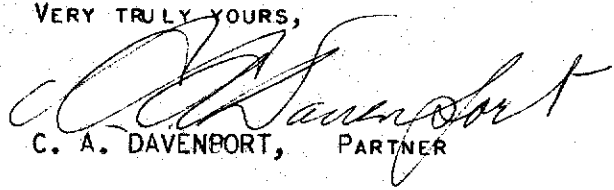
HORACE A. BEAL 869 PARK BLV'D.
ONTARIO, OREGON 97914

JAMES L. MUSSER RURAL ROUTE # 2,
TWIN FALLS, IDA 83301

WE TRUST THAT THIS NOW COMPLETES THE INFORMATION YOU NEED IN REFERENCE TO PERMIT G 32878.

THANKING YOU KINDLY, WE ARE

VERY TRULY YOURS,


C. A. DAVENPORT, PARTNER

CAD:HU

32878

May 17, 1966

Re: Permit No. **G-32878**

B. D. M. Partnership
% C.A. Davenport, Agent
P.O. Box 787
Caldwell, Idaho 83605

Dear Mr. Davenport:

We enclose Permit No. **G-32878** 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. **G-10335** which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc: permit
receipt

Mr. Davenport: For our records we require the names and address of the partners in this permit, who are doing business as the B.D.M. Partnership. Thank you.

MRB

832878

$N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$
Section 3,
Township 12 N.
Range 3, B. M.
(Well. •)

32878
 Permit Map No.
 As of MAY 12 1966
 State Department of Transportation

32878

RECEIVED
MAY 11 1966

10/66

Antleres;

Department of Reclamation

Please inform us immediately
if more information is needed.
Thank you.

Very truly yours
R. A. Haverford

32878