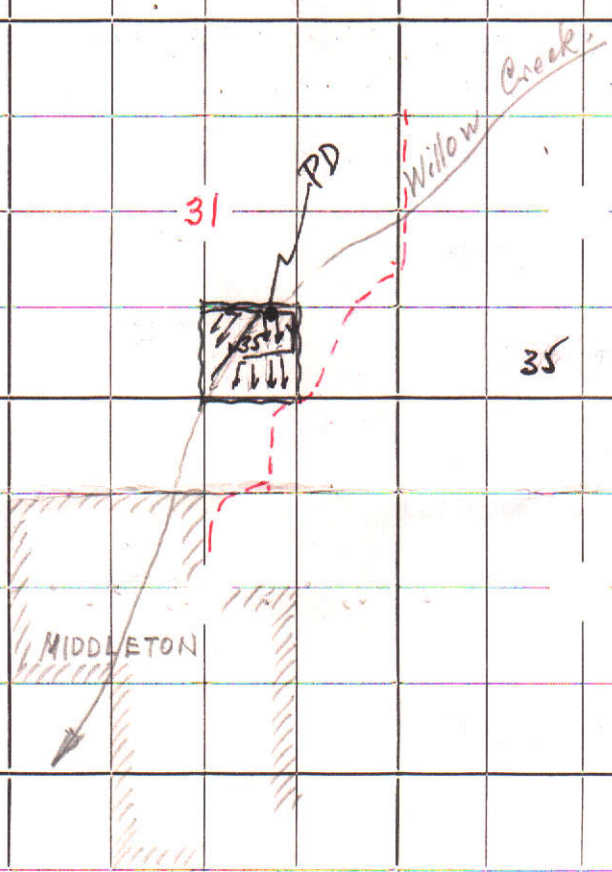


3' over 2' Capillary Water = 1.10 cfs or 55-acre

R-2W

T.
5
N.



Subdivision 1

Area 35 acres

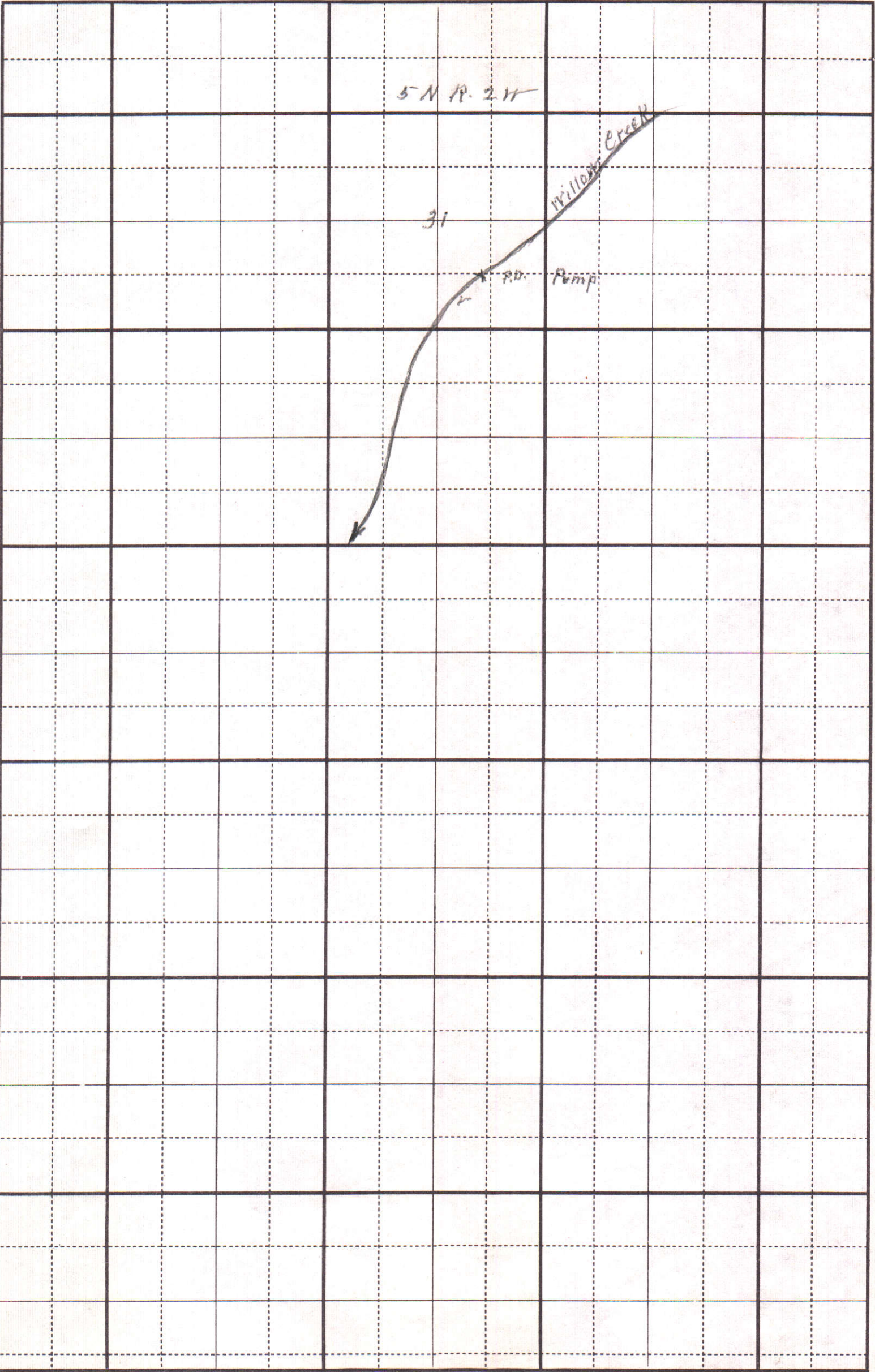
allow -

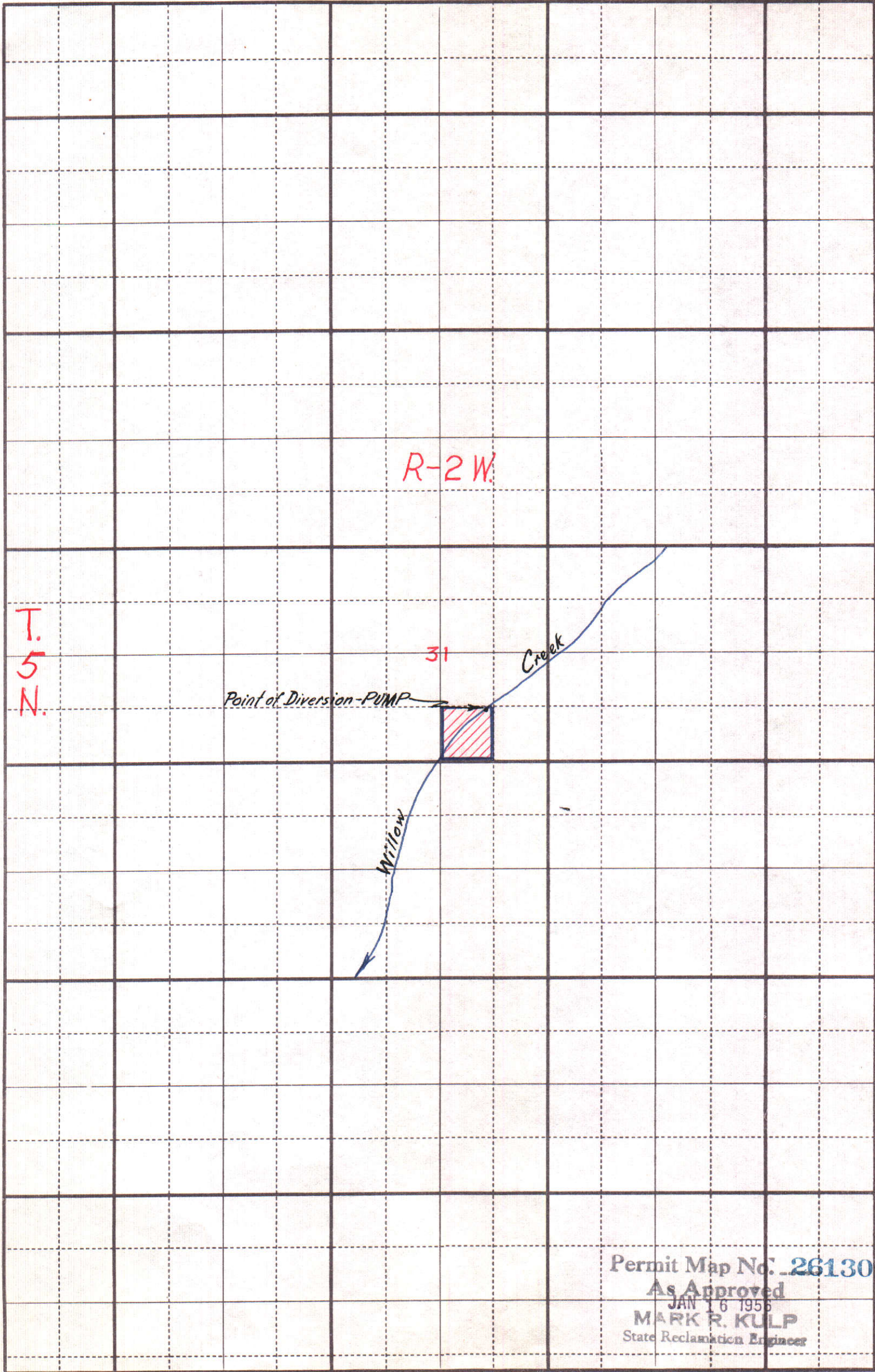
Q

17 cfs or 35 inches

NAME OF APPLICANT.....

Form No. 0





AFFIDAVIT OF PUBLICATION

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

Hazel Davis,
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 principal 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:

November 19, 26, December 3 and 10, 1960

Hazel Davis

Subscribed and sworn to before me this 10th

day of December, 1960.

Adam O. Kuhn
Notary Public, Residing at Hamper, Idaho.

MY COMMISSION EXPIRES JUNE 23, 1963

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

Notice is hereby given that at 2:00 p.m. on the 21st day of December, 1960, at Caldwell, County of Canyon, State of Idaho, before Wayne Davis, Notary Public, Harmon Bldg., proof will be submitted of the application to beneficial use of 80 cubic feet per second of the waters of Willow Creek in accordance with the terms and conditions of Permit No. 26130 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: J. W. Overman, Rt. No. 2, Caldwell, Idaho.

The use to which said water has been applied is Beneficial Use.

The amount applied to beneficial use is 80 cfs.

The place where said water is used, give full and accurate legal description: SW 1/4 Sec. 31; Twp. 5 N; Rge. 2 W.B.M.

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

The right to take water from such works is based upon Permit No. 26130.

The source of supply from which such water is diverted is Willow Creek.

Point of Diversion (legal description) SW 1/4 Sec. 31; Twp. 5 N; Rge. 2 W.B.M.

The date of priority which said user is prepared to establish is December 29, 1955.

GEO. N. CARTER
State Reclamation
Engineer
Nov. 19, 26, Dec. 3 & 10, 1960

26130

State of Idaho
License and Certificate of Water Right

Water License No. 26130

Amount 0.7 c.f.s

Water District No.

Priority Dec. 29, 1955

THIS IS TO CERTIFY that J. W. OVERMAN
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 29, 1955; that Permit No. 26130
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.80 second feet, was issued thereunder on December 12, 1958, showing that said works
were completed on the 11 day of December, 1958; and that on the 21st
day of December, 1960,

J. W. OVERMAN

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Willow Creek
, a tributary of Boise River, for the purpose of irrigation
, under Use Permit No. 26130 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
11 of Licenses at page 7147, on the 22 day of August, 1961;

The right hereby confirmed dates from December 29, 1955;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Tp. 5 N., R. 2 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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	2 W.	31	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Total number of acres to be irrigated	40	15 15

The right to the use of the water described herein is confirmed by the State of Idaho
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, dated at Boise, Idaho,

22nd day of August, 1961.

(SEAL)

63-3072

No. 26130

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 34010
 Permit No. 26130
 District No.

1. Name of Applicant: J. W. OVERMAN

Postoffice address: Rt. 2, Caldwell County: Canyon State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: .80 cubic feet per second.

3. Source of water supply: Willow Creek which is a tributary of Boise River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 31 , T. 5 N. , R. 2 W. , B. M., County of Canyon

5. Water is to be used for Irrigation

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

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the

of Section , T. , R. , B. M.

7. Estimated cost of works: \$500.00

8. Kind of works: Pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 1 $\frac{1}{2}$ feet; width at water line 4 feet; depth of water .5 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

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

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

WATER RIGHT NUMBER 63-3072

OWNER LAST NAME - OVERMAN

FIRST NAME - J. W.

ORIG OWNER -

ADDRESS LINE 1 - RT. 2

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CALDWELL

STATE - ID ZIP CODE - 83605

SOURCE - WILLOW CREEK

TRIBUTARY OF - BOISE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 12-29-1955 COUNTY - CANYON

TOTAL DIV. RATE - .7000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 31 05N 02W LOT

REDIV -

272.0 312.0 39.0

0.0 0.0 0.0

0.0 0.0 0.0

0.0 0.0 0.0

2.3

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

.7000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - T4N 05N R4G 02W SEC 31 TRACT SWSE LOT

AC 35

DECREE NAME -

DATE -

TOTAL ACRES

35

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 26130

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

August 22, 1961

Re: Permit No. 26130

Mr. J. W. Overman
Route #2
Caldwell, Idaho

Dear Mr. Overman:

We enclose License and Certificate of Water
Right issued on Permit No. 26130.

Departmental Receipt No. 30723 in the amount
of \$2.00 was given to you in this office, covering the
fees for the license.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Kule
Chief Clerk

EPR:ew

Enc. license

26130

May 3, 1961

Re: Permit No. 26130

Mr. J. W. Overman
Route #2, Caldwell, Idaho

Dear Sir:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 26130 shows ~~the~~ Willow Creek is capable of conveying 35 miner's inches, or .7 c.f.s. of water for the irrigation of 35 acres.

Upon receipt of the statutory fee of \$2.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of December 29, 1955 to the use of 0.7 second feet of surface water with the point of diversion in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, for the irrigation of 35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 5 N., R. 2 W., B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

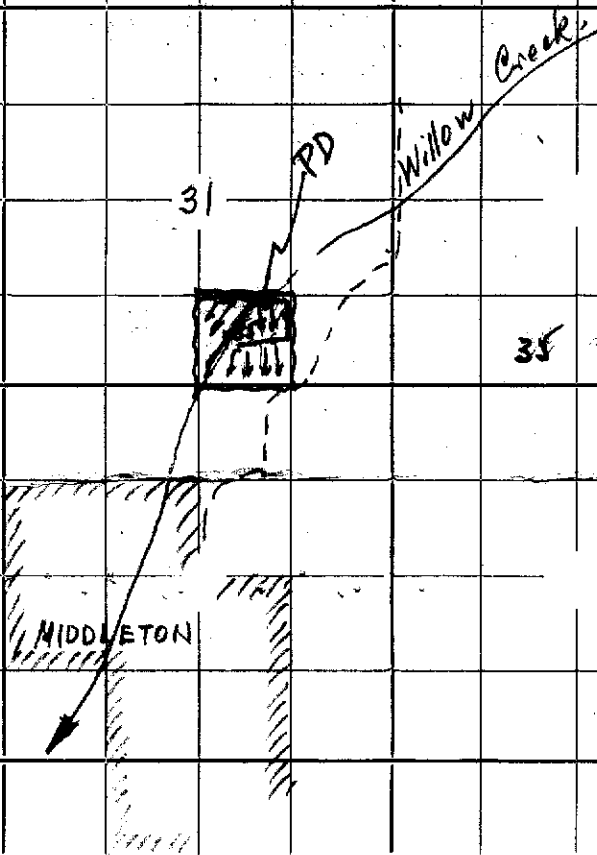
(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

3' over 2' Cipolletti Weir = 1.10 cfs @ 55-inches

R-2W

T.
5
N.



35

Subdivision

1

Area

35 acres

(allnd)

Q

27 cfs @ 35 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26130

REPORT ON PROOF OF Beneficial Use

J. W. Overman, Rt. #2, Caldwell, Idaho

260022
202041

J. W. Overman
Rt. #2, Caldwell, Idaho

Permit No. 26130

Examination for Beneficial Use

County Canyon

Sec. 31 T. 5 N. R. 2 W.

Quantity: 0.8 c.f.s.

Source: Willow Creek

P.D.: SW. SE, Sec. 31, T. 5 N. - R. 2 W. B.M.

Use: Irrigation

Filed: Dec. 29, 1955

Due: Jan. 16, 1961

Extension: —

Protest: None

Completion of Works: 12-12-58

Other Rights: 35' in Middleton
Mill Siphon Co. (Relinquished
this water
1955)

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 28 1961

Department of Reclamation

FE contour line w/ ☒ section
but on Pole 18' East.

Panna water lifted #997458
called #3

Westinghouse 5 HP Motor
#1-51V642 1" pulley on motor
10" on Pump. No shelter
water lifted into 6" diam
Pipe to 6" dia. 60' x 6" NW 4
40' x 6" SE. into open ditch.
8' ditch pipe from pump key to
tee.

Motor + Pump supported
on 2 poles laid across
creek at old concrete drop.
Check 4' above water level.

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

Permit No. 26130This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant J. W. Overman2. Source of water supply: Willow Creek3. Location of point of diversion: Is in the SW 1/4 of Section 31T. 5 N R. 2 W.B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Wentworth house - Life Line Motor # 155462, 540, 220 V. 4" 3" pulley. G.E. Control with ☒ switch box on pole 15' East. No protection. Parma Water Lifter # 997458 (called #3) 10" pulley. Motor + pump supported by 2 10" x 35' poles across creek at a concrete check drop 4' above water level. 6" x 8" steel pipe from pump to 6" Tee. 6" x 60' NW and 6" x 40' S.E. into open ditches.

5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: y. es.

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):

40 acres in SW 1/4 of Sec. 31, Twp. 5 N., Rge. 2 W.B.M.

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

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

Remarks: Dean Overman (son) along

The 35" in Middleton Mill ditch (west side)
Relinquished in 1955

Measured by 2' Cipolletti Vain (3' min. 1.10 cfs. or 55 gpm)

This examination was made on the 26th day of April, 1961(Signed) L. J. Johnson

Engineer

26130

December 27, 1960

RE: Permit No. 26130

Mr. J. W. Overman
Route #2
Caldwell, Idaho

Dear Mr. Overman:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The News Tribune, all submitted in proof of beneficial use on Permit No. 26130.

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.

We are returning your statement of cost from the News Tribune as it is not necessary for our files.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR
Enc. - State ment of cost

cc: Alexanderson & Davis
Lawyers
Harmon Building
Caldwell, Idaho

26130

ALEXANDERSON & DAVIS
LAWYERS
HARMON BUILDING
CALDWELL, IDAHO

ROBERT L. ALEXANDERSON
WAYNE E. DAVIS

RECEIVED
DEC 23 1960
Department of Reclamation

December 22, 1960

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Attention: Mrs. Edna P. Rule, Chief Clerk

Re: Permit No. 26130, J. W. Overman

Dear Mrs. Rule:

Pursuant to instructions from you, we enclose Deposition of Holder and Depositions of Witnesses, together with Affidavit of Publication regarding the above-entitled matter. We respectfully request that you file the same.

Very truly yours,

ALEXANDERSON & DAVIS


By WAYNE E. DAVIS

WED/h
Encs.

26130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 11 1966
Department of Reclamation

Permit No. 26130

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. ✓ J. W. OVERMAN, Route 2, Caldwell, Idaho;

Occupation: Farmer

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. _____

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

Ans. No. 26130; Date of permit: 6 Date of priority: ~~December 29, 1955~~ December 29, 1955.
Jan 16

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

Ans. ✓ Willow Creek; Southwest Quarter Southeast Quarter, Section 31, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

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. Water pumped out of Willow Creek into private ditch on own property. Water diverted from ditch to place of use.

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. Water is used for irrigation of Southwest Quarter Southeast Quarter, Section 31, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho. Water has been used to irrigate 40 acres, more or less, of crop land.

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

Ans. _____

26130

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. 80 cu. feet per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. Above-described 40 acres have been irrigated by waters from Willow Creek, as above set forth, for the years 1956, 1957, 1958, 1959 and 1960.

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. All water used for irrigating said 40 acres has come from Willow Creek at the point of diversion hereinabove set forth.

(Sign) *J. H. Crumman*

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 21st day of December, A. D. 1960.

My commission expires 6-1-61

Wayne E. Davis
Wayne E. Davis,
Notary Public for Idaho;
Residing at Caldwell, Idaho.

26130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26130

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. MISHAEL BROOMHALL; age 36; residence: Route 1, Caldwell, Idaho;
Occupation: Farmer and stockman

Ques. 2. Are you acquainted with J. W. Overman, the
holder of Permit No. 26130? How long have you known him and where does
he reside?

Ans. Yes, for 11 years. He resides at Route 2, Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26130, 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 con-
veying water from point of diversion to place of use.

Ans. Willow Creek; Southwest Quarter Southeast Quarter, Section 31,
Township 5 North, Range 2 West of the Boise Meridian, Canyon County,
Idaho. Water pumped out of Willow Creek into private ditch on
property. Water diverted from ditch to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. Approximately 80 cu. feet per second

Ques. 6. 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 im-
provements which have been made as a direct result of said use.

Ans. For irrigation of Southwest Quarter Southeast Quarter, Section
31, Township 5 North, Range 2 West of the Boise Meridian, Canyon
County, Idaho, approximately 40 acres of land - row crop and pasture.

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

Ans. _____

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

Ans. 40 acres of pasture and row crop land and needs approximately
6 acre feet of water per year per acre in order to make a good crop.

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

Ans. No

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

Ans. I live next to the land. I have seen the land irrigated
every day each irrigating season for the past five years.

(Signed)

Michael Beaman Hall

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 21st day of December,
A. D. 19 60.

Wayne E. Davis

Wayne E. Davis

Notary Public.

My commission expires 6-1-61

Residing at
Caldwell, Idaho

26130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26130

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. JOE D. MARTIN; age 34; residence: Route 2, Caldwell, Idaho;
Occupation: Stockman and farmer

Ques. 2. Are you acquainted with J. W. Overman, the
holder of Permit No. 26130? How long have you known him and where does
he reside?

Ans. Yes, for 23 years. He resides at Route 2, Caldwell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26130, 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 con-
veying water from point of diversion to place of use.

Ans. Willow Creek; Southwest Quarter Southeast Quarter, Section 31,
Township 5 North, Range 2 West of the Boise Meridian, Canyon County,
Idaho. Water pumped out of Willow Creek into private ditch on
property. Water diverted from ditch to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. Approximately 80 cu. feet per second

Ques. 6. 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 im-
provements which have been made as a direct result of said use.

Ans. For irrigation of Southwest Quarter Southeast Quarter, Section
31, Township 5 North, Range 3 West of the Boise Meridian, Canyon
County, Idaho. The water is used to irrigate cultivated land.

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

Ans. _____

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

Ans. Pasture and row crop land; 6 acre feet per year.

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

Ans. No

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

Ans. I have observed land during the growing season and harvest season for the past five years. I have seen the water used to grow crops.

(Signed) _____

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 21st day of December,
A. D. 19 60.

Wayne E. Davis
Wayne E. Davis

Notary Public.

My commission expires 6-1-61

Residing at
Caldwell, Idaho.

26/30

RECEIVED
DEC 28 1960
Department of Reclamation

AFFIDAVIT OF PUBLICATION

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

Hazel Davis
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

**NOTICE FOR PUBLICATION
NOTICE OF PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**
Notice is hereby given that at 2:00 p.m. on the 21st day of December, 1960, at Caldwell, County of Canyon, State of Idaho, before Wayne Davis, Notary Public, Harmon Bldg., proof will be submitted of the application to beneficial use of 80 cubic feet per second of the waters of Willow Creek in accordance with the terms and conditions of Permit No. 26130 heretofore issued by the Department of Reclamation of the State of Idaho.
The name and postoffice address of the person or corporation holding said permit are: J. W. Overman, Rt. No. 2, Caldwell, Idaho.
The use to which said water has been applied is Beneficial Use.
The amount applied to beneficial use is 80 cfs.
The place where said water is used, give full and accurate legal description: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31; twp 5 N; Rge. 2 W.B.M.
The name of the canal or ditch or other works by which said water is conducted to such place of use is Private ditch.
The right to take water from such works is based upon Permit No. 26130.
The source of supply from which such water is diverted is Willow Creek.
Point of Diversion (legal description) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31; Twp. 5 N; Rge. 2 W.B.M.
The date of priority which said user is prepared to establish is December 29, 1955.
GEO. N. CARTER
State Reclamation
Engineer
Nov. 19, 26, Dec. 3 & 10, 1960

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 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:

November 19, 26, December 3 and 10, 1960

Subscribed and sworn to before me this 10th

day of December, 1960

Adam O. Kuhn
Notary Public, Residing at Idaho, Idaho.

November 23, 1960

Re: Permit No. 26130
J. W. Overman

Caldwell-News Tribune
Caldwell, Idaho

Gentlemen:

On checking proof mailed to us on Notice of Publication on the above numbered permit in the name of J. W. Overman, we find the following correction:

In Paragraph 4, Line 2, the cfs should be .80 instead of 80 as shown.

Would you please mail us another copy for checking when this correction has been made.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:ew

26130

Caldwell, Idaho
Nov. 17, 1960

Gentlemen:

This will acknowledge receipt of Notice of Proof of Application of Water for J. W. Overman, Route 2 Caldwell, Idaho. This publication will run Nov. 19, 26, Dec. 3 and 10, 1960, and we shall mail you a copy of Saturday's paper, Nov. 19th.

Thank you.

THE NEWS-TRIBUNE



PRAY
FOR
PEACE



THIS SIDE OF CARD IS FOR ADDRESS

RECEIVED
NOV 17 1960

Department of Reclamation

State of Idaho
Department of Reclamation,
Boise, Idaho

26130

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

November 15, 1960

Re: Permit No. 26130

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

"IS ATTACHED

Mr. J. W. Overman,
Rt. #2,
Caldwell, Idaho.

Dear Mr. Overman:

This acknowledges the Notice of Proof of ~~Construction of Dam~~ Application of Water to Beneficial Use under Permit No. 26130. The proofs are to be made at 2:00 o'clock P.M., on the 21st day of December, 1960, before Wayne Davis, Harmon Bldg., Caldwell, Idaho, Notary Public.

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

Rule
(Mrs.) Edna P. ~~Kutledge~~
Chief Clerk

Encl.
EPR: pak
cc: Notary

26130

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 26130
J. W. Overman

Date: Nov. 15, 1960

Caldwell-News Tribune,
Caldwell, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **December 21, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

J. W. Overman

of Rt. #2, Caldwell, 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.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 15, 1960

(P.O.) J. W. Overman, Rt. 32, Caldwell, 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 The Caldwell News-Tribune of Caldwell, Idaho published in the county in which the works are situated.

J. W. Overman

(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.

Notice for Publication
NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

RECEIVED
NOV 1 5 1960
Department of Reclamation

Notice is hereby given that at . . . **2:00** . . . **PM** on the . . . **21st** . . day of
. . . **December**, 19**55** at . . . **Caldwell**, County of
. . . **Canyon**, State of Idaho, before **Wayne Davis**, Notary Public, **Harmen Bldg.**, .
., proof will be submitted of the application to beneficial use of
. . . **.80** . . cubic feet per second of the waters of . . . **Willow Creek**
. in accordance with the terms and conditions of Permit No. . . **26130**
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are:
. . . **J. W. Overman, Rt. #2, Caldwell, Idaho**

The use to which said water has been applied is . . . **Beneficial Use**

The amount applied to beneficial use is . . . **.80 cfs**

The place where said water is used, give full and accurate legal description:
. . . **SW 1/4 Sec. 31, Twp. 5 N, Rge. 2 W.B.M.**
.
.
.

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

The right to take water from such works is based upon Permit No. **26130**

The source of supply from which such water is diverted is . **Willow Creek**

Point of Diversion (legal description) . **SW 1/4 Sec. 31, Twp. 5 N, Rge. 2 W.B.M.**
.

The date of priority which said user is prepared to establish is **December 29, 1955** . .

GEO. N. CARTER

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 26130

Date November 1, 1960

J. W. Swenson
Route 12
Caldwell, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26130 is due not later than Jan. 16, 1961. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

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

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated—by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

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 and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10-11-instructions

December 12, 1958

Re: Permit No. 26130

Mr. J. W. Overman
Route #2
Caldwell, Idaho

Dear Mr. Overman:

Enclosed is the Certificate of Completion of Works issued under
Permit No. 26130. Departmental receipt #29400 for fee was issued
and handed to you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26130

R7

Permit No. 26130

STATE OF IDAHO

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
DEC 1 1958
Department of Reclamation

STATE OF IDAHO

County of Canyon

ss.

J. W. Overman

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 26130, and that his postoffice address is Rt. #2, Caldwell, State of Idaho

Second: That the name of the stream from which said water is to be diverted is Willow Creek

Third: That the point of diversion of said water is SW 1/4 of Sec. 31, Twp. 5 N., Rge. 2 W., B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 16, 1959.

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

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Parma Water Lifter above the north drop on Applicant's property and ditches (Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam None feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir None acre feet.

(c) Size of headgate: Width 4 feet, height 2 feet.

(d) ~~Conduit~~ ^{each ditch} width at bottom 1 ft feet, width at water line 3 ft (State whether ditch, flume or pipe)

feet, depth of water 1 feet; diameter of pipe None inches, average grade per mile is 8 feet. Length of conduit is 1/4 miles.

Seventh: That said works are capable of conducting to the place of intended use .80 second feet of water.

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows:

SW 1/4 of Sec. 31, Twp. 5 N., Rge. 2 W., B. M.

Ninth: Remarks: That

J. W. Overman
(Sign Here)

Subscribed and sworn to before me this 11th day of December, 1958

My commission expires 3-5-59

W. H. Franklin
Notary Public.

26130

41

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

DEPARTMENT OF RECLAMATION

BOISE.

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho November 26, 1958

J. W. Overman
Rt. # 2
Caldwell, Idaho

Dear Sir:-

Under the terms of your permit No. 26130 you are required to complete you diversion works on or before January 16, 1959. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Very truly yours,

Geo. N. Carter
State Reclamation Engineer

26130

January 18, 1956

RE: Permit No. 26130

Mr. J. W. Overman
Route 2
Caldwell, Idaho

Dear Mr. Overman:

We enclose permit no. 26130 and 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. 27768 for the \$5.00 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

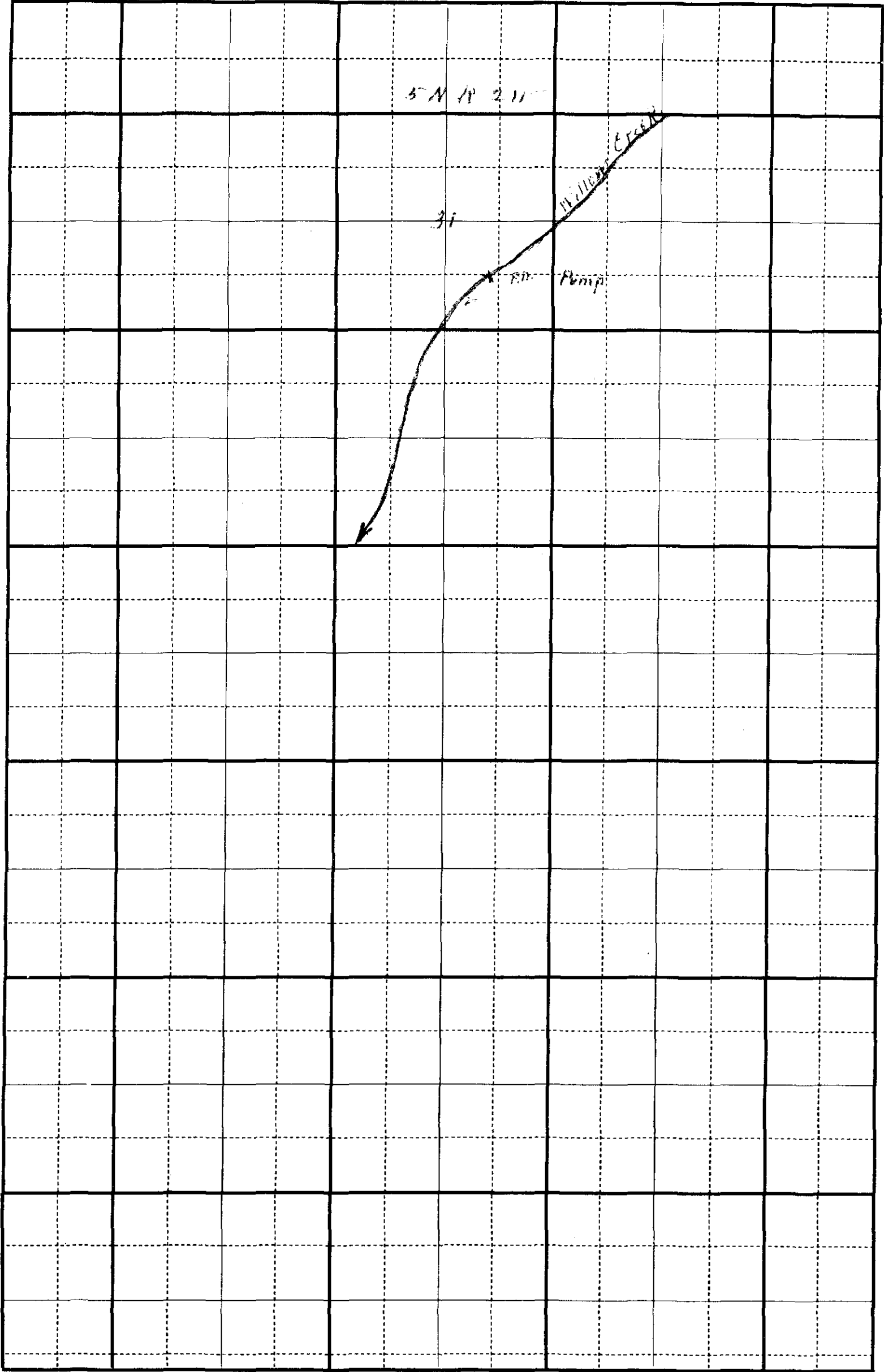
A:hl1

Enc.

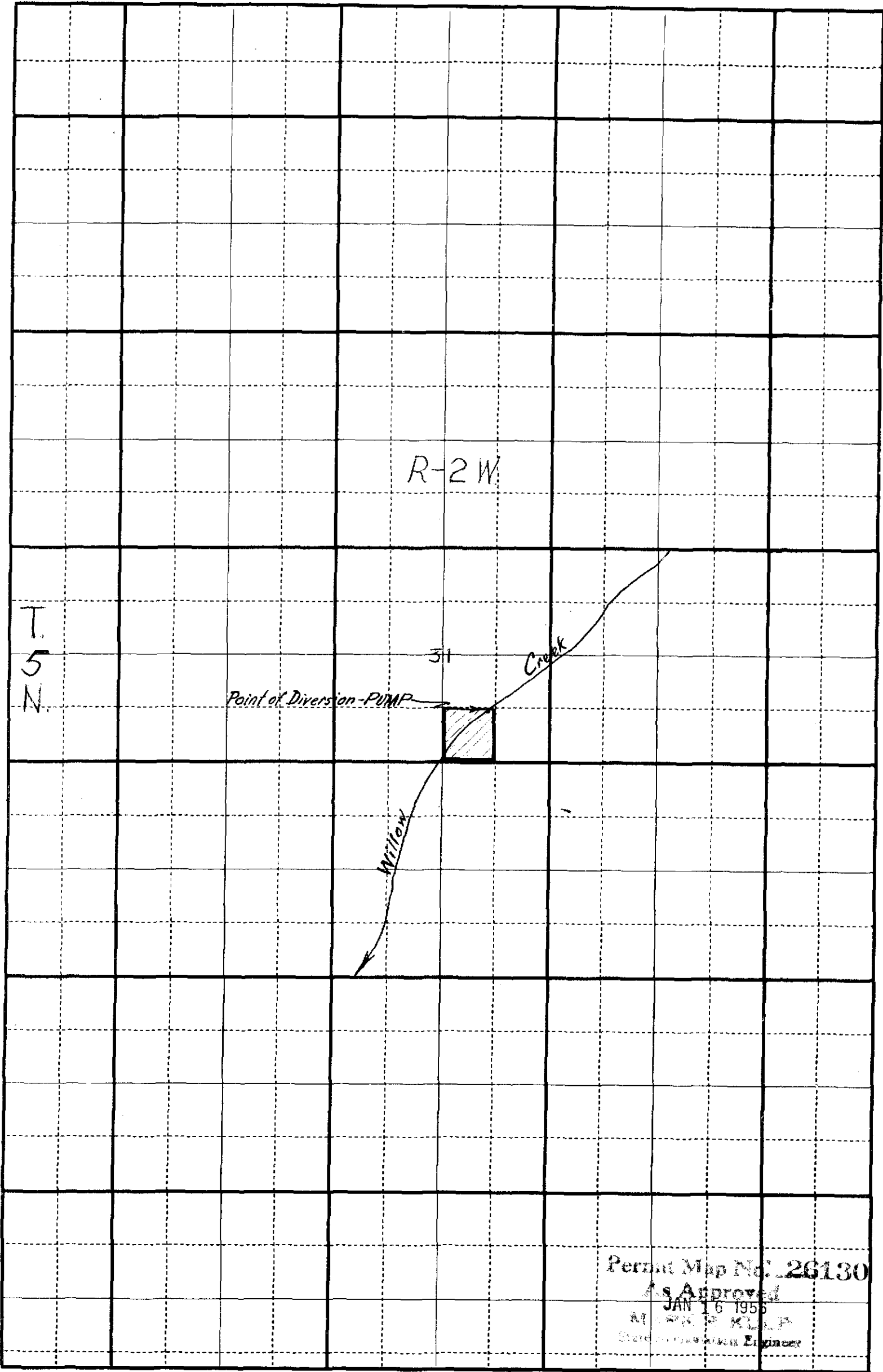
26130

NAME OF APPLICANT.....

Form No. 0



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



**NOTICE OF PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 2:00 p.m. on the 21st day of December, 1960, at Caldwell, County of Canyon, State of Idaho, before Wayne Davis, Notary Public, Harmon Bldg., proof will be submitted of the application to beneficial use of 80 cubic feet per second of the waters of Willow Creek in accordance with the terms and conditions of Permit No. 26130 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: J. W. Overman, Rt. No. 2, Caldwell, Idaho.

The use to which said water has been applied is Beneficial Use.

The amount applied to beneficial use is 80 cfs.

The place where said water is used, give full and accurate legal description: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31; twp 5 N; Rge. 2 W.B.M.

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

The right to take water from such works is based upon Permit No. 26130.

The source of supply from which such water is diverted is Willow Creek.

Point of Diversion (legal description) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31; Twp. 5 N; Rge. 2 W.B.M.

The date of priority which said user is prepared to establish is December 29, 1955.

GEO. N. CARTER
State Reclamation
Engineer

Dec 19 26, Dec. 8 & 10, 1960

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p.m. on the 21st of December, 1960, at Caldwell, County of Canyon, State of Idaho, before Wayne Davis, Notary Public, Harmon Bldg., proof will be submitted of the application to beneficial use of 80 cubic feet per second of the waters of Willow Creek in accordance with the terms and conditions of Permit No. 26130 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: J. W. Overman, Rt. No. 2, Caldwell, Idaho.

The use to which said water has been applied is Beneficial Use.

The amount applied to beneficial use is 80 cfs.

The place where said water is used, give full and accurate legal description: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31; twp 5 N; Rge. 2 W.B.M.

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

The right to take water from such works is based upon Permit No. 26130.

The source of supply from which such water is diverted is Willow Creek.

Point of Diversion (legal description) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31; Twp. 5 N; Rge. 2 W.B.M.

The date of priority which said user is prepared to establish is December 29, 1955.

GEO. N. CARTER
State Reclamation
Engineer

Nov. 19, 26, Dec. 3 & 10, 1960