

Bernard Warntjes, President
B. W. Produce Co., Inc.
Box 909, Nampa, Idaho

Permit No. G-26422

Examination for Completion of Works & Beneficial Use

County Canyon

Sec. 5 T. 3N R. 4W B.M.

Quantity: 0.8 a.f.s.

Source: Well

P.D.: Lot 1 (NE 1/4) Sec. 5, T. 3N.

Use: Irrigation

Filed: June 13, 1956

Due: July 13, 1961

Made: Oct. 30, 1961

Extension: Priority: 9-30-56

Completion of Works: —

Other Rights: none

Leonard Davis

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
APR 17 1962

Department of Reclamation

375' deep 12" dia
hi 200'

Column 6" X 280' 13 steps
60' dia.

RECEIVED
OCT 31 1961

Department of Reclamation

AFFIDAVIT OF PUBLICATION

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

Notice is hereby given that at 10:00 a.m., on the 30th day of October 1961, at Nampa, County of Canyon, State of Idaho, before R. H. Young, Notary Public, at Corwen Bldg No. 1, Nampa, Idaho, proof will be submitted of the completion of works for the diversion of 0.8 cubic feet per second of underground water from a well, and of the application to beneficial use of water, in accordance with the terms and conditions of Permit No. G-26422, 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 W Produce Co. Inc., 8th St. North, Nampa, Idaho.

2. Said works of diversion will be fully completed on the date set for completion, and the amount of water which said works are capable of conveying to the place of use is 0.8 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 0.8 cubic feet per second.

4. The point of diversion of said water is Lot No. 1 Section 5, T3N, R4W, BM.

5. The place where said water is used is Lot 1, 2, 3 & 4, Section 5, T3N, R4W, BM.

6. The date of priority which said user is prepared to establish is June 13, 1956.

GEO. N. CARTER
State Reclamation Engineer
Oct. 7, 14, 21, 28, 1961.

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

Lucille Copple
of Nampa, 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 Principal Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, 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 Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive week 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:

October 7, 14, 21, 28, 1961

Lucille Copple

Subscribed and sworn to before me this 28

day of October, 19 61

Adam D. Kiser

Notary Public, Residing at Nampa, Idaho.

MY COMMISSION EXPIRES JUNE 25, 1963

26422

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

26422

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach 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

19254

Room 107, State House

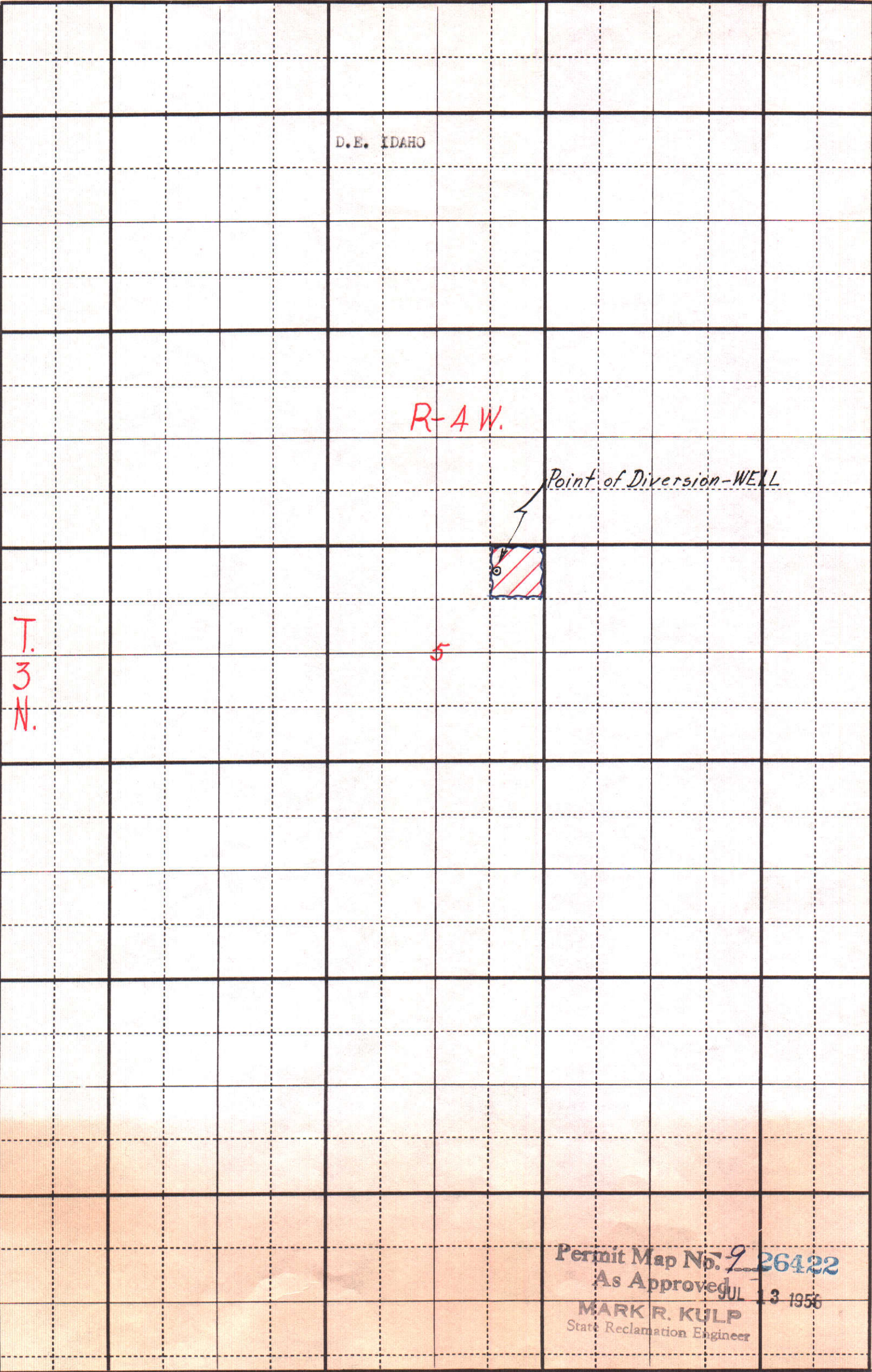
INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

C55-16-71548-4

26422



State of Idaho
License and Certificate of Water Right

Water License No. G-26422 Amount 0.8 c.f.s.
Water District No. _____ Priority June 13, 1956

THIS IS TO CERTIFY that MRS. MILLIE G. CONN - Assignee - B. W. PRODUCE CO. INC., &
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 13, 1956; that Permit No. G-26422
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on May 4, 1962, showing that said works
were completed on the 30th day of October, 1961; and that on the 30th
day of October, 1961, B. W. PRODUCE CO. INC., & WILLIAM E. CONN

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-26422 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
12 of Licenses at page 7268, on the 4th day of May, 1962;

The right hereby confirmed dates from June 13, 1956;
The Point of Diversion is located in Lot 1
in the (NE 1/4 NE) 1/4, Sec. 5, Tp. 3 N, R. 4 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 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	4 W	5	(NE 1/4 NE 1/4) Lot 1	40	43
			(NW 1/4 NE 1/4) Lot 2	40	43
			(NE 1/4 NW 1/4) Lot 3	40	43
			(NW 1/4 NW 1/4) Lot 4	40	43
			Total number of acres to be irrigated:		172

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
4th day of May, 1962.

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

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 19440

Amount 0.24 c.f.s.

Water District No.

Priority April 27, 1955

THIS IS TO CERTIFY that CARL P. BENTZ - Assignee - RAYMOND F. & ERMA B. SLEIGHT of Fruitland, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 2, 1943; that Permit No. 19440 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.0 second feet, was issued thereunder on October 23, 1947, showing that said works were completed on the 9th day of October, 1947; and that on the 26th day of May, 1961,

RAYMOND F. and ERMA B. SLEIGHT of Fruitland, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of drainage & waste water, a tributary of, for the purpose of irrigation, domestic & stock water under Use Permit No. 19440 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 12 of Licenses at page 7267, on the 24 day of April, 1962;

The right hereby confirmed dates from April 27, 1955;

The Point of Diversion is located in the NW 1/4 SE 1/4, Sec. 22, Tp. 7 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 0.24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	5 W.	22	SE 1/4 NW 1/4	12	12
			Total number of acres to be irrigated:		12

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 24th day of April, 1962.

CARL E. TAPPAN
Assistant State Reclamation Engineer.

(SEAL)

63-3086

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34307
Permit No. G- 26422
District No.

Millie G. Conn
Route # 6
Box 139
Caldwell, Idaho

1. Name of Applicant: MRS. MILLIE G. CONN
Postoffice address: Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: 40 miners inches
 - (a) Rate of withdrawal in cubic feet per second. 0.8 cfs or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well
4. Location of point of diversion or well is in the (lot 1)
NE 1/4 of the NE 1/4 of Section 5
Twp. 3 N. , Rge. 4 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation
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: Pump with sprinklers
8. Estimated cost of works: \$ 8,000
9. (a) Is reservoir to be used?
(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 5 years.
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: None
 - (a) (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) (cubic feet per second, inches or gallons per minute) is for new lands.

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	
3 N.	4 W.	5	40 (Lot 1)				40
			IN THE PROBATE COURT OF CANYON COUNTY, STATE OF IDAHO				
			IN THE MATTER OF THE ESTATE of MILLIE G. CONN, Deceased ... IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the said Millie G. Conn is dead; that her husband survived her; that she died seized and possessed of her community one-half right, title and interest in and to the following described real property, to-wit: Lots 1, 2, 3, and 4, all in Section 5, Township 3 North, Range 4 W. B. M., in Canyon County, Idaho; together with all well and water rights and State Reclamation Permits Nos. 20746 and G-26422; that the said property was acquired and the same and all thereof is hereby distributed and assigned to him and adjudged to be the property of the said William Ernest Conn, his heirs and assigns. Dated this 23rd day of March, 1960. --- --) O) DEGREE ESTABLISHING TITLE TO COMMUNITY PROPERTY No. 10062				
			B. R. RIORDAN Probate Judge				
			See Certified Copy of Order in file.				

WARRANTY DEED

THIS INDENTURE, made this 9th day of March, 1960, between WILLIAM ERNEST CONN and FERN E. CONN, husband and wife, of the County of Canyon, State of Idaho, the parties of the first part and B. W. PRODUCE CO., Inc., of Nampa, County of Canyon State of Idaho, the party of the second part, ...

Lots 1, 2, 3 and 4, all in Section 5, Township 3 North, Range 4 W.B. M., in Canyon County, Idaho, SAVE AND EXCEPT the North 710 feet of the East 750 feet of said Lot 1; but together with all well and water rights located on the real property herein conveyed or appurtenant thereto, and together with State Reclamation Permits Nos. 20746 and G-26422.

.

s/ WILLIAM ERNEST CONN
FERN E. CONN

See photo copy of Warrenty Deed in File

Application for Amendment
LAND LIST
Permit No. G-26422

Comes now B. W. PRODUCE CO. Inc and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26422, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Lots 1, 2, 3, & 4, Section 5, T. 3 N., R. 4 W., B. M. , making a total ____ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at _____ this _____ day of _____, 19____

B. W. PRODUCE CO. INC.
By: Bernard Warntjes, Pres.

Date of receipt at office of Department of Reclamation: September 29, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, DEPUTY STATE RECLAMATION ENGINEER OF THE STATE OF IDAHO, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26422. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded October 3, 1961

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Permit No. G-26422
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MRS. MILLIE G. CONN - Assignee - B. W. PRODUCE CO. INC. & WILLIAM E. CONN of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-26422, issued upon Application No. G-34307 bearing date of priority of June 13, 1956, authorizing the diversion of 0.8 second feet of the waters of a well 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 0.8 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Lot 1, Sec. 5, T. 3 N., R. 4 W., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 172 acres in Lots 1, 2, 3, & 4, Sec. 5, T. 3 N., R. 4 W., B.M.

Witness my hand this 4th day of May, A. D. 1962.

/s/ Carl E. Tappan
Assistant State Reclamation Engineer

Proof of Completion of Works Made: October 30, 1961

LICENCE ISSUED FOR 0.8 SEC. F1.

page 7268

WRD417

WATER RIGHTS PROOF READING REPORT

04/24/85

PAGE 1

WATER RIGHT NUMBER 63-3086

OWNER LAST NAME - CONN
OWNER LAST NAME - B. W. PRODUCE CO. INC.
OWNER LAST NAME - CONN

FIRST NAME - MILLIE G.
FIRST NAME -
FIRST NAME - WILLIAM E.

ORIG OWNER - 0
ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 909

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - NAMPA

STATE - ID ZIP CODE - 83651

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 06-13-1956 COUNTY - CANYON

TOTAL DIV. RATE - .8000 -CFS

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

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENE 05 03N 04W LOT 01 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 -

.8000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 04W SEC 05

TRACT NENE LOT 01 AC 43 TRACT NWNE LOT 02 AC 43

TRACT NENW LOT 03 AC 43 TRACT NWNW LOT 04 AC 43

DATE -

TOTAL ACRES 172

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 26422

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

May 4, 1962

RE: Permit No. G-26422

Bernard Warntjes, President
B. W. Produce Company, Inc.
Box 909
Nampa, Idaho

Dear Mr. Warntjes:

Enclosed are Certificate of Completion of Works and License
and Certificate of Water Right on Permit No. G-26422.

Also enclosed is departmental receipt No. G-6945 in the
amount of \$13.00 covering the fees for the Certificate and
License.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificate
license
receipt

826422

April 17, 1962

Re: Permit No. C-26422

Bernard Warntjes, President
B. W. Produce Company, Inc.
Box 909
Nampa, Idaho

Dear Mr. Warntjes:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. C-26422 shows the well is (app) capable of conveying 40 miner's inches, or 0.8 c.f.s. of water for the irrigation of 172 acres.

Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 8.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of June 13, 1956 to the use of 0.8 second feet of subterranean water with the point of diversion in Lot 1 (NE 1/4) Sec. 5 for irrigation of 172 acres in Lots 1, 2, 3, & 4, Sec. 5, T. 3 N., R. 4 W., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

826422

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

Permit No. 9-26422This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant B. W. Produce Company, Inc.
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the Lot 1 (NE-NE¹) of Section 5
T. 3 N R. 4 W.B.M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: 75HP AO Smith
Motor #73639 - Fiese & Firstenberg Pump (in Number Plate) 8" discharge - Column
is 6" x 280' with 13 stages. Well 325' x 12" - 4:200' - 60' dd. - Use
7 3" laterals in early spring but has to drop laterals as season
progresses, because of lowering water table. - 1300' x 6" buried main East of
pump, 1900' x 8" west of pump reduced to 6" x 2000', (40-60 system.)
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):

Lots 1, 2, 3, & 4, Sec. 5., Twp. 3 N., Rge. 4 W.B.M.

(These Lots are 1420' x 1320')

(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. Conn + Wamties along.

Measured by taking pressure reading at nozzles at various places
along each lateral. - (Total discharge 1.54 cfs.)

Mr. Conn has stated he sold the ground + water to Mr. Wamties but he
has 12 acres in NE corner of Lot #1 he has his home and right to the water in contract.

This examination was made on the 16th day of April, 1962

(Signed) _____

Larry Johnson

Examiner.

926422

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
APR 17 1962

Department of Reclamation

for exam on April 15. 62
Bernard Warntjes, President
B. W. Produce Co., Inc.
Box 909, Nampa, Idaho
Permit No. 9-36422

Sprinkler system

Examination for Completion of Works & Beneficial Use

County Canyon

Sec. 5 T. 3N R. 4W S. 4E

Quantity: 0.8 a.c.s

Source: Well

P.D.: Lot 1 (N.E.N.E.) Sec. 5, T. 3N.

R. 4W S. 4E

Use: Irrigation

Filed: June 13, 1956

Due: July 13, 1961

Made: Oct. 30, 1961

Extension: Priority: 9-30-56

Completion of Works:

Other Rights: none

Leonard Davis

*375' deep 12" dia
hi 200'*

*Column 6" X 280' 13 steps
60' H.*

October 31, 1961

Re: Permit No. G-26422

Bernard Warntjes, President
B. W. Produce Company, Inc.
P. O. Box 909
Nampa, Idaho

Dear Mr. Warntjes:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Idaho Free Press, all submitted in proof of completion of works and beneficial use on Permit No. G-26422.

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

26422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-26422

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.

Ans. Bernard Warntjes, Box 909, Nampa, Idaho, on behalf of B. W. Produce Company, Inc.

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. B. W. Produce Company, Inc., Nampa, Idaho; President and owner

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

Ans. G-26422; June 13, 1956; June 13, 1956

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

Ans. Lot 1, Sec. 5, Twp. 3 N, R. 4 W. 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well with a six inch pipeline; .8 of a cubic foot; 325 feet; 12 inch casing; 325 feet; water - 200 feet; orifice; #30 3/16 nozzle; 40 pound pressure.

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. Lots 1, 2, 3 & 4, Sec. 5, Twp. 3 N, R. 4 W. B.M.; 40 acres in each subdivision; cultivated; 6 inch underground pipeline; leveling the land.

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

Ans. Leonard A. Davis, 273 Davis Avenue, Nampa, Idaho

G26422

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

Ans. _____

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

Ans. one-half inch per acre

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. Acquired by purchase from W. E. Conn

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

Ans. 1957; by sprinkling system; 0.8 of a cubic foot; and for each year thereafter.

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. We have another well which has been used in conjunction herewith; 8 inch well; 460 feet deep; water level at 200 feet; a permit for use thereof has been issued to W. E. Conn.

William E. Conn
Permit holder of Permit

(Sign)

B. W. Producers Co. Inc.
Bernard Klautzger Pres.

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

Hampton

County of

Canyon

State of Idaho, on this

30th

day of

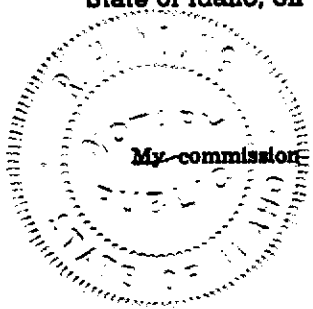
October

A. D. 1961

My commission expires

April 1 - 1965

R. H. Hyatt



526422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-26422

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

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. Leonard A. Davis, 45, 273 Davis Avenue, Nampa, Idaho,
Well-drilling

Ques. 2. Are you acquainted with Bernard Warntjes, President of B. W. Produce Company, Inc., the holder of Permit No. G-26422? How long have you known him and where does he reside?

Ans. I have known him for 6 or 7 years. Resides at Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. G-26422, 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. Lot 1, Sec 5, Twp. 3 N, R 4 W, B.M., under-ground pipe
sprinkler

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. 2 1/2 cubic feet; 40 inches or 0.8 of a cubic foot

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Measured from an orifice; measured on the discharge
0.8 of a cubic foot

G26422

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation; 80 acres; cultivated; said land has been leveled. Lots 1, 2, 3, 4, Sec. 5, T. 3N. - R. 4W. B. M.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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. Sandy loam; one-half inch per acre

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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. I drilled the well and have seen it every year since on numerous occasions

(Signed) Leonard C. Dennis

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 Hammer, County of Damian, State of Idaho, on this 30th day of October, A. D. 1961.

R. H. Young
Notary Public.

My commission expires April 1-1965



S26422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 21 1961

Department of Reclamation

Permit No. G-26422

Proof of Application of Water to Beneficial Use

Deposition of Witness ^{and Completion of Works}

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. Edwin P. Tiegs, 54, Route 4, Nampa, Idaho, Farming

.....
Bernard Warntjes, President of

Ques. 2. Are you acquainted with B. W. Produce Company, Inc., the holder of Permit No. G-26422? How long have you known him and where does he reside?

Ans. 20 years; Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. G-26422, 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. Lot 1, Sec. 5, Twp. 3 N. R. 4 W. B. M.; under-ground pipe sprinkler

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. 2 $\frac{1}{4}$ cubic feet; 40 inches or 0.8 of a cubic foot

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Measured from an orifice; measured on the discharge
0.8 of a cubic foot

G26422

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision 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 improvements which have been made as a direct result of said use.

Ans. Irrigation; 80 acres; cultivated; said land has been leveled. Lots 1, 2, 3, 4, Sec. 5, T. 3N. - R. 4W.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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. Sandy loam; one-half inch per acre.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. 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. When well was tested. Occasionally every year since 1957.

(Signed)

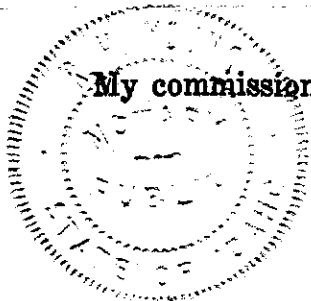
Edwin D. Jones

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 Nauman County of Canyon, State of Idaho, on this 30th day of October, A. D. 1961.

R. H. Jones
Notary Public.

My commission expires

April 1 - 1965



126422

RECEIVED
OCT 31 1961

Department of Reclamation

AFFIDAVIT OF PUBLICATION

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL USE
Notice is hereby given that at 10:00 a.m. on the 30th day of October 1961, before R. H. Young, Notary Public, at Corwen, Idaho, proof will be made of the completion of works for the diversion of 0.8 cubic feet per second of underground water from the lands of the application for water, in accordance with the terms and conditions of Permit No. C-28422, heretofore issued by the Department of Reclamation, State of Idaho.
1. The name and postoffice address of the person or corporation holding said permit is B. W. Produce Co., Inc., 214 N. North, Nampa, Idaho.
2. Said works of diversion will be fully completed by the date set for completion and the amount of water which said works are capable of conveying to the place of use is 0.8 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 0.8 cubic feet per second.
4. The point of diversion of said water is Lot No. 1, Section 5, T3N, R4W, E4M.
5. The place where said water is used is Lot 1, 2, 3 & 4, Section 5, T3N, R4W, E4M.
6. The date of priority, which said user is prepared to establish is June 18, 1953.
GEO. N. CARTER
State Reclamation Engineer
Oct. 7, 14, 21, 28, 1961.

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

Lucille Copple
of Nampa, 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 Principal Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, 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 Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive week 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:

October 7, 14, 21, 28, 1961

Lucille Copple

Subscribed and sworn to before me this 28

day of October, 19 61

Adam J. Furr
Notary Public, Residing at Nampa, Idaho.

26422

October 19, 1961

Re: Permit No. G-26422

B. W. Produce Company, Inc.
8th Street North
Nampa, Idaho

Dear Sir:

Your deed from William Ernest and Fern E. Conn, husband and wife, shows an exception of the North 710 feet of the East 750 feet of said Lot 1, of Sec. 5, T. 3 N., R. 4 W., B. M.

Provided the excepted portion of Lot 1 is irrigated from this well, Mr. Conn should join you at 10:00 A. M., October 30, 1961, before R. H. Young, Corwen Building #1, Nampa, Idaho, to sign as part holder of the permit. This will also apply when proofs are made on water under Permit No. 20746.

A copy of this letter is being sent to Mr. Conn for his information.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: William E. Conn
Route #6
Caldwell, Idaho

826422

October 3, 1961

Re: Permit No. G-26422

B. W. Produce Co. Inc.

R. H. Young
Attorney at Law
P. O. Box 21
Nampa, Idaho

Dear Mr. Young:

We enclose the Application for Amendment to the
land list which has been recorded in this office.

We have also recorded the Warrenty Deed and the
Decree and these documents will be kept on file in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

S26422

JAMES E. SCHILLER
ATTORNEY AT LAW
P. O. BOX 21
CORWEN BLDG. NO. 1
NAMPA, IDAHO

ASSOCIATE:
R. H. (BILL) YOUNG

September 29, 1961

State Reclamation Engineer
State House
Boise, Idaho

Re: Permit #G-26422

Dear Sir:

Enclosed please find a certified copy of the decree establishing title to community property in the matter of the estate of Millie G. Conn, deceased. Reference was made to this document in our letter to you dated yesterday.

Very truly yours,


R. H. Young

RHY:mjd

Enclosure

26422

Probate Court, Canyon County, Idaho
FILED MAR 23 1960
B R Riordan Clerk

IN THE PROBATE COURT OF CANYON COUNTY, STATE OF IDAHO

IN THE MATTER OF THE ESTATE

OF

MILLIE G. CONN, deceased.

DEGREE ESTABLISHING TITLE
TO COMMUNITY PROPERTY

No. 10062

This matter came duly and regularly on for hearing on this 23rd day of March, 1960, the time heretofore appointed by order of this Court for the hearing on the petition of William Ernest Conn filed herein praying for a decree of this Court establishing the title to the community property of said decedent, the said petitioner appearing and being represented by James E. Schiller, his attorney of record herein;

And it appearing to the satisfaction of the Court from the records and files of the proceeding and the evidence submitted that due and legal notice of said hearing has been given by the Clerk of this Court according to law and the order of this Court heretofore made in the premises, the Court proceeded to the hearing of said petition, and having now heard the testimony of witnesses duly sworn to testify, and being now fully advised in the premises, the Court now finds as follows, to-wit:

That no person has appeared to object to or to contest the said petition; that all community property of which said decedent died seized or possessed has been inventoried and appraised by appraisers thereunto appointed by order of this Court, and that a certified copy of said inventory and appraisement was duly filed in the Office of Tax Collector of the State of Idaho, Inheritance Tax Division, and that the said Tax Collector has duly issued a waiver of objections to inventory and appraisement, which waiver is on file in this estate; that this Court pursuant

B26422

2.

to law has made and filed herein an Inheritance Tax Order fixing the value of the property of the estate of said decedent, and made its decree that there is no transfer tax due or payable from said estate.

And the Court further finds the following facts, to-wit: that the said Millie G. Conn died on the 26th day of June, 1958, at Nampa, Idaho; that she died intestate; that at the time of her death she was a resident of Canyon County, Idaho; that no administration has been had of her estate; that said decedent and the petitioner, William Ernest Conn, intermarried on or about the 18th day of September, 1913, and ever since have been wife and husband, living together as such at the time of her death; that during their coverture they acquired, through their joint work and labor, the property described in said petition and hereinafter described; that the said property was the community property of said marital community at the time of the death of said decedent, and that the said decedent died seized of her community one-half interest in and to the said real property, and any other community property not now known or that may hereafter be discovered; that by virtue of the law in such cases made and provided, said decedent having died intestate, all her community right, title and interest in and to the said real property, and in and to any other community property not now known or that may hereafter be discovered, passed by operation of law to and vested in her surviving spouse, the said William Ernest Conn.

NOW THEREFORE, on motion of the attorney of record for said petitioner,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the said Millie G. Conn is dead; that she died intestate on the 26th day of June, 1958, in Canyon County, Idaho; that she was a resident

J26422

3.

of Canyon County, Idaho, at the time of her death, and was and had been the wife of William Ernest Conn since the 18th day of September, 1913; that her said husband survived her; that she died seized and possessed of her community one-half right, title and interest in and to the following described real property, to-wit:

Lots 1, 2, 3 and 4, all in Section 5, Township 3 North, Range 4 W.B.M., in Canyon County, Idaho; together with all well and water rights and State Reclamation Permits Nos. 20746 and G-26422;

that the said property was acquired by purchase with moneys earned by and through the joint work and labor of the decedent and her surviving husband, and that the same was community property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that by virtue of the law and the premises, all the community right, title and interest of said decedent in and to the above described real property, and in and to any other community property of said marital community not hereinabove described or inventoried or appraised, that is not now known or that may hereafter be discovered, that said decedent died seized of, or had an interest in, passed by operation of law, immediately upon the death of said decedent, and vested in her surviving husband, William Ernest Conn; and the same and all thereof is hereby distributed and assigned to him and adjudged to be the property of the said William Ernest Conn, his heirs and assigns.

Dated this 23rd day of March, 1960.

(SEAL)

B. R. RIORDAN

Probate Judge

NOTARIAL SEAL
County of Canyon, Idaho
I hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of said County.
Notary Public
DATED SEP 2 1961

RECORDED IN MINUTE BOOK
48 AT PAGE 484
B R Riordan
PROBATE JUDGE

Deputy *Ruby Rogers*

26422

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

September 29, 1961

Re: Permit No. 0-26422

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

B. W. Produce Co., Inc.,
8th St. North,
Nampa, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 0-26422. The proofs are to be made at 10:00 o'clock A.M., on the 30th day of October, 1961, ~~1959~~ before R. H. Young, Corwen Bldg., #1, Nampa, Notary Public.

As of this date we have mailed the Notice to the Idaho Free Press with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ^{Rule} ~~Southbridge~~
Chief Clerk

826422

Encl.
EPR:puk
cc: Notary

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26422
B. W. Produce Co. Inc.

Date: Sept. 29, 1961

Idaho Free Press,
Nampa, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **October 30, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

B. W. Produce Co. Inc., of **8th St. North, Nampa, 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,



GEO. N. CARTER
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.

Encl.

G26422

JAMES E. SCHILLER
ATTORNEY AT LAW
P. O. BOX 21
CORWEN BLDG. NO. 1
NAMPA, IDAHO

RECEIVED
SEP 29 1961
Department of Reclamation

ASSOCIATE:
R. H. (BILL) YOUNG

September 28, 1961

State Reclamation Engineer
State House
Boise, Idaho

Re: Permit #G-26422

Dear Sir:

Enclosed please find our check for \$2.00, authorization for publication, two copies of Notice of Proof, one application for amendment Land List, and a photostat of a deed from William E. Conn and Fern E. Conn to B. W. Produce Co., Inc.

The other day, in your office, we spoke to Mr. Thomas about this matter, and set the date of October 30 as the time for hearing. We realize that we still must send you a certified copy of the decree in the matter of the estate of Millie G. Conn, but it appears to be a little slow in reaching us from the Probate Court, and we will forward it to you immediately upon our receipt of same.

Very truly yours,


R. H. Young

RHY:mjd

Enclosures

26422

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept 25 - 1961
(P. O.) Nampa, Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Idaho Free Press of Nampa, Canyon County published in

the county in which the works are situated.

x B. W. Produce Co Inc.
Bernard Wamtyas Pres.

(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.

26422

No. 

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

Notice is hereby given that at 10:am M., on the 30th day of October
1961, at Nampa, County of Canyon, State of Idaho,
before R. Hyman, Notary Public, at (address) Corwen Bldg
#1, Nampa, Idaho, proof will be submitted of the completion of works for
the diversion of 0.8 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-26422, 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.W. Produce Company, Inc. 8th St. North, Nampa, Idaho.

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 0.8 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 0.8
cubic feet per second.

4. The point of diversion of said water is Lot #1 Section 5, T3N, R4W, BM.

5. The place where said water is used is Lot #1, 2, 3 & 4,
Section 5, T3N, R4W, BM.

6. The date of priority which said user is prepared to establish is June 13, 1956

B26422

Geo. H. Carter
State Reclamation Engineer

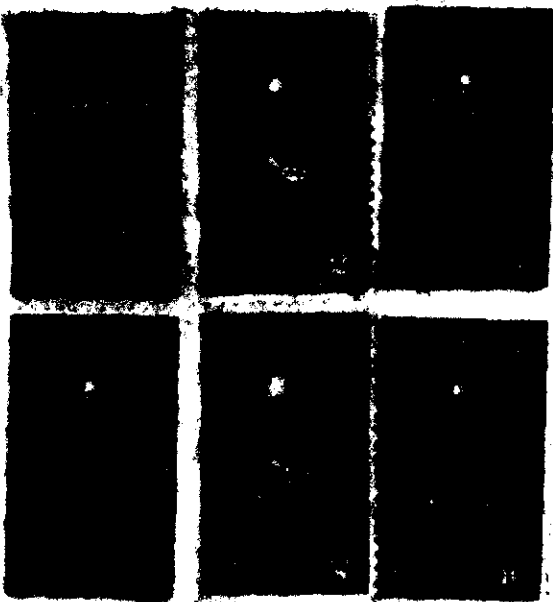
INSTRUMENT NO. 484579

THIS INDENTURE, made this 9th day of March, 1960,
 between WILLIAM ERNEST CONN and FERN E. CONN, husband and wife,
 of the, County of Canyon, State of Idaho,
 the part ies of the first part and
B. W. PRODUCE CO., INC.,

County of Canyon, State of Idaho, the party of the second part,
 WITNESSETH, that the said part ies of the first part, for and in consideration of the sum of
- - Ten and no/100 - - - Dollars
 lawful money of the United States of America and other good and valuable consideration,
 to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
 have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto
 the said party of the second part, and to its successors and assigns, forever, all the following described
 real estate, situated in the, County of Canyon,
 State of Idaho, to-wit:

Lots 1, 2, 3 and 4, all in Section 5, Township 3 North,
 Range 4 W.B.M., in Canyon County, Idaho, SAVE AND EXCEPT
 the North 710 feet of the East 750 feet of said Lot 1;
 but together with all well and water rights located on
 the real property herein conveyed or appurtenant thereto,
 and together with State Reclamation Permits Nos. 20746
 and G-26422.

Subject to all taxes and assessments for the year 1960
 and all subsequent years.



TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
 ing or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues
 and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity
 of the said part ies of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together
 with the appurtenances unto the party of the second part, and to its successors and assigns forever.
 And the said part ies of the first part, and their heirs, the said premises in the quiet and peaceable
 possession of the said party of the second part, its successors and assigns, against the said part ies
 of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
 claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said part ies of the first part have hereunto set their hands
 and seal on the day and year first above written.

Executed and Delivered in the Presence of

William Ernest Conn [SEAL]
Fern E. Conn [SEAL]
 [SEAL]
 [SEAL]

D26422

STATE OF IDAHO,

County of Canyon

ss.

On this 10 day of March in the year 1960, before me
the undersigned, a Notary Public in and for said State, personally appeared
William Ernest Conn and Fern E. Conn, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged
to me that they executed the same.

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

[Signature]
Notary Public for the State of Idaho,
Residing at Nampa, Idaho.



Recorded	184379
Compared	
Ind. Direct	
Ind. Reverse	
Ind. Copy	
Ind. Original	
Ind. Assigned	
Ind. Returned	

No. 184379

WARRANTY
(FORM No. 200)

William Ernest Conn
TO
B. W. Produce Co
Idaho

Dated March 10, 1960

STATE OF IDAHO,
County of Canyon

I hereby certify that this instrument
was filed for record at request of
B. W. Produce Co
at 20 minutes past 2
o'clock P. M., this 11 day of
Mar, 1960, in my
office, and duly entered in Book 266
of Deeds
at page 382

W. S. FOGEL
Ex-Officio Recorder.
By Laurie Dayle Deputy.
Fees, \$ 1.80

Mail to Box 909
Nampa, Idaho

STEVENS-NEES LAW PUB. CO., PORTLAND, ORE.

45 11

826422

Application for Amendment

LAND LIST

Permit No. G-26422

Enc. #200

RECEIVED

SEP 29 1961

Department of Reclamation

Comes now BW Produce Co. Inc., and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-26422, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Lots 1, 2, 3 & 4, Section 5, T3N, R4W, B.M.

_____, making a total of _____ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at _____ this _____ day of _____, 19__

BW Produce Co. Inc.
Bernard Wauters Pres.

Date of receipt at office of Department of Reclamation September 29, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

RALPH W. THOMAS, Deputy
I, ~~CHAS. H. CARPIS~~, 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. G-26422. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 93 of
Permits, at Page 26422
October 3, 1961

G-26422

Ralph W. Thomas, Deputy
State Reclamation Engineer

1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee

☐ Show address where delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

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

Millie G. Lamm

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

W. E. Lamm

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

SEP - 1 1961

876422

CSB-16-71248-4

GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR NON-USE TO AVOID
PAYMENT OF FINES \$300**



64

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach 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

Room 107, State House

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

CSS-18-71840-4

1126422

POD Form 3811 Jan. 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

August 22, 1961

Re: Permit No. G- 26422

To Millie G. Conn
R. 6, Box 139
Caldwell, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 26422 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 July 13, 1961

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 26422 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 26422 claims the use of 0.8 cubic feet per second of the Subterranean Waters of a well with point of diversion located Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 5, T. 3 N., R. 4 W.B.M.

and was approved July 13, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 22nd day of August, 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer

cc: James E. Schiller,
Attorney at Law
Box 21
Nampa, Idaho

26422

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 26422

Millie G. Conn

Date: May 1, 1961

James E. Schiller
Attorney at Law
Nampa, Idaho

Dear Mr. Schiller

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G- 26422 are due not later than **July 13, 1961**

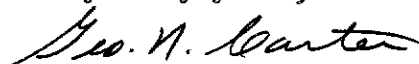
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken 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 that 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 of, or points of diversion; and the location of use of 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 Form 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,



GEO. N. CARTER

State Reclamation Engineer

Enclosures 36 - 11
instructions

cc: Millie G. Conn
Route 6, Box 139
Caldwell, Idaho

826422

March 7, 1960

RE: Permit No. 20746
W. E. Conn
Permit No. G-26422
Millie G. Conn

James E. Schiller
Attorney at Law
Box 21
Nampa, Idaho

Dear Mr. Schiller:

Enclosed are two forms for assigning permit, and forms for legal notice in regard to proofs.

The instruction sheet has been marked for each permit. They are different forms as the Certificate of Completion of Works has been issued on Permit No. 20746.

There is a fee of \$0.50 for recording each assignment of a permit which should accompany any assignment sent to this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr
Enc. forms

26422

October 1, 1957

Mr. W. E. Conn
Rt. # 6,
Caldwell, Idaho

Dear Mr. Conn:

When I returned to the office I looked up the permits as per your request. (G-26422, G-26394 and 20746).

They are all in good standing and proofs on same are not due for some time. You will be notified.

However, if you are now ready to make proofs and wish to do so, please write a letter to this office by stating that you are ready to proceed with the proofs and want the necessary forms.

They will be sent you along with instructions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy
State Reclamation Engineer

ENH:lw

26422

4-272

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

LO:NFK

Idaho 07304

August 3, 1956

(Date)

Department of Reclamation

NOTICE OF ALLOWANCE

Willie G. Conn
Route #6, Box 139
Caldwell, Idaho

Sir:

Your Desert Land Entry, Serial No. Idaho 07304
(Kind of application or entry)

Receipt No. 375120, for Lot 1

Section 5

Township 3 N., Range 4 W., Boise Meridian,

containing 40.07 acres, has this day been allowed, subject to

your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial number.

The above entry is allowed, subject to any valid existing rights.

Very respectfully,

cc: DRM I-1
State Reclamation Engineer
Lands Officer
R.H.

Nolan F. Keil
Manager

826422

July 23, 1956

RE: Permit No. G-26422

Idaho District Land Office
P. O. Box 2237
Boise, Idaho

Gentlemen:

We enclose two copies of Permit No. G-26422 in the name of
Mrs. Millie G. Conn, one of which has been certified, to be used in
connection with her Desert Land Entry filed in your Office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
BY

Chief Clerk

R:cu
Enc.
CC: Mrs. Millie G. Conn
Route 6
Box 139
Caldwell, Idaho

26422

July 23, 1956

RE: Permit No. G-26422

Mrs. Millie G. Conn
Route # 6
P. O. Box 139
Caldwell, Idaho

Dear Mrs. Conn:

We enclose Permit No. G-26422 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail we are sending two copies of this Permit to the Idaho District Land Office, one copy of which has been certified, to be used in connection with your Desert Land Entry filed in that Office.

As you will recall departmental receipt No. G-1932 for the \$7.00, which includes \$5.00 for the filing fee and \$2.00 for the extra copies, was handed you while in the Office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:en
Enc.

B26422

D.E. IDAHO

R-4 W.

Point of Diversion-WELL



5

T.
3
N.

Permit Map No. 26422
As Approved JUL 13 1956
MARK R. KULP
State Reclamation Engineer

**N O T I C E O F P R O O F O F C O M P L E -
T I O N O F W O R K S**

and

**A P P L I C A T I O N O F W A T E R T O
B E N E F I C I A L U S E**

Notice is hereby given that at 10:00 a.m., on the 30th day of October 1961, at Nampa, County of Canyon, State of Idaho, before R. H. Young, Notary Public, at Corwen Bldg No. 1, Nampa, Idaho, proof will be submitted of the completion of works for the diversion of 0.8 cubic feet per second of underground water from a well, and of the application to beneficial use of water, in accordance with the terms and conditions of Permit No. G-26422, 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 E W Produce Co. Inc., 8th St. North, Nampa, Idaho.

2. Said works of diversion will be fully completed on the date set for completion, and the amount of water which said works are capable of conveying to the place of use is 0.8 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 0.8 cubic feet per second.

4. The point of diversion of said water is Lot No. 1 Section 5, T3N, R4W, BM.

5. The place where said water is used is Lot 1, 2, 3 & 4, Section 5, T3N, R4W, BM.

6. The date of priority which said user is prepared to establish is June 13, 1956.

GEO. N. CARTER

State Reclamation Engineer

Oct. 7, 14, 21, 28, 1961.

June 19, 1956

Mrs. Millie G. Conn
Route #6, Box 139
Caldwell, Idaho

Dear Mrs. Conn:

We are returning your application for your signature on the third page of application where I have placed an "X" for the Applicants signature.

Please sign and return to this office as soon as possible so we can begin the processing of same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
Enc.

526422