

R-3 W.

26

Caldwell

P.D. #2

P.D. #1

77 yds.

18 yds.

Subdivisions = Two

Area = 39 acres

Q = 38 inches amt of filing

T.
4
N.

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

ss.

Virgil Grey
Joreman

, being first duly sworn, deposes and says;

That he is the _____ of **WESTERN IDAHO PUBLISHERS, INC.**, publisher of **The News-Tribune**, a daily newspaper published at Caldwell, Idaho, within the meaning of Chapter 154 of the 1933 Session Laws of Idaho; published six consecutive days a week except legal holidays. And that the publisher of said **The News-Tribune**, a daily newspaper, has all the time since the 5th day of July, 1933 and in each issue thereof, at the head of the editorial column of said newspaper, announced the day of the week to-wit: Saturday, on which legal notice required by law or by order of any Court of competent jurisdiction to be published weekly, will be published; that the said paper is in general circulation in Canyon County, Idaho and has been for a period of seventy-eight weeks preceding the first publication of this advertisement, a copy of which is attached hereto, and by reference thereto made a part of this affidavit, and was published in the regular

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 14th day of November, 1955, at Caldwell, County of Canyon, State of Idaho, before Charles L. Shaffer, Notary Public, proof will be submitted of the completion of works for the diversion of 0.88 cubic foot per second of the waters of two (2) wells located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permits Nos. G-23520 and G-26018 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 permits are David Ochsner, Route 6, Caldwell, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.88 cubic foot per second.
3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 0.88 cubic foot per second.
4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M.
5. The date of priority which said user is prepared to establish under Permit No. G-23520 is January 6, 1953 and under Permit No. G-26018 is October 12, 1955.

MARK R. KULP,
State Reclamation Engineer
No. 924—Oct. 22, 29; Nov. 5, 12

Saturday issue of The
News-Tribune for *4* consecutive weeks
beginning with the issue of *October 22,*
19 *55* and ending with the issue of *November*

12, 19 *55*
Virgil Grey
Subscribed and sworn to before me this *12*
day of *November*, 19 *55*.

N. G. Cochran

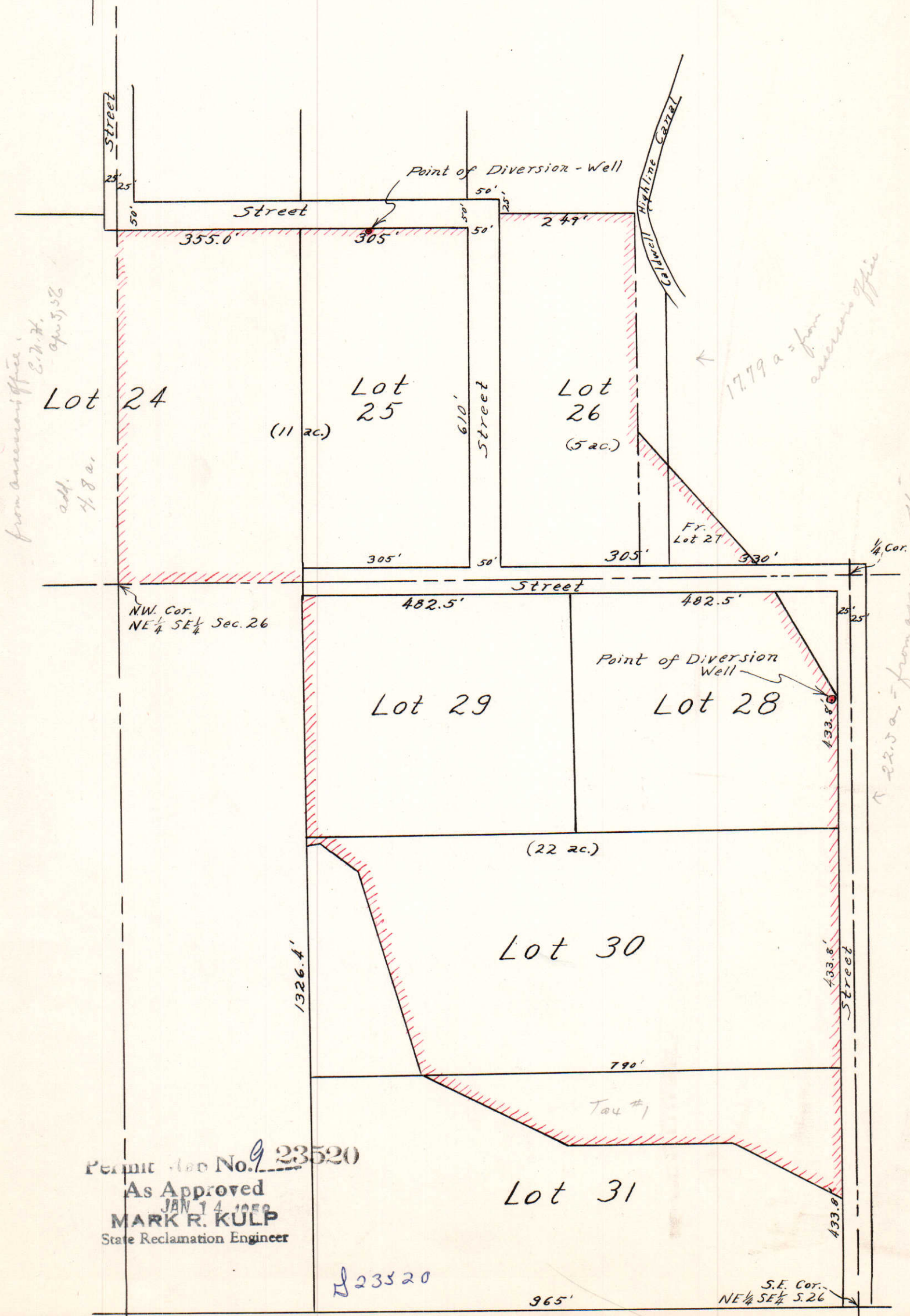
Notary Public for Idaho
Residing at Caldwell, Idaho

23520

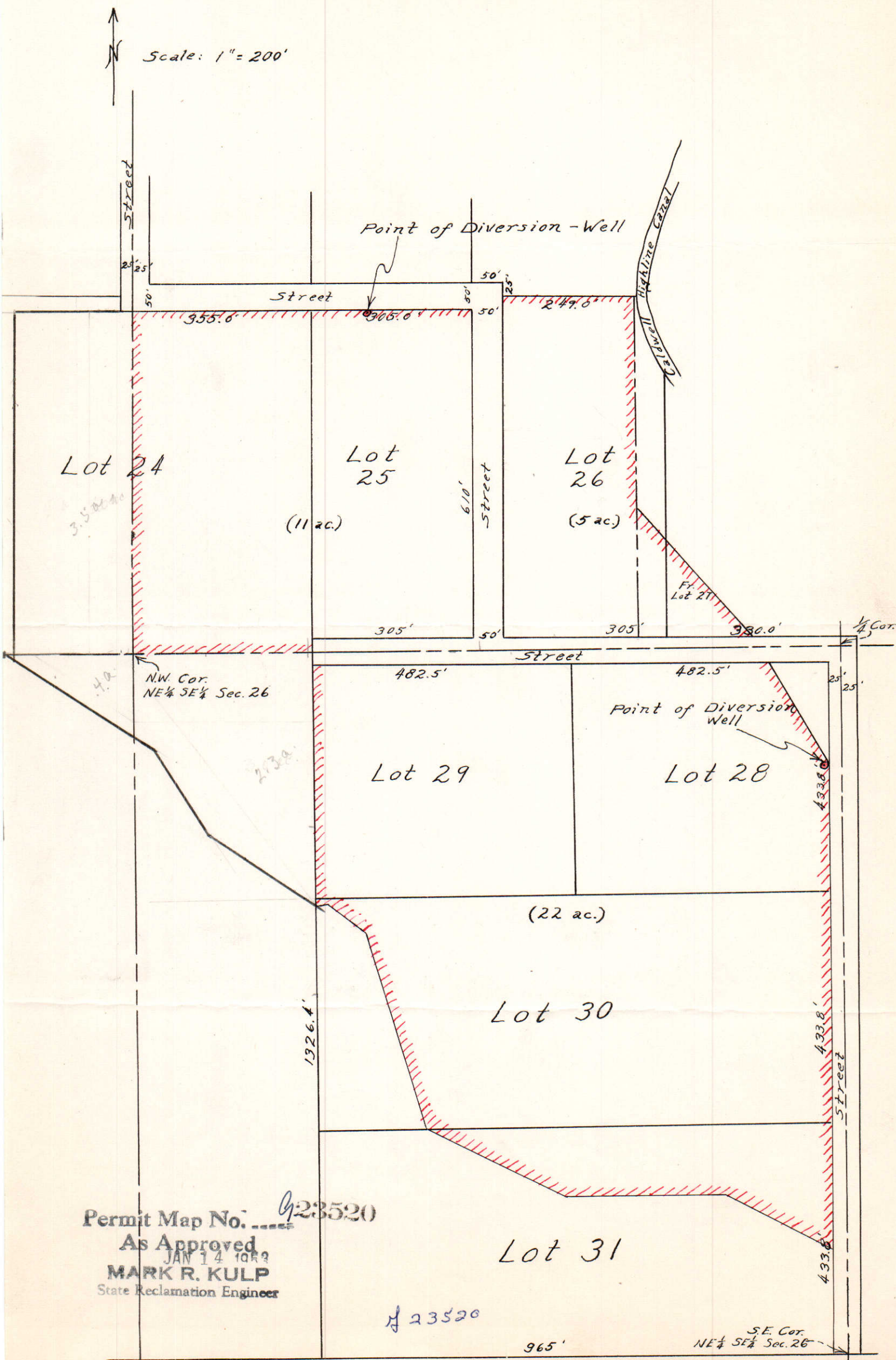
Permit application of David Ochsenr,

Sec. 26, T. 4 N., R. 3 W.

Scale: 1" = 200'



Sec. 26, T. 4 N., R. 3 W.



63-2922

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31294
Permit No. G- 23520
District No.

1. Name of Applicant: DAVID OCHSNER
Postoffice address: Rt. 6, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 0.76 or Idaho
Miners' inches 38 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow (wells)
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26
Twp. 4 N. , Rge. 3 W. , B. M., County of Canyon
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.
7. Kind of works: Wells, pumps and ditches and sprinkler system.
8. Estimated cost of works: \$3,000.00
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 Three(3) 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 28 $\frac{1}{2}$ inches in the Caldwell Irrigation District.
 - (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.

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

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-23520

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

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

Work to begin on or before March 14, 1953 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 14, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before January 14, 1956

Witness my hand this 14th day of January, 1953

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th
day of January, 19 53.

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN

By IRA H. MASTERS

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
4 N.	3 W.	26	16				38
Permit No. G-23520 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that David Ochser of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-23520, issued upon Application No. G-31294 bearing date of priority of January 6, 1953, authorizing the diversion of 0.76 second foot of the waters of subterranean flow from two wells, County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.76 second foot of the waters of said two wells; that the points of diversion of said waters are in the SE$\frac{1}{4}$NE$\frac{1}{4}$ and NE$\frac{1}{4}$SE$\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE$\frac{1}{4}$NE$\frac{1}{4}$ and NE$\frac{1}{4}$SE$\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M. Witness my hand this 11th day of April, A. D. 1956. MARK R. KULP State Reclamation Engineer Proof of completion of works made November 14, 1955 Certificate of Completion of Works issued April 11, 1956. LICENSE ISSUED FOR 0.76 SEC. 7 Page 5689							

State of Idaho
License and Certificate of Water Right

Water License No. G-23520

Amount 0.76 second foot

Water District No.

Priority January 6, 1953

THIS IS TO CERTIFY that DAVID OCHSNER
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 6, 1953; that Permit No. G-23520
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.76 second foot, was issued thereunder on April 11, 1956, showing that said works
were completed on the 14th day of November, 1955; and that on the 14th
day of November, 1955,

DAVID OCHSNER

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 two wells
, ~~subterranean~~ (subterranean flow, for the purpose of irrigation and dom-
estic use, under Use Permit No. G-23520 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
9 of Licenses at page 5689, on the 11th day of April, 1956;

The right hereby confirmed dates from January 6, 1953;

are
The Point of Diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

~~other~~ ~~Sec.~~ Sec. 26, Tp. 4N., R. 3W., 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 0.76 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	3 W.	26	SE $\frac{1}{4}$ NE $\frac{1}{4}$	16	16
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	22	23
			Number of Acres Actually Irrigated		39

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
11th day of April, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

63 292

WATER RIGHT NUMBER 63-2922 ✓

OWNER LAST NAME - GCHSNER

FIRST NAME - DAVID ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CALDWELL ✓

STATE - ID ✓ ZIP CODE -

SOURCE - GROUNDWATER ✓

TRIBUTARY OF -

STAGE - LICENSE ✓

STATUS -

PRIORITY - 01-06-1953 ✓

COUNTY - CANYON ✓

TOTAL DIV. RATE -

✓ 7600 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SENE 26 04N 03W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

NESE 26 04N 03W LOT REDIV -

0.0 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 -

✓ 7600 CFS USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC ✓

USE DIV. RATE -

.0000 CFS USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION ✓

PLACE OF USE - TWN 04N RNG 03W SEC 26 ✓

TRACT SENE LOT

AC 16 TRACT NESE LOT

AC 23 ✓

DECREE NAME -

DATE -

TOTAL ACRES

39 ✓

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 23520 ✓

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED
5/13/85

IDENT. NO. 63-2922

WATER RIGHT DATA ENTRY LOG

[illegible]

April 11, 1956

RE: Permits Nos. G-23520 & G-26018

Mr. David Ochsmner
Route 6
Caldwell, Idaho

Dear Mr. Ochsmner:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued on Permit No. G-23620 confirming your right to the use of 0.76 second foot of the waters of two wells located in the SE¹NE¹ and NE¹SE¹ Section 26, Township 4 North, Range 3 West, B.M., with priority of January 6, 1953, for irrigation and domestic use on the same subdivisions.

We also enclose departmental receipt No. G-1804 for \$9.00 which includes \$5.00 completion of works fee and \$4.00 license fee.

We also enclose Certificate of Completion of Works also License and Certificate of Water Right issued on Permit No. G-26018 confirming your right to the use of 0.12 second foot of the waters of a well located in the SE¹NE¹ Section 26, Township 4 North, Range 3 West, B.M., with priority of October 12, 1955, for irrigation of land in the SW¹NE¹ and NE¹SE¹ Section 26, Township 4 North, Range 3 West, B.M.

We also enclose departmental receipt No. G-1805 for \$9.00 which includes \$5.00 completion of works fee and \$4.00 license fee.

Very truly yours,

MARK E. KULF
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

23520

April 4, 1956

RE: Permit No. G-23520

Mr. David Ochauer
Route 6
Caldwell, Idaho

Dear Mr. Ochauer:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-23520, which shows that your two wells, one in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the other in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M., will deliver thirty-eight inches or .76 second foot of water which you have used to irrigate thirty-nine acres in the same subdivisions as above mentioned.

A Certificate of Completion of Works and License can, therefore, be issued for 0.76 second foot of water upon receipt of the statutory fee of \$5.00 for completion of works and \$4.00 license fee, or a total of \$9.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

hll

OK Encl # 9 10



ROBERT E. SMYLIE
GOVERNOR

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

BOISE

April 4, 1956

RECEIVED
APR 11 1956
Department of Reclamation

RE: Permit No. G-23520

Mr. David Ochsner
Route 6
Caldwell, Idaho

Dear Mr. Ochsner:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-23520, which shows that your two wells, one in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the other in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M., will deliver thirty-eight inches or .76 second foot of water which you have used to irrigate thirty-nine acres in the same subdivisions as above mentioned.

A Certificate of Completion of Works and License can, therefore, be issued for 0.76 second foot of water upon receipt of the statutory fee of \$5.00 for completion of works and \$4.00 license fee, or a total of \$9.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

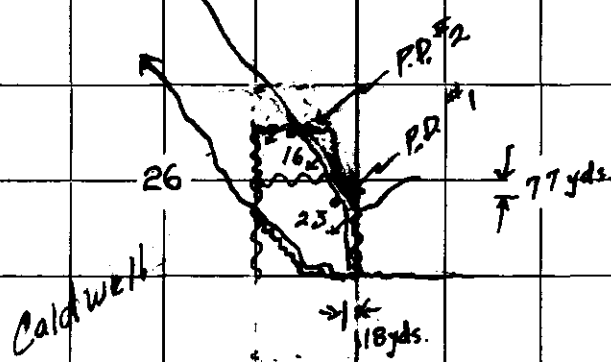
Roy W. Thompson
Office Manager

hll

8 23520

T.
4
N.

R-3 W.



Subdivisions = Two

Area = 39 acres

Q = 38 inches amt of filing

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23520

REPORT ON PROOF OF Completion of works & Beneficial use

DAVID OCHSNER, Route 6, Caldwell, Idaho

*.76 cfs
max*

*app. 0.76 cfs
Sub. 2
acres 38*

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 4 1956

Department of Reclamation

David Ochener
Rte. 6, Caldwell, Idaho

Permit No. G-23520

Examination for Completion of works

and Beneficial use

County Canyon

See also Permit No. G-26018

$Q = 0.76$ c.f.s. 26-AN.-3W

S = Wells

P.D. = S.E. NE. & NE. SE., Sec. 26,
T. 4N. - R. 3W.

Use = Irrigation & Domestic

Priority = Jan. 6, 1953
Due = Jan 14, 1956

Well 50' x 12 1/2" dia 15'
h = 30' dd = 8'

pump = 8" x 3 stroke

6" col. - pump
of well.

Int. H. Tractor used for
pumping

Water 20000 gals. per min.

Cone, base 20' x 18'

no protect

Johnston Pump 10x6
no serial.

driven by 7" pump
belt

6" disch to N.E. to
ditch.

direct drive.

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

Permit No. G-23520This proof is for Completion of works & Beneficial use In Water District No. _____

1. Name of applicant David Ochsner, Route 6, Caldwell, Idaho
2. Source of water supply: Subterranean from 2 wells
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26
T. 4 N. R. 3 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Well is 12" diameter by 50' deep cased 15', H=30' draw down 8'. Pump is a 3 stage 8" 6" column. operated by an International H-Tractor, concrete base in a 30" diameter by 18" high metal ring. No well house no protection. Johnston turbine pump, no serial No. 6" discharge to the NE into a ditch. This water irrigates both to the NW and to the S. Second pump is in a well 12" in diameter by 55' deep, cased 15', H=34'. All conditions in this well are similar to well No. 1. It is powered by an Aljcs Chalmers C tractor through a Johnston gear driven head. This pump will pump approximately 20" without breaking column. This pump irrigates land to the N. and W. of that covered by Well # 1.
5. Water is used for: Irrigation and domestic purposes
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):

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26,Twp. 4 North, Range 3 West, B. M.See the map

(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. Ochsner gave the canal water right back to the Co. in order to escape the up-keep costs and further because the water delivery was so short and unsatisfactory that he decided to irrigate by means of a pumping system.

This examination was made on the 23rd day of March, 19 56(Signed) E. H. Humphrey Examiner.23520

March 15, 1956

RE: Permits Nos. G-23520 and G-26018

Mr. David Ochsner
Route 6
Caldwell, Idaho

Dear Mr. Ochsner:

State Law requires an inspection in connection with any permit in the State of Idaho being brought to license. You have Permits Nos. G-23520 and G-26018 that are ready for inspection and issuance of license.

I would like to make inspection in connection with the above two permits on Friday, March 23. Please advise me by return mail or you could call the department on the phone and advise as to where I can meet you between 8:30 and 9:30 A.M. on Friday, March 23, in order to make inspection.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. M. Humphrey
Deputy State Reclamation Engineer

H:hl1
P. S. I can meet you at the place. I drive a cream colored Ford.



ROBERT E. SMYLLIE
GOVERNOR

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

BOISE

March 15, 1956

RE: Permits Nos. G-23520 and G-26018

RECEIVED
MAR 20 1956
Department of Reclamation

Mr. David Ochsner
Route 6
Caldwell, Idaho

Dear Mr. Ochsner:

State Law requires an inspection in connection with any permit in the State of Idaho being brought to license. You have Permits Nos. G-23520 and G-26018 that are ready for inspection and issuance of license.

I would like to make inspection in connection with the above two permits on Friday, March 23. Please advise me by return mail or you could call the department on the phone and advise as to where I can meet you between 8:30 and 9:30 A.M. on Friday, March 23, in order to make inspection.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

P. S. I can meet you at the place. I drive a cream colored Ford.

I Will be at the place between 8-30 and 9-30

David Ochsner

23520

November 23, 1955

RE: Permits Nos. G-23520-G-26018

Mr. David Ochsner
Route # 6
Caldwell, Idaho

Dear Mr. Ochsner:

We now have the Affidavit of Publication in the Caldwell News Tribune which completes your proof of Completion of Works and Beneficial Use on the above numbered Permits.

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

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

23520

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

ss.

Virgil Hey

, being first duly sworn, deposes and says;

That he is the *Jorman* of WESTERN IDAHO PUBLISHERS, INC., publisher of **The News-Tribune**, a daily newspaper published at Caldwell, Idaho, within the meaning of Chapter 154 of the 1933 Session Laws of Idaho; published six consecutive days a week except legal holidays. And that the publisher of said **The News-Tribune**, a daily newspaper, has all the time since the 5th day of July, 1933 and in each issue thereof, at the head of the editorial column of said newspaper, announced the day of the week to-wit: Saturday, on which legal notice required by law or by order of any Court of competent jurisdiction to be published weekly, will be published; that the said paper is in general circulation in Canyon County, Idaho and has been for a period of seventy-eight weeks preceding the first publication of this advertisement, a copy of which is attached hereto, and by reference thereto made a part of this affidavit, and was published in the regular

Saturday issue of **The News-Tribune** for *4* consecutive weeks beginning with the issue of *October 22* 19 *55* and ending with the issue of *November*

12, 19 *55*

Virgil Hey

Subscribed and sworn to before me this *12* day of *November*, 19 *55*.

H. G. Cochran

Notary Public for Idaho
Residing at Caldwell, Idaho

823520



✓
November 21, 1955,

RE: Permits Nos. G-23520 - G-26018

Mr. David Ochsner
Route # 6
Caldwell, Idaho

Dear Mr. Ochsner:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of Completion of Works and Beneficial Use on the above numbered Permits.

However, the Affidavit of Publication is a necessary part of these proofs and the Caldwell News Tribune was instructed to send you this Affidavit. If you have not received it we suggest that you take the matter up with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

23520

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 21 1955

Department of Reclamation

Permit No. G-23520

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. David Ochsner Route # 6, Caldwell, Idaho 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. Individual

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

Ans. G 23520 January 14, 1953

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

Ans. Subterranean Well- SE1/4 of the NE1/4 and NE1/4 of the SE1/4 of Sect. 26
TWN1N, R3WBM 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. 50 ft. depth. 50ft of 12 inch casing. 30 ft. to water. Uses 6 inch
discharge pump which discharges about 40 inches. Measures by wter.

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. Irrigation 38 Acres. SE1/4 of the NE 1/4 and NE1/4 of the SE1/4 of Sec. 26
TWN1N, R3WBM Canyon County, Idaho

23520

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. 38 inches

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. Irrigation

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. Had prior service from Caldwell Irrigation District up to 1954. Rights now released.

(Sign)

David Chsmer

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 14 day of November, A. D. 1955,

A. J. Castagnoli

My commission expires March 28, 1956

23520

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-23520

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. Oscar Smith Route 3 Caldwell, Idaho

Ques. 2. Are you acquainted with David Ochsner, the holder of Permit No. G 23520? How long have you known him and where does he reside?

Ans. Five years Route 6, Caldwell, Idaho

Ques. 3. Have you read or heard read said Permit No. G-23520, 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. SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 of Sect 26, T4N, R3W, Canyon County, Idaho

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. Approx. 40 inches. Ditch has capacity of 50 inches.

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. Approx 30 inches. Measured by wier.

N 23520

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, 38 Acres. In the SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 of Sect. 26, T4N, R3W, Canyon County, Idaho

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. Cultivated 38 inches.

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

Ans. none

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. Viewed practical and successful operation of this land for last several years.

(Signed) X Oscar Smith

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 _____, County of Canyon, State of Idaho, on this 14 day of November, A. D. 1955.

J. J. Castagnoli

Notary Public.

My commission expires March 28, 1955

23520

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. G-23520

**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. W. F. Simmerman Route 3 Caldwell, Idaho

Ques. 2. Are you acquainted with David Schsner, the holder of Permit No. G-23520? How long have you known him and where does he reside?

Ans. Five years Route 6 Caldwell, Idaho

Ques. 3. Have you read or heard read said Permit No. G-23520, 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. Subterranean Well-- SE1/4 of the NE1/4 of Section 26, Twn 4N, R3WBM,
Canyon County, Idaho

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. Approx 40 inches. Ditch has capacity of 50 inches.

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. Approx. 38-40 inches. Measured by weir.

J 23520

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. 38 Acres. in the SE1/4 of the NE1/4 and the NE1/ of the SE1/4 of S
Section 26, Twn 4N, R3WBM, Canyon County, Idaho
Cultivated land.

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. Cultivated. 38 inches.

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

Ans. none

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. Veiwed practical and successful operation of this land for last several years.

(Signed)

W. F. Zimmerman

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 14 day of November,
A. D. 19 55.

A. J. Castagneto

Notary Public.

My commission expires March 28, 1956

23520

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 11th day of November, 1955, at Caldwell, County of Canyon, State of Idaho, before Charles L. Shaffer, Notary Public, proof will be submitted of the completion of works for the diversion of 0.88 cubic foot per second of the waters of two (2) wells located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permits Nos. G-23520 and G-26018 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 permits are David Ochser, Route 6, Caldwell, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.88 cubic foot per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 0.88 cubic foot per second.

4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M.

5. The date of priority which said user is prepared to establish under Permit No. G-23520 is January 6, 1953 and under Permit No. G-26018 is October 12, 1955.

MARK R. KULP
State Reclamation Engineer

G 23520

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permits No. ~~G-23520~~ & G-26018

Date: October 18, 1955

Caldwell News-Tribune

Caldwell, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 14, 1955 the date set for proof, the expense of the publication to be paid by the applicant, David Schsner of Route 6, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

23520

October 18, 1955

RE: Permits Nos. G-23520 & G-26018

Mr. David Ochener
Route 6
Caldwell, Idaho

Dear Mr. Ochener:

We are sending to the Caldwell News Tribune notice for proof of completion of works and beneficial use to be made on the above numbered Permits November 14, 1955, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set for proof, you should appear before Mr. Charles L. Shaffer, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permits and the work done thereunder for the purpose of executing the enclosed depositions.

A separate set of depositions must be made for each Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

23520

October 13, 1955

RE: Permits Nos. G-23520 & G-26018

Mr. David Ochsner
Route 6
Caldwell, Idaho

Dear Mr. Ochsner:

Your application for an additional six inches of water from your well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M. has been approved and is now awaiting signatures by the proper state officials. However, in order to save time since you wish to make the combined proofs on this Permit and Permit No. G-23520 if you will advise us the name of a Notary Public we can complete the notice and send a copy to the newspaper for publication.

Very truly yours,

MARK R. KULF
State Reclamation Engineer
By

Chief Clerk

A:hl1

8 23520

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

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. G-23520

Date January 26, 1955

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. David Ochener
Route 6
Caldwell, Idaho

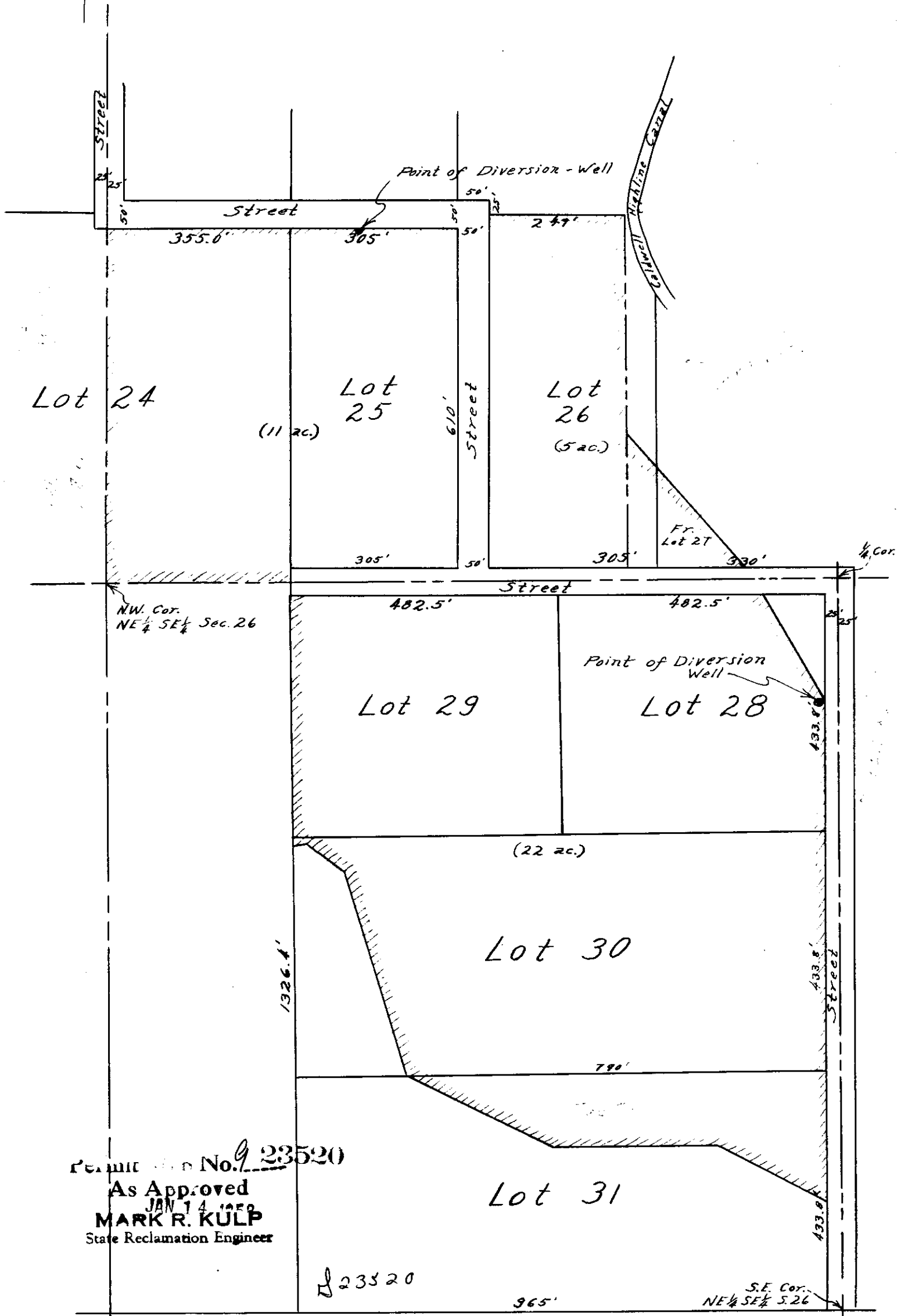
MARK R. KULP
State Reclamation Engineer

23520

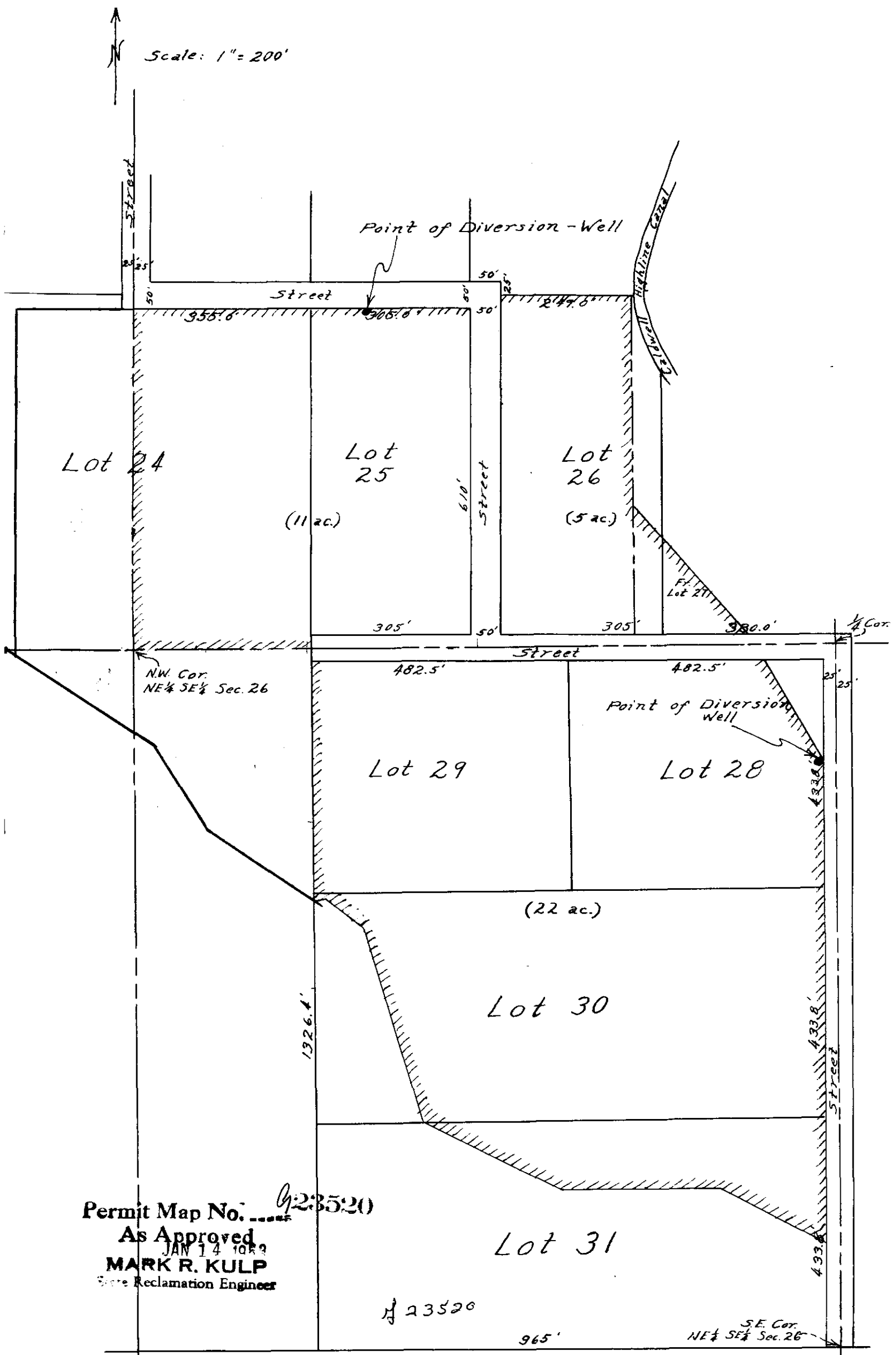
Permit application of David Ochsenr,

Sec. 26, T. 4 N., R. 3 W.

Scale: 1" = 200'



Sec. 26, T. 4 N., R. 3 W.



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

Notice is hereby given that at 10:00 a.m., on the 14th day of November, 1955, at Caldwell, County of Canyon, State of Idaho, before Charles L. Sharret, Notary Public, proof will be submitted of the completion of works for the diversion of 0.88 cubic foot per second of the waters of two (2) wells located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permits Nos. G-23520 and G-26018 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 permits are David Ochsner, Route 6, Caldwell, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.88 cubic foot per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 0.88 cubic foot per second.

4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 4 North, Range 3 West, B.M.

5. The date of priority which said user is prepared to establish under Permit No. G-23520 is January 6, 1953 and under Permit No. G-26018 is October 12, 1955.

MARK R. KULP,
State Reclamation Engineer
No. 924—Oct. 22, 29: Nov. 5, 12