

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

SS.

fil

R. R. Bechtel

, being first duly sworn, deposes and says;

That he is the *Foreman* of CALDWELL NEWS-TRIBUNE, INC., publisher of The Caldwell 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 Caldwell 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 o'clock A.M., on the 29th day of January, 1952 at the law office of Dunlap & Dunlap, at 914 Main street, in Caldwell, County of Canyon, State of Idaho, before Marjorie Yarborough, a Notary Public for the State of Idaho, proof will be submitted for the completion of works for the diversion of 7.94 cubic feet of the waters of the Wilson Drain and for the diversion of 10.60 cubic feet of the Elijah Drain in Canyon County, Idaho, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 22453 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 is the Black Canyon Irrigation District, Notus, Idaho.

Said works of diversion will be fully completed on the date set for such completion, and the amount which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 18.54 cubic feet per second.

The place where said water used is located within the boundaries of the Black Canyon Irrigation District in Sections 15, 16, 9, 8, 4, 5 and 6 of Township 4 North, range 3 West of the Boise Meridian; Sections 1 and 2 in Township 4 North, Range 4 West of the Boise Meridian; Sections 19, 32, 31 and 30 in Township 5 North, Range 3 West of the Boise Meridian; Sections 24, 25, 36, 35, 26, 23, 14, 15, 22, 27, 21, 11, 12, 13, 16, 20, 28 and 29 in Township 5 North, Range 4 West of the Boise Meridian.

The date of priority which said user is prepared to establish is August 30, 1951.

State Reclamation Engineer
MARK R. KULP

Dunlap & Dunlap
Attorneys at Law
Caldwell, Idaho
Attorneys for Black Canyon
Irrigation District

No. 605—Dec. 29 - Jan. 5-12-19, 1952

Saturday issue of The Caldwell News-Tribune for *4* consecutive weeks

beginning with the issue of *December 29*,

19 *51* and ending with the issue of *January*

19, 19 *52*.

R. R. Bechtel

Subscribed and sworn to before me this *19*

day of *January*, 19 *52*

H. G. Cochrane

Notary Public for Idaho
Residing at Caldwell, Idaho

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

SS.

H. G. Cochrane

, being first duly sworn, deposes and says;

That he is the *Principal Clerk* of CALDWELL NEWS-TRIBUNE, INC., publisher of The Caldwell 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 Caldwell 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

STATE OF IDAHO
Department of Reclamation
NOTICE
NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-203,
IDAHO CODE.

NOTICE IS HEREBY GIVEN That
on the 30th day of August, 1951, the
Black Canyon Irrigation District of
Notus, Idaho, made application to
appropriate Fifteen (15) cubic feet
per second of the waters of Wilson
Drain, and Twenty (20) cubic feet
per second of the waters of Elijah
Drain, for irrigation and domestic
purposes.

That the point of diversion from
Wilson Drain is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 12, Township 3 North, Range
3 West, B. M., and the point of di-
version from Elijah Drain is in the
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, Township 3
North, Range 3 West, B. M.

That the lands to be irrigated by
the use of such water are located
within the boundaries of the Black
Canyon Irrigation District, in Town-
ships 4 North, Range 3 West, B. M.;
4 North, Range 4 West, B. M.; 5
North, Range 3 West, and 5 North,
Range 4 West, B. M.

That any protests against the ap-
proval of this application must be
filed in the Department of Reclama-
tion, at Boise, Idaho, within forty
(40) days from the date of this no-
tice, and such protest shall state the
name and address of the protestant,
and shall clearly set forth his ob-
jections to the approval of said ap-
plication.

Dated this 4th day of September,
1951.

MARK R. KULP
State Reclamation Engineer
SERVICE OF THE FOREGOING,
By copy, is hereby acknowledged,
this 5th day of September, 1951.

BLACK CANYON IRRIGATION
DISTRICT

By Robert B. Dunlap
Attorney
Date of first publication: Sept. 8, 1951
Date of last publication: Sept. 22, 1951
Last date for protest: Oct. 14, 1951
No. 512, Sept. 8, 15, 22, 1951

Saturday issue of The Caldwell

News-Tribune for *3* consecutive weeks

beginning with the issue of *September 8*

19 *51* and ending with the issue of *September*

22, 19 *51*

H. G. Cochrane

Subscribed and sworn to before me this *22nd*

day of *September*, 19 *51*

Lillian B. Hinkel

Notary Public for Idaho
Residing at Caldwell, Idaho

22453

State of Idaho
License and Certificate of Water Right

Water License No. 22453 Amount 18.54 second feet
Water District No. Priority August 30, 1951

THIS IS TO CERTIFY that BLACK CANYON IRRIGATION DISTRICT
of Notus, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 30, 19 51 ; that Permit No. 22453
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
18.54 second feet, was issued thereunder on May 12, 19 52, showing that said works
were completed on the 29th day of January, 19 52 ; and that on the 29th
day of January, 19 52 ,
BLACK CANYON IRRIGATION DISTRICT
of Notus, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Wilson
Drain, for the purpose of irrigation and domestic
use, under Use Permit No. 22453 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
8 of Licenses at page 4909, on the 12th day of May, 19 52 ;
The right hereby confirmed dates from August 30, 1951 ;
The Point of Diversion are located in the SE 1/4 SW 1/4 and
in the SE 1/4 NE 1/4, Sec. 12, Tp. 3 N., R. 3 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 7.94 cubic feet per second from Wilson Drain, and 10.60 cubic feet per second
from Elijah Drain.

Description and location of use:

Table with 6 columns: Twp., Range, Sec., Forty-acre Tract, No. Acres Described in Permit, No. Acres Actually Irrigated. Row 1: Lend within the boundaries of the Black Canyon Irrigation District, in Township 4 North, Ranges 3 and 4 West, B.M. and Township 5 North, Ranges 3 and 4 West, B.M.

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
12th day of May, 19 52 .

MARK R. KULP
State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 22392 Amount 0.12 second f
Water District No. Priority September 26,

THIS IS TO CERTIFY that JAMES B. McCLURE
of Wendell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 26, 1951; that Permit No. 22392
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.14 second feet, was issued thereunder on October 18, 1951, showing that said works
were completed on the 10th day of October, 1951; and that on the 24th
day of December, 1951,

JAMES B. McCLURE
of Wendell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed
stream (waste water), for the purpose of irrigation and stock
watering, under Use Permit No. 22392 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
8 of Licenses at page 4910, on the 12th day of May, 1952;
The right hereby confirmed dates from September 26, 1951;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 28, Tp. 7 S., R. 15 E., B.M. Gooding
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 0.12 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 S.	15 E.	28	NW 1/4 SE 1/4	7	6

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
12th day of May, 1952.

(SEAL) MARK R. KULP
State Reclamation Engineer

9-4-51
on 9-8 to 9-22-51
test 10-14-51

Nº 22453

63-2878

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

IF PROTESTED

Filed 19
19
19

APPLICATION No. 30085
PERMIT No. 22453
DISTRICT No.

Dunlap & Dunlap
Caldwell, Idaho

1. Name of Applicant: BLACK CANYON IRRIGATION DISTRICT

Postoffice address: Norus

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: 18.54 cubic feet per second.

3. Source of water supply 1-Wilson Drain- 7.94 c.f.s.
2-Elijah Drain-10.60 c.f.s. which is a tributary of

4. Location of point of diversion: 1. N. 85° West 350 South $\frac{1}{4}$
2- N. 2° West 750 East $\frac{1}{4}$
feet distant from the
corner of Section 12, T. 3 N., R. 3 W., B. M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 12, T. 3 N., R. 3 W., B. M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes.

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: \$ 300,000.00

8. Kind of works: Concrete diverting works, canals and laterals with pipe siphon across Boise River.

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 Wilson 2 gates 2 X 3 feet feet; height feet.
Elijah 2 gates 3 X 3 ft.

11. Ditch: Width at bottom 16 feet; width at water line 25.8 feet; depth of water 2.8 feet;
dimensions of flume:

Diameter of pipe 72 inches; length of conduit 22 miles.

Average grade per mile 1.58 feet.

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

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Permit No. 13770

4. Location of point of diversion: feet distant from the corner
of Section, T., R., B. M., and is in the
of Section, T., R., B. M., County of

5. Water is to be used for:

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: \$.

8. Kind of works: (Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam feet; length of dam at top feet; length of dam at bottom
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)
feet; material used in dam

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

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume; Diameter of pipe inches;

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

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

ATTEST:

H. W. Van Slyke
Secretary

By Eber W. Eldred
President

BLACK CANYON IRRIGATION DISTRICT *Applicant.*

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. August 30, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22453
Recorded in Book 80 Page 22453 Approved November 15, 1951
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 Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before -
The whole of said work to be completed on or before February 15, 1952
Beneficial use of water appropriated in accordance herewith, to be made on or before February 15, 1952

WITNESS My hand this 15th day of November, 1951

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 15th
day of November, 19 51.
Countersigned: STATE OF IDAHO
(SEAL) By IRA H. MASTERS By LEN JORDAN
Secretary of State. Governor.

REMARKS: Reference is made to Permit No. 13770. The additional 18.54 second feet covered by this application is now being applied to the above described lands for irrigation and domestic purposes, and has been so applied since the year 1940, in addition to the 120 second feet covered by Permit No. 13770

14.

[illegible]

Total Number of Acres to be Irrigated.....**6987**

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that BLACK CANYON IRRIGATION DISTRICT of Notus, County of Canyon, and State of Idaho, the holder of Permit No. 22453, issued upon Application No. 30085 bearing date of priority of August 30, 1951, authorizing the diversion of 7.94 second feet of the waters of Wilson Drain, and 10.60 second feet of the waters of Elijah Drain, 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 18.54 second feet of the waters of Wilson Drain and Elijah Drain; that the points of diversion of said waters are in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 3 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: Lands within the Boundaries of the Black Canyon Irrigation District.

Witness my hand this 12th day of May, A.D. 1952.

MARK R. KULP
State Reclamation EngineerProof of completion of works made January 29, 1952.
Certificate of completion of works issued May 12, 1952.

LICENSE ISSUED FOR 18.54 SEC. FT.

Page 4909

✓
May 13, 1952

RE: Permit No. 22453

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under Permit No. 22453, confirming the right of the Black Canyon Irrigation District to the use of 7.94 cubic feet per second from Wilson Drain and 10.60 cubic feet per second from Elijah Drain, with priority of August 30, 1951; points of diversion being in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 3 North, Range 3 West, B.M., for irrigation and domestic use on lands within the boundaries of the Black Canyon Irrigation District.

We also enclose departmental receipt No. 24427 for \$87.70 in connection with proofs of completion of works and beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

S. BEN DUNLAP
ROBERT B. DUNLAP

April 22, 1952

RECEIVED
APR 23 1952
Department of Reclamation

Hon. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

In Re: Black Canyon Irrigation Permit No.
22453

ATTENTION: Jeanne L. Anderson

Dear Madam:

Receipt is acknowledged of your letter of April 15, 1952. We have been advised by Mr. Van Slyke that the warrants will be signed and forwarded to you at the regular meeting of the Board of Directors during the first week of May.

Thanking you, we are

Very truly yours,

DUNLAP & DUNLAP

By: *Robert B. Dunlap*
Robert B. Dunlap m

RBD/my

22453

April 15, 1952

RE: Permit No. 22453

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

The report of our field engineer on examination for completion of works and beneficial use under Permit No. 22453 of the Black Canyon Irrigation District shows that the water has been applied on forty (40) additional forties within the district besides those included in former water rights.

Therefore, upon receipt of the statutory fees, Certificate of Completion of Works and License will be issued for 18.54 cubic feet per second from Elijah Drain and Wilson Drain.

These fees amount to \$7.70 for completion of works, which is at the rate of \$5.00 for the first 10 second feet and 30 cents for each additional second foot or fraction thereof; and \$80.00 for beneficial use, being at the rate of \$2.00 for each 40 acre subdivision irrigated.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

cc: Mr. H. W. Van Slyke

22453

4.) This is additional water to bring the record rights of the Black Canyon Unit No. 1 up to the full amount allowed by law. There are no changes in points of diversion nor place of use. The Engineer's report made under Permit No. 13770 is applicable as pertaining to diversion and distribution works. Also the map filed with the permit is essentially correct.

At the point where the water is delivered to the Caldwell Highline Canal, there is quite an imposing control works. Water can be spilled back into the Wilson Drain from the main canal to the East, a distance of approximately 60 feet through a concrete control structure. Then at the control basin proper, which is a large concrete basin, the water can be diverted into the main canal for the Natus area, into the Caldwell Highline, and also spilled through a tunnel and control gate which is a part of the same structure, back into the Wilson Drain.

6.) Yes

7.) The records of the district were checked in Natus, and there are forty 40 acre subdivisions, part or all of which are irrigated, that have not been included in any former permit or decree. In making this check-up, the following is index or bibliography: Stewart Decree- File 473; Bryan Decree- File 295, Volume 4, Page 197, File 459, Volume 5, Page 314. Permit No. 13770, License Page 3605, amount- 120 cubic feet per second with priority of 1918. Permit No. 18720.

8.) Re: This filing was made to preclude the possibility of the Pioneer Irrigation District obtaining a prior right from this same Wilson Drain.

This unit owns two of the artesian wells at the head of the Wilson Drain, own 2% of the storage rights in Deer Flat Reservoir, and take delivery of the Deer Flat Reservoir water from the upper dam through into the Wilson Slough, commingling water with same. (or drain)

The canal capacity at the point where the water emerges from the siphon under the Boise River, was measured on 7-21-42 by Randolph of the U. S. Bureau of Reclamation with Meter No. 4026, and the flow was computed at 144.8 cubic feet per second.

E. H. Humphrey
E. N. H.

Stewart Decree, File 473.
New York Canal Co. awarded
10955 " of Mar 23-1900
dated Jan. 18-1906.

Bryan Decree.

1062.08 cfs 12-14-03 } To U.S.
634.00 " 6-16-09 } America
Lands under New York Canal
8000 cfs. Arrowrock Storage
All lands of Reine Project and others.

There is a discrepancy in #13770
Permit covers 6147 acres.
Eng. Report says 6874 acres
There is no amendment.
License is for lands ^{lying} within Black Canyon Irrig. Dist.
Certificate of Compl. of Wks does
not include some of these
sections. (It is general and
does not go in to 40c.)

22453

For Map see Permit # 13770.
See filing map.

allow full amount.

at land trap.
Canal to East = 10' w. in bottom 18' w. at top.
approx. 4' deep.
Concrete lined for 128'

Spillway fr. main canal is concrete
10' w. on bot. 18' at top. 5' h.
distance between canal and drain
= approx. 60'
Canal is broader than ditch.

At nature at land trap is a large
10' h. x 20' w. x 20' d. in bottom, 2' h. at top.
Concrete basin with a spillway
size 6' w. x 8' h. with radial gate leads
fr bottom to N.E. under road dumps
back into Wilson drain.

3 control gates approx 3' x 3' O.E.
2 " " " 1 1/2' h. x 2' w. on W.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22453

REPORT ON PROOF OF Completion of works and Beneficial use

BLACK CANYON IRRIGATION DISTRICT, Notus, Idaho

app. 18.54 c. fs.

40 - near 40's

18.54 c. fs.
done

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

Permit No. 22453

This proof is for Completion of works and Beneficial use In Water District No. _____

1. Name of applicant. Black Canyon Irrigation District, H.W. Van Slyke, Sec'y., Notus, Idaho
2. Source of water supply: Elijah Drain and Wilson Drain.
3. Location of point of diversion: Is in the SE¹SW¹ and SE¹NE¹ of Section 12
T. 3 N. R. 3 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: _____

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

Lands within the boundaries of the Black Canyon Irrigation District, located in the following sections: 15, 16, 9, 8, 4, 5, and 6, Twp. 4 North, Range 3 West, B.M. Sections 1 and 2, Township 4 North, Range 4 West, B.M. Sections 19, 32, 31 and 30, Township 5 North, Range 3 West, B. M. Sections 24, 25, 36, 35, 26, 23, 14, 15, 22, 27, 21, 11, 12, 13, 16, 20, 28 & 29, Township 5 North, Range 4 West, 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: _____

This examination was made on the 1st day of April, 1952

(Signed) E. N. Hendphrey Examiner

22453

Inspect

4N. 3W. 54. - NE NW - 18000 ✓
 4N. 4W 51 - SW NW - 26 " ✓
 " NE NW - 34 " ✓
 " NW NW - 24 " ✓
 " SE NW -
 52 NE NE - 8 " ✓
 4N. 5W 53 NE NE - 4 " 7.74.
 53 SW NW - 1 " ✓
 " NW NW - 2 " ✓
 19 SW SW - 26.95 ✓
 88 SW - 1 " ✓
 5N 4W 52 SW SW - 28 " ✓
 35 NW NW - 2.45 ✓
 NW NW - 15 " ✓
 SW " - 9.4 " ✓
 SE " - 34.25 ✓
 NW SW - 10 " ✓
 NW SE - 25 " ✓
 SW SE - 10 " ✓
 SE SE - 40 " ✓
 24 SW SW - 1.8 " ✓
 23 NE SE - 6.0 " ✓
 " NW SE - 10.0 " ✓
 27 NW NW - 2 " ✓
 " SW SE - 11.0 " 17 ✓
 " SE SE - 30.0 " ✓
 15 NW NE - 1.0 " ✓
 14 SW NE - 7.0 " ✓
 13 NE NW - 5.0 " ✓
 " NW NW - 34.0 " ✓
 " NW NW - 11.0 " ✓
 12 SW SW - 12.0 " ✓
 " SE SW - 12.0 " ✓
 11 SE SE - 8.0 " ✓
 16 SE SE - 20.0 " ✓
 21 NW SW - 7.0 " ✓
 " SW SW - 26.0 " ✓
 " SE SW - 4.0 " ✓
 28 NW NW - 5.0 " ✓
 29 NE NE - 36.0 " ✓
 " NW NE - 35.0 " ✓
 20 SW SE - 40.0 " ✓
 " SE SE - 4.0 " ✓

40 Subd.

Doc. dict. pay for this as stored water (in #15770)?

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.

Black Canyon Irrigation District
Notus, Idaho

Permit No. 22453

Examination for Completion of works
and Beneficial use

County Canyon

12 3N. 3W.

Q = 18.54 cfs

S = Wilson drain 7.94
 Elijah " 19.60
 18.544

Pring & dom
 Ruc Feb 15 - 52

120 cfs covered in

13770

License P. 3605

P.d = SE SW } 512 3N. 3W.
 SE NE }

69.87 acres.

Wilson Slough = 70 ft } #13770
 Elijah = 50 ft. }

Ruc
 Pring & dom

164572 acres under
 license 16098

140
 50
 7000

30 cfs & Pring & dom
 for Wilson drain

Pring 10 cfs. for
 Wilson drain
 approx. 8 in above
 rising.

February 6, 1952

RE: Permit No. 22453

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

We acknowledge receipt of your letter of February 5, 1952, enclosing depositions of the holder and two witnesses, also affidavit of publication in the Caldwell News-Tribune, all in proof of completion of works and beneficial use under Permit No. 22453 of the Black Canyon Irrigation District.

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

We cannot say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact Mr. Van Slyke or some on the grounds in order that arrangements may be made to show him over the project.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

S. BEN DUNLAP
ROBERT B. DUNLAP

February 5, 1952

RECEIVED
FEB 6 1952
Department of Reclamation

Hon. Mark R. Kulp
Department of Reclamation
Boise, Idaho

In Re: Permit No. 22453
Black Canyon Irrigation District

Dear Sir:

We enclose the following papers:

- Affidavit of Publication
- Proof of Completion of Works
 - (a) Deposition of Holder
 - (b) Deposition of Witness, R. C. Boatman
 - (c) Deposition of Witness, G. E. Talbot
- Proof of Application of Water to Beneficial Use
 - (a) Deposition of Holder
 - (b) Deposition of Witness, R. C. Boatman
 - (c) Deposition of Witness, G. E. Talbot

Very truly yours,

DUNLAP & DUNLAP

By: *Robert B. Dunlap*
Robert B. Dunlap

RBD/my
Enc.

22453

PERMIT NO. 22453

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. **H. W. Van Slyke, Secretary-Manager of the Black Canyon Irrigation District, Notus, Idaho**

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. **Black Canyon Irrigation District, Notus, Idaho. I am Secretary-Manager of said District and have been authorized by its Board of Directors to appear in its behalf.**

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. **Permit No. 22453 dated November 15, 1951. 18.54 cubic feet per second. ~~Elijah and Wilson drains, N 85° W 350 feet distant from the South Sec. 12, T. 3 N., R. 3 W.B.M.~~ ~~corner and N. 2° W. 750 feet distant from the East corner of~~**

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. **Irrigation purposes. See attached list of lands irrigated.**

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. **Yes. The full amount mentioned in the application has been for many years, and is now, being diverted through the diversion works.**

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. **Yes**

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. **xxx**

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. **Concrete diverting works, canals & laterals with pipe siphon across Boise river. Said canal having a width at bottom of 16 ft. a width at water line of 25.8 ft. and a depth of water of 5.8 ft. Said siphon has a diameter of 72 in. said canal is 22 miles in length and size of the two diverting gates in Wilson drain are 2x3 and the 2 diverting gates in Elijah drain is 3x3 feet.**

(Sign here.)

H. W. Van Slyke

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 **29th**
day of **January** A. D. 19 **52.**

Margaret J. Parkman

Notary Public.

My Commission expires **8-8-55**

52453

Twp	Rng	Sec	N E ¼				N W ¼				S W ¼				S E ¼				Tot.
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	3W	15						19	24										43
4N	3W	16	16			6													22
"	"	9		15	40	20	40	40	31	40	13				20	35		23	317
"	"	8	38	10		12													60
"	"	4					1	16	38	17	32	40	40	34					218
"	"	5	39	40	40	40	40	40	40	40	40	40	35	40	40	40	40	40	634
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5N	3W	32						19			23	40	47	46		10	37	9	231
"	"	31	4	30	40	29	40	43	42	40	40	42	52	49	40	40	48	47	626
"	"	30						2			17	31	40	40			14		144
5N	4W	24												4	6		23	40	73
"	"	25	24	40	32	3	32	5	37	40	40	40	40	40	28	39	40	40	520
"	"	36	40	40	40	40	40	40	38	40	37	10	28	38	40	40	38	40	589
"	"	35	40	38	37	40	8	15	9	34	10				40	25	10	40	306
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"	"	15	16	1	33	40			15	13	40	39	18	42	38	39	37	15	386
"	"	22			11	5	11	26	16		39	40	31	40	33	40	40	40	372
"	"	27	40	40	32	40	31	2							38	15	11	30	279
"	"	21	8		28	40				4	33	7	26	4	39	29		7	225
5N	3W	19											26	1					27
4N	4W	2	8																8
5N	4W	11																8	8
5N	4W	12											11	12					23
5N	4W	13					5	34											39
5N	4W	16																20	20
5N	4W	20														40	4		44
5N	4W	28						5											5
5N	4W	29	36	35															71

22/53

Permit No. 22453**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. G. E. Talbot, 1620 Blaine Street, Caldwell, Idaho. Retired farmer.

Ques. 2. Are you acquainted with The Black Canyon Irrigation District, the holder of Permit No. 22453, authorizing the diversion of 18.54 second-feet of the waters of Wilson and Elijah drains, at Canyon County, Idaho for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes Since its organization.Ques. 3. Have you read or heard read said Permit No. 22453, and are you familiar with its terms and conditions?Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes It is now all in cultivation, is adaptable for diversified farming and requires the application of 1 inch to the acre at point of diversion for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Concrete diverting works, canals & laterals with pipe siphon across Boise river. Said works are able to carry at least 138.54 cubic feet per second

(Sign here.)

G. E. Talbot

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, at my office in Caldwell County of Canyon, State of Idaho, on this 29th day of January, A. D. 19 52.

Margie Garbarough
Notary Public for Idaho
Residing at Caldwell
Commission expires: 8-8-55

(SEAL)

22453

Permit No. 22453**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. R. C. Boatman, Route 5, Caldwell, Idaho Farmer

Ques. 2. Are you acquainted with the Black Canyon Irrigation District the holder of Permit No. 22453, authorizing the diversion of 18.54 second-feet of the waters of Wilson and Elijah drains, at Canyon County, Idaho for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes Since its organization.Ques. 3. Have you read or heard read said Permit No. 22453, and are you familiar with its terms and conditions?Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes It is now all in cultivation, is adaptable for diversified farming and requires the application of 1 inch to the acre at point of diversion for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Concrete diverting works, canals & laterals with pipe siphon across Boise river. Said works are able to carry at least 138.54 cubic feet per second.(Sign here.) R. C. Boatman

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, at my office in Caldwell County of Canyon, State of Idaho, on this 29th day of January, A. D. 19 52.

Marjorie Yarbrough
Notary Public for Idaho
Residing at Caldwell
Commission expires: 8-8-55

(SEAL)

22453

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22453

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. H. W. Van Slyke, Secretary-Manager of the Black Canyon Irrigation District, Notus, Idaho

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. Black Canyon Irrigation District, Notus, Idaho. I am Secretary-Manager of the District and authorized to appear by the Board of Directors of said District.

Ans. Permit No. 22453, dated the 15th day of November, 1951. Date of priority August 30, 1951

Ques. 4. State source of water supply and give exact location of point of diversion. corner
Ans. Elijah & Wilson drains. N 85° W 350 feet distant from the South 1/4 and N. 2° W 750 feet distant from the East 1/4 of Section 12, T. 3 N., R. 3 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.

Ans. Concrete diverting works, canals and laterals with pipe siphon across Boise river. Elijah drain 10.60 second feet. Wilson drain 7.94 second feet. Notus canal.

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 purposes. Secs. 15, 16, 9, 8, 4, 5 and 6 of T. 4 N., R. 3 W.B.M. Secs. 1 and 2 in T. 4 N., R. 4 W.B.M.; Secs. 19, 32, 31 and 30 in T. 5 N., R. 3 W.B.M.; Secs. 24, 25, 36, 35, 26, 23, 14, 15, 22, 27, 21, 11, 12, 13, 16, 20, 28 and 29 in T. 4 N., R. 4 W.B.M.

22453

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

Ans. ~~xxx~~

Ques. 8. What is the minimum amount of water required for the purpose specified above? 18.54 cubic feet per second in addition to the 120 cubic feet

Ans. ~~per second now being used under permit No. 13370.~~

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. ~~xxx~~

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

Ans. The full amount of the 18.54 cubic feet per second has and is now being used for irrigation purposes on the lands described in Answer 6., in addition to the 120 cubic second feet per second covered by Permit No. 13370.

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. 120 cubic feet per second now being used pursuant to the terms of license No. 13770

(Sign) Harlan Slyke

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 29th day of January, A. D. 19 52,

My commission expires 8-8-55

Marjorie Sparbrough
Notary Public for Idaho
Residing at Caldwell

22453

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22453

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. G. E. Talbot, 1620 Blaine Street, Caldwell, Idaho. Retired
farmer.

Ques. 2. Are you acquainted with the Black Canyon Irrigation District, the holder of Permit No. 22453? How long have you known him and where does he reside?

Ans. Yes Notus, Idaho

Ques. 3. Have you read or heard read said Permit No. 22453, 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. Elijah and Wilson drains. North 85° West 350 feet distant from the South $\frac{1}{4}$ corner of Section 12, T. 3 N.,

Ans. Range 3 W. and N. 2° West 750 feet distant from the East $\frac{1}{4}$ corner of Section 12, T. 3 N., R. 3 W.B.M. and is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 12, T. 3 N., R. 3 W.B.M. County of Canyon. Concrete diverting works, canals and laterals with pipe siphon across Boise river.
Total of 6927 acres.

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. At least 138.54 second feet.

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. No pumps involved.

22453

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 and domestic purposes . It is all cultivated land which has been highly developed and cultivated by reason of application of said water. For description of lands irrigated, see attached schedule.

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

Ans. xxx

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. Highly productive. 1 inch to the acre at point of diversion.

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

Ans. Yes. I own 240 acres of land in said irrigation district. No other interest.

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. From 1921. 1 inch to the acre at point of diversion.

(Signed)

P. E. Talbot

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 29th day of January, A. D. 1952.

Margie J. J. J.
Notary Public.

My commission expires 8-8-55

22 4/53

Twp	Rng	Sec	N E ¼				N W ¼				S W ¼				S E ¼				Tot.
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	3W	15						19	24										43
4N	3W	16	16			6													22
"	"	9		15	40	20	40	40	31	40	13				20	35		23	317
"	"	8	38	10		12													60
"	"	4					1	16	38	17	32	40	40	34					218
"	"	5	39	40	40	40	40	40	40	40	40	40	35	40	40	40	40	40	634
"	"	6	40	40	40	40	40	40	39	40	16	11			40	40	6	31	463
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5N	3W	32							19		23	40	47	46		10	37	9	231
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"	"	30						2			17	31	40	40			14		144
5N	4W	24												4	6		23	40	73
"	"	25	24	40	32	3	32	5	37	40	40	40	40	40	28	39	40	40	520
"	"	36	40	40	40	40	40	40	38	40	37	10	28	38	40	40	38	40	589
"	"	35	40	38	37	40	8	15	9	34	10				40	25	10	40	306
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"	"	21	8		28	40				4	33	7	26	4	39	29		7	225
5N	3W	19											26	1					27
4N	4W	2	8																8
5N	4W	11																8	8
5N	4W	12											11	12					23
5N	4W	13					5	34											39
5N	4W	16																20	20
5N	4W	20															40	4	44
5N	4W	28						5											5
5N	4W	29	36	35															71

22453

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22453

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. R. C. Boatman, Route 5, Caldwell, Idaho Farmer

Ques. 2. Are you acquainted with the Black Canyon Irrigation District, the holder of Permit No. 22453? How long have you known him and where does he reside?

Ans. Yes Notus, Idaho

Ques. 3. Have you read or heard read said Permit No. 22453, 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. Elijah and Wilson drains. North 85° West 350 feet distant from the South $\frac{1}{2}$ corner of Section 12, T. 3 N., R. 3 W.B.M. and North 2° West 750 feet distant from the East $\frac{1}{2}$ corner of Section 12, T. 3 N., R. 3 W.B.M. and is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12, T. 3 N., R. 3 W.B.M., County of Canyon. Concrete diverting works, canals and laterals with pipe siphon across Boise river. A total of 6927 acres.

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. At least 138.54 second feet.

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. No pumps involved

22453

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 purposes and domestic purposes. It is all cultivated land which has been highly developed and cultivated by reason of application of said water. For description of lands irrigated, see attached schedule.

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

Ans. xxx

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. Highly productive. 1 inch to the acre at point of diversion.

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

Ans. Yes. I own _____ acres of land in said irrigation district. No other interest.

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. From 1921. 1 inch to the acre at point of diversion

(Signed) R. L. Boatman

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 29th day of January, A. D. 1952.

Margie Zuparough
Residing at Caldwell Notary Public.

My commission expires 8-8-55

22453

Twp	Rng	Sec	N E 1/4				N W 1/4				S W 1/4				S E 1/4				Tot.
			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	
4N	3W	15																	43
4N	3W	16	16			6		19	24										22
"	"	9		15	40	20													317
"	"	8	38	10		12	40	40	31	40	13				20	35		23	60
"	"	4					1	16	38	17	32	40	40	34					218
"	"	5	39	40	40	40	40	40	40	40	40	40	35	40	40	40	40	40	634
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"	"	35	40	38	37	40	8	15	9	34	10				40	25	10	40	306
"	"	26	28	40	40	38	40	40	40	40	40	40	28	30	40	40	30	40	594
"	"	23									19	33	40	32	6	10	19	31	190
"	"	14	40	32	7	3	36	23	40	21		12							214
"	"	15	16	1	33	40			15	13	40	39	18	42	38	39	37	15	386
"	"	22			11	5	11	26	16		39	40	31	40	33	40	40	40	372
"	"	27	40	40	32	40	31	2							38	15	11	30	279
"	"	21	8		28	40				4	33	7	26	4	39	29		7	225
5N	3W	19																	27
4N	4W	2	8																8
4N	4W	11																	8
4N	4W	12																8	23
4N	4W	13					5	34					11	12					39
4N	4W	16																	20
4N	4W	20																20	44
4N	4W	28																	5
4N	4W	29	36	35				5									40	4	71

22453

fil

22.

R. R. Bechtel

, being first duly sworn, deposes and says:

That he is the Foreman of CALDWELL NEWS-TRIBUNE, INC., publisher of The Caldwell 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 Caldwell 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 Caldwell
News-Tribune for 4 consecutive weeks
beginning with the issue of December 29,
1951 and ending with the issue of 27, 1952.
9, 1952.

R.R. Bechtel

Subscribed and sworn to before me this 19
day of January, 1952

Notary Public for Idaho
Residing at Caldwell, Idaho

NOTICE OF DIVERSION OF WATER TO BLACK CANYON

NOTICE IS HEREBY GIVEN THAT as it appeared on the 90th day of January, 1962 at the law office of Daniel J. Dunlap at 974 Main Street in the City of Canyon, State of New Mexico, Public Notice was made of said diversion of water from the Santa Fe River for the benefit of Idaho Creek will be submitted for the completion of work for the diversion of 150 cubic feet of the waters of the Willow Branch and for the diversion of 1500 cubic feet of the Indian Branch in Canyon County, New Mexico, and of the application for beneficial use of said water in accordance with the laws and conditions of Permittance. This heretofore issued by the Department of Reclamation of the United States.

The date of priority which said work is required to establish is August 28, 1961.

State Registration Engineer
MILTON R. WILSON

Dunlap & Wilson
Attorneys at Law
Canyon, New Mexico
Alameda and Black Canyon
Irrigation District
No. 695 - Dec. 29 - Jan. 5-12-19, 1962

December 28, 1951

RE: Permit No. 22453

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

We have sent to the Caldwell News Tribune, copy of notice for proof of completion of works and beneficial use under Permit No. 22453, with instructions to publish it once a week for four consecutive weeks prior to January 29, 1952, and to send the affidavit of publication together with statement of costs to the Black Canyon Irrigation District at Notus, Idaho.

We enclose the necessary forms for making these proofs consisting of one for the permit holder and one for each of two witnesses, for each proof.

These should be executed before the Notary Public named in the notice and transmitted to this department together with the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22453

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 22453

Date: December 28, 1951

Caldwell News-Tribune

Caldwell, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 29, 1952**, the date set for proof, the expense of the publication to be paid by the applicant, **Black Canyon Irrigation District** of **Notus, 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

22453

1 NOTICE OF PROOF OF COMPLETION OF WORKS
2 AND
3 APPLICATION OF WATER TO BENEFICIAL USE

4 NOTICE IS HEREBY GIVEN that at 10 o'clock A.M., on the
5 29th day of January, 1952 at the law office of Dunlap & Dunlap,
6 at 914 Main Street, in Caldwell, County of Canyon, State of Idaho,
7 before Marjorie Yarborough, a Notary Public for the State of Idaho,
8 proof will be submitted for the completion of works for the diversion
9 of 7.94 cubic feet of the waters of the Wilson Drain and for the
10 diversion of 10.60 cubic feet of the Elijah Drain in Canyon County,
11 Idaho, and of the application to beneficial use of said water in
12 accordance with the terms and conditions of Permit No. 22453 hereto-
13 fore issued by the Department of Reclamation of the State of Idaho.

14 The name and postoffice address of the person or corporation
15 holding said permit is the Black Canyon Irrigation District, Notus,
16 Idaho.

17 Said works of diversion will be fully completed on the
18 date set for such completion, and the amount which said works are
19 capable of conveying to the place of use, in accordance with the
20 plans accompanying the application for such permit, is 18.54 cubic
21 feet per second.

22 The place where said water is used is located within the
23 boundaries of the Black Canyon Irrigation District in Sections 15,
24 16, 9, 8, 4, 5 and 6 of Township 4 North, range 3 West of the Boise
25 Meridian; Sections 1 and 2 in Township 4 North, Range 4 West of the
26 Boise Meridian; Sections 19, 32, 31 and 30 in Township 5 North, Range
27 3 West of the Boise Meridian; Sections 24, 25, 36, 35, 26, 23, 14,
28 15, 22, 27, 21, 11, 12, 13, 16, 20, 28 and 29 in Township 5 North,
29 Range 4 West of the Boise Meridian.

30 The date of priority which said user is prepared to estab-
31 lish is August 30, 1951.

32 MARK R. KULP

State Reclamation Engineer

DUNLAP & DUNLAP
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

December 26, 1951

S. BEN DUNLAP
ROBERT B. DUNLAP

RECEIVED
DEC 27 1951
Department of Reclamation

Honorable Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

In Re: Permit No. 22453
Black Canyon Irrigation District

Dear Sir:

Pursuant to your letter of November 17, 1951, we enclose in duplicate the notice of proof of completion of works and application of water to beneficial use, and the letter authorizing publication in the Caldwell News-Tribune.

Very truly yours,

DUNLAP & DUNLAP

By:

Robert B. Dunlap
Robert B. Dunlap

RBD/my
Enc. 3

22453

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 20, 1951

(P. O.) _____

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.

DUNLAP & DUNLAP

By Robert B. Dunlap

(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.

22453

November 17, 1951

RE: Permit No. 22453

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

We enclose Permit No. 22453 of the Black Canyon Irrigation District, amended in accordance with your letter of November 13, 1951.

We also enclose departmental receipt No. 23734 in the amount of \$13.50, the correct filing fee on the amount applied for. However, there is a refund of 25 cents due as the check accompanying the application was for \$13.75. We enclose 25 cents in coin.

Since the application states that the works are completed, and that no additional time will be required to make proof of beneficial use, we have allowed 3 months, or until February 15, 1952 in which to make the statutory proofs. The notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made. Both copies of Form 36 to be returned to this department together with Form 11 which authorizes us to have the notice published at permit holder's expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

[Handwritten signature]
22453

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 N	3 W	15						19	24										43
"	"	16				8													22
"	"	9		15	40	20	40	40	31	40	13				20	35		25	317
"	"	8	38	10		12													60
"	"	4					1	16	38	17	32	40	40	34					218
"	"	5	39	40	40	40	40	40	40	40	40	40	35	40	40	40	40	40	854
"	"	6	40	40	40	40	40	40	39	40	16	11			40	40	6	31	463
4 N	4 W	1	39	15	26	38	34	24											176
5 N	3 W	32							19		23	40	47	46		10	37	9	231
"	"	31	4	30	40	29	40	43	42	40	40	42	32	49	40	40	48	47	626
"	"	30						2			17	31	40	40			14		144
5 N	4 W	24												4	6		23	40	73
"	"	25	24	40	32	5	32	5	37	40	40	40	40	340	28	39	40	40	520
"	"	36	40	40	40	40	40	40	38	40	37	10	28	38	40	40	38	40	589
"	"	35	40	38	37	40	8	15	9	34	10					25	10	40	306
"	"	26	28	40	40	38	40	40	40	40	40	40	28	30	40	40	30	40	594
"	"	23									19	33	40	32	6	20	19	31	190
"	"	14	40	32	7	5	36	23	40	21		12							214
"	"	15	16	1	33	40			15	15	40	39	18	42	38	39	37	15	386
"	"	22			11	5	11	26	16		39	40	31	40	33	40	40	40	372
"	"	27	40	40	32	40	31	2							38	15	11	50	279
"	"	21	8		28	30				4	33	7	26	4	39	29		7	225
5 N	3 W	19											26	1					27
4 N	4 W	2	8																8
5 N	4 W	11																8	8
5 N	4 W	12											11	12					23
5 N	4 W	13					5	34											39
5 N	4 W	16																20	20
5 N	4 W	20															40	4	44
5 N	4 W	28						5											5
5 N	4 W	29	36	34															71

22453

Total Number of Acres to be Irrigated.....6927

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.

Permit No.

District No.

1. Name of applicant:

Post office address County State

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: cubic feet per second

3. Source of water supply:

which is tributary of

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

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

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

5. Water is to be used for:

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: \$

8. Kind of works:

(Reservoir, dam, ditch, flume, pipe, etc.)

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

(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

feet; material used in dam

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

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume; Diameter of pipe inches:

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	15						19	24										43
"	"	16	16			6													22
"	"	9		15	40	20	40	40	31	40	13				20	35		23	317
"	"	8	38	10		12													60
"	"	4					1	16	38	17	32	40	40	34					218
"	"	5	39	40	40	40	40	40	40	40	40	40	35	40	40	40	40	40	634
"	"	6	40	40	40	40	40	40	39	40	16	11			40	40	6	31	463
4 N	4 W	1	39	15	26	38	34	24											176
5 N	3 W	32							19		23	40	47	46		10	37	9	231
"	"	31	4	30	40	29	40	43	42	40	40	42	52	49	40	40	48	47	626
"	"	30						2			17	31	40	40			14		144
5 N	4 W	24												4	6		23	40	73
"	"	25	24	40	32	3	32	5	37	40	40	40	40	40	28	39	40	40	520
"	"	36	40	40	40	40	40	40	38	40	37	10	28	38	40	40	38	40	589
"	"	35	40	38	37	40	8	15	9	34	10					25	10	40	306
"	"	26	28	40	40	38	40	40	40	40	40	40	28	30	40	40	30	40	594
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"	"	14	40	32	7	3	36	23	40	21		12							214
"	"	15	16	1	33	40			15	13	40	39	18	42	38	39	37	15	386
"	"	22			11	5	11	26	16		39	40	31	40	33	40	40	40	372
"	"	27	40	40	32	40	31	2							38	15	11	30	279
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5 N	3 W	19											26	1					27
4 N	4 W	2	8																8
5 N	4 W	11																8	8
5 N	4 W	12											11	12					23
5 N	4 W	13					5	34											39
5 N	4 W	16																20	20
5 N	4 W	20															40	4	44
5 N	4 W	28						5											5
5 N	4 W	29	36	35															71

22453

Total Number of Acres to be Irrigated...6927.....

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.

Permit No.

District No.

1. Name of applicant:
Post office address County State
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: cubic feet per second
3. Source of water supply:
which is tributary of
4. Location of point of diversion: feet distant from the corner
of Section, T. R., B. M., and is in the
of Section, T. R., B. M., County of
5. Water is to be used for:
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: \$
8. Kind of works:
(Reservoir, dam, ditch, flume, pipe, etc.)
9. Height of dam feet; length of dam at top feet; length of dam at bottom
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)
feet; material used in dam
10. Size of headgate: Width feet; Height feet.
11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;
Dimensions of flume; Diameter of pipe inches;

November 13, 1951

RE: Application No. 30085
Black Canyon Irrigation District

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

The limit of one cubic foot per second for each fifty acres, set by the statutes, is the amount diverted from the source.

The usual delivery in the Boise Valley is $5/8$ inch per acre or one cubic foot per second for each eighty acres. This allows a $37\frac{1}{2}\%$ loss in canals and laterals.

We have changed the application for permit No. 30085 to read:

1. Wilson Drain 7.94 second feet.
2. Elijah Drain ¹⁰⁶⁰1060 second feet.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

22453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

S. BEN DUNLAP
ROBERT B. DUNLAP

November 12, 1951

RECEIVED
NOV 13 1951
Department of Reclamation

Hon. Mark R. Kulp
Department of Reclamation
Boise, Idaho

In Re: Application No. 30085
Black Canyon Irrigation District

Dear Mr. Kulp:

We are in receipt of your letter of November 7, 1951 in which you state that the permit must be reduced from 35 cubic feet per second to 18.54 cubic feet per second.

The Directors of the district are wondering if arriving at the figure of 18.54 cubic feet, you have considered the fact that there is approximately 22 miles of main canals through which this water must flow before reaching the place of use and, in addition thereto, some 14 miles of laterals. Past experience has shown that there is a loss of at least 10% of the water before reaching the place of use, and the Board has asked us to inquire if these facts would not entitle them to divert more than the 18.54 cubic feet per second mentioned in your letter.

The Board desires that the amount of water to be apportioned from the Wilson and Elijah drains be in the same proportion as that set forth in our original application; that is, on the basis of 3/7 from the Wilson drain and 4/7 from the Elijah drain, which I believe, on the basis of 18.54 cubic feet, this would be 7.94 cubic feet from the Wilson drain and 10.60 from the Elijah drain.

Very truly yours,

DUNLAP & DUNLAP

By:

Robert B. Dunlap

Robert B. Dunlap

RBD/my

22453

November 7, 1951

RE: Application No. 30085

Messrs. Dunlap & Dunlap
811 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

The application of the Black Canyon Irrigation District for permit, which we have given Application No. 30085 must be reduced from thirty-five cubic feet per second to 18.54 cubic feet per second.

There are 6927 acres covered by the application, and license has been issued under Permit No. 13770 for 120 cubic feet per second or 6000 acres at the statutory limit of 1 cubic foot per second for each 50 acres. This leaves 927 acres not covered by a full water right. At the rate of 1 cubic foot per second for 50 acres, this would be 18.54 cubic feet per second.

The question is as to how much you wish of this 18.54 cubic feet per second from the Wilson Drain and how much from the Elijah Drain.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

22453

September 26, 1951

Messrs. Dunlap & Dunlap
811 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Gentlemen:

We acknowledge receipt of your letter of September 25, enclosing affidavit of publication in the Caldwell News-Tribune, in connection with the application of the Black Canyon Irrigation District to appropriate water.

As you have no doubt noted, October 14, 1951, is the last date for protest, and if no protests are received by that time, the application will be approved and permit issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22453

November 13, 1951

RE: Application No. 30085
Black Canyon Irrigation District

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Mr. Robert B. Dunlap

Dear Mr. Dunlap:

The limit of one cubic foot per second for each fifty acres, set by the statutes, is the amount diverted from the source.

The usual delivery in the Boise Valley is 5/8 inch per acre or one cubic foot per second for each eighty acres. This allows a 37 1/2 % loss in canals and laterals.

We have changed the application for permit No. 30085 to read:

1. Wilson Drain 7.94 second feet.
2. Elijah Drain ¹⁰⁶⁰1060 second feet.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Kifg

22453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
811 MAIN STREET
CALDWELL, IDAHO
September 25, 1951

S. BEN DUNLAP
ROBERT B. DUNLAP

RECEIVED
SEP 26 1951
Department of Reclamation

Honorable Mark R. Kulp
State Reclamation Engineer
Bureau of Reclamation
Boise, Idaho

Dear Mr. Kulp:

We are enclosing herewith the original Affidavit
of Publication in regards to appropriating public
waters of the state of Idaho.

Very truly yours,

DUNLAP & DUNLAP

By: *Robert B. Dunlap*
Robert B. Dunlap

RBD/my
Enc. 1

22453

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

SS.

H. G. Cochrane

, being first duly sworn, deposes and says;

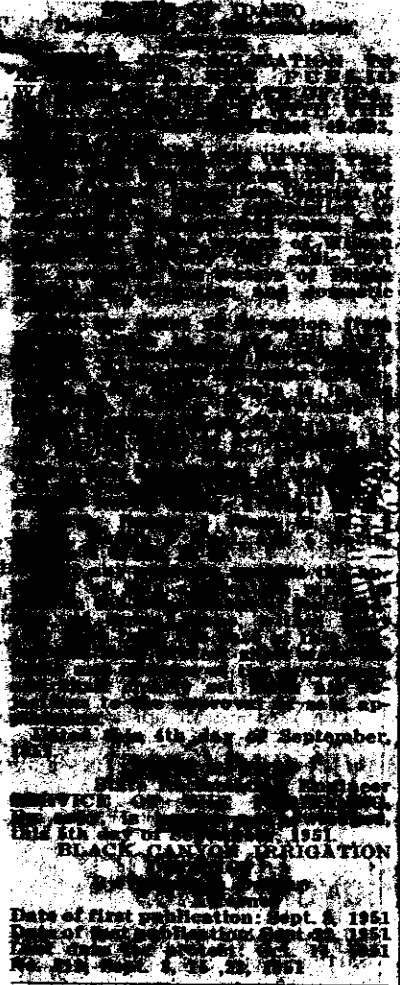
That he is the *Principal Clerk* of CALDWELL NEWS-TRIBUNE, INC., publisher of The Caldwell News-Tribune, a daily newspaper published at Caldwell, Idaho, within the meaning of Chapter 154 of the 1933 Session Laws of Idaho; published six consecutive days a week except legal holidays. And that the publisher of said The Caldwell 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 issues of The Caldwell News-Tribune for *3* consecutive weeks beginning with the issue of *September 8*, 19*51* and ending with the issue of *September 22*, 19*51*.

Subscribed and sworn to before me this *22nd* day of *September*, 19*51*.

Lillian B. Hinkel

Notary Public for Idaho
Residing at Caldwell, Idaho



DUNLAP & DUNLAP
ATTORNEYS AT LAW
214
214 MAIN STREET
CALDWELL, IDAHO

S. BEN DUNLAP
ROBERT B. DUNLAP

September 19, 1951

RECEIVED
SEP 20 1951
Department of Reclamation

Honorable Mark R. Kulp
State Reclamation Engineer
Bureau of Reclamation
Boise, Idaho

Attention: Mrs. Jeanne L. Anderson

RE: Application No. 30085

Dear Mrs. Anderson:

Thanking you for your letter of September 15, 1951, concerning the tracing charge you have made for the above numbered application. We inclose herewith our check in the amount of \$1.00, your charge for making the prints from these tracings.

Very truly yours,

DUNLAP & DUNLAP

By *Robert B. Dunlap*
Robert B. Dunlap

RBD:aa
Enc.

R-23797

22453

✓
September 15, 1951

RE: Application No. 30085

Messrs. Dunlap & Dunlap
811 Main Street
Caldwell, Idaho

ATT: Robert B. Dunlap

Dear Mr. Dunlap:

Complying with your letter of September 13, 1951, we have had two prints made from the tracings on file, in connection with Permit No. 13770, to be used with the new application of the Black Canyon Irrigation District. The cost for making these, is \$1.00.

When the application is approved, and permit issued, one copy of the ~~print~~ will be returned to you with the permit, the other copy we will retain in our office files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
811 MAIN STREET
CALDWELL, IDAHO
September 13, 1951

S. BEN DUNLAP
ROBERT B. DUNLAP

RECEIVED
SEP 14 1951
Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

ATTENTION: Jeanne L. Anderson
Chief Clerk

In Re: Application No. 30085

Dear Madam:

Thank you for your letter of September 11, 1951.
We would appreciate you going ahead and make prints
from the tracings on file of the map which was fur-
nished with permit No. 13370, and bill us for the
cost. 13770

Very truly yours,

DUNLAP & DUNLAP

By: *Robert B. Dunlap*
Robert B. Dunlap

RBD/my

22-153

September 11, 1951

Re: Application No. 30085

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

Attention- Mr. Robert B. Dunlap

Dear Mr. Dunlap:

We have sent to the Caldwell News-Tribune copy of notice in connection with the above numbered application of the Black Canyon Irrigation District, with instructions to publish it once a week for three weeks, and we today have a copy of their issue of September 8th, containing this notice.

If no protests are received, the permit can be approved, upon receipt of the affidavit of publication, which the newspaper was instructed to send you. Should there be any protests you will be duly notified before final action is taken.

In connection with the application we can accept the map furnished with Permit No. 13770, but it will be necessary to have two prints to accompany the present filing. We can have these prints made from the tracing on file, and bill you for the cost, if you will authorize us to do so. The cost will probably be about \$1.00 or thereabouts.

Very truly yours

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

22453

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN That on the 30th day of August, 1951, the Black Canyon Irrigation District of Notus, Idaho, made application to appropriate Fifteen (15) cubic feet per second of the waters of Wilson Drain, and Twenty (20) cubic feet per second of the waters of Elijah Drain, for irrigation and domestic purposes.

That the point of diversion from Wilson Drain is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 3 North, Range 3 West, B.M., and the point of diversion from Elijah Drain is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, Township 3 North, Range 3 West, B.M.

That the lands to be irrigated by the use of such water are located within the boundaries of the Black Canyon Irrigation District, in Townships 4 North, Range 3 West, B.M.; 4 North, Range 4 West, B.M.; 5 North, Range 3 West, and 5 North, Range 4 West, B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 4th day of September, 1951.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

SERVICE OF THE FOREGOING, By copy, is hereby acknowledged, this 5 day of September, 1951.

BLACK CANYON IRRIGATION DISTRICT

By

Robert B. Curren
attorney

Date of first publication:

Date of last publication:

Last Date for protest: October 14, 1951.

22453

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

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That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 4th day of September, 1951.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

SERVICE OF THE FOREGOING, By copy, is hereby acknowledged, this ____ day of September, 1951.

BLACK CANYON IRRIGATION DISTRICT

By _____

Date of first publication:
Date of last publication:
Last Date for protest: October 14, 1951.

22453

September 7, 1951

Re: Application No. 30085

Caldwell News-Tribune
Caldwell, Idaho

Gentlemen:

We enclose notice for publication, once a week for three consecutive weeks, commencing with your next issue.

The cost of the publication is to be paid by the Black Canyon Irrigation District, to whom please send affidavit of publication, when completed, together with statement of costs, in care of Messrs. Dunlap & Dunlap, 914 Main Street, Caldwell, Idaho.

Please acknowledge receipt of this notice, and furnish this Department with a copy of your first issue containing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Encl.

Chief Clerk

22453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

S. BEN DUNLAP
ROBERT B. DUNLAP

September 5, 1951

Honorable Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
SEP 7 1951
Department of Reclamation

RE: Black Canyon Irrigation District
Application No. 30085

Dear Sir:

Reciept is acknowledged of your letter of September 4, 1951, pursuant thereto we have inclosed the original notice of application and duplicate copies of form no. 11.

Very truly yours,

DUNLAP & DUNLAP

By *Robert B. Dunlap*
Robert B. Dunlap

RBD:aa
Encs.

22453

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept 5, 1951
(P. O.) 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
Caldwell News Tribune of Caldwell, Idaho published in
the county in which the works are situated.

Dunlap & Dunlap
Robert S. Dunlap

(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.

22453

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 5, 1951

(P. O.) 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 Caldwell News Tribune of Caldwell, Idaho published in the county in which the works are situated.

Dunlap & Dunlap
Robert B Dunlap

(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.

22453

September 4, 1951

Application No. 30085

Messrs. Dunlap & Dunlap
914 Main Street
Caldwell, Idaho

ATT: Robert B. Dunlap

Dear Mr. Dunlap:

We acknowledge receipt of your letter of August 29, 1951, enclosing application of the Black Canyon Irrigation District to appropriate 35 second feet of water from Wilson Drain and Elijah Drain, accompanied by your check of \$13.75 filing fees.

We enclose duplicate copies of notice for publication in connection with this application.

Please acknowledge service on the original and return to this department together with Form 11 which is authorization for us to have the notice published in the designated county newspaper at applicants expense.

The duplicate is to be retained in your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

22453

DUNLAP & DUNLAP
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

S. BEN DUNLAP
ROBERT B. DUNLAP

August 29, 1951

Honorable Mark R. Kulp
Bureau of Reclamation
Boise, Idaho

Re: Black Canyon Irrigation District

Dear Sir:

There is inclosed, application for permit to appropriate waters from the Wilson and Elijah drains in Canyon County, by the above named irrigation district.

There is also inclosed our check in the amount of \$13.75.

Very truly yours,

DUNLAP & DUNLAP

By *Robert B. Dunlap*
Robert B. Dunlap

RBD:aa

Encs.

22453

RECEIVED
AUG 30 1951
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Department of Reclamation

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**NOTICE OF ROOF OF
COMPLETION OF WORKS**

**AS
APPLICATION OF WATER
TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN that at 10 o'clock A.M., on the 29th day of January, 1952 at the law office of Dunlap & Dunlap, at 914 Main street, in Caldwell, County of Canyon, State of Idaho, before Marjorie Yarborough, a Notary Public for the State of Idaho, proof will be submitted for the completion of works for the diversion of 7.94 cubic feet of the waters of the Wilson Drain and for the diversion of 10.60 cubic feet of the Elijah Drain in Canyon County, Idaho, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 22453, 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 is the Black Canyon Irrigation District, Notus, Idaho.

Said works of diversion will be fully completed on the date set for such completion, and the amount which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 18.54 cubic feet per second.

The place where said water used is located within the boundaries of the Black Canyon Irrigation District in Sections 15, 16, 9, 8, 4, 5 and 6 of Township 4 North, range 3 West of the Boise Meridian; Sections 1 and 2 in Township 4 North, Range 4 West of the Boise Meridian; Sections 19, 32, 31 and 30 in Township 5 North, Range 3 West of the Boise Meridian; Sections 24, 25, 36, 35, 26, 23, 14, 15, 22, 27, 21, 11, 12, 13, 16, 20, 28 and 29 in Township 5 North, Range 4 West of the Boise Meridian.

The date of priority which said user is prepared to establish is August 30, 1951.

State Reclamation Engineer
MARK R. KULP

Dunlap & Dunlap
Attorneys at Law
Caldwell, Idaho
Attorneys for Black Canyon
Irrigation District

No. 605 - Dec. 29 - Jan. 5-12-19, 1952

CALDWELL, IDAHO.

LEGAL NOTICES

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

NOTICE IS HEREBY GIVEN that at 10 o'clock A.M., on the 29th day of January, 1952 at the law office of Dunlap & Dunlap, at 914 Main street, in Caldwell, County of Canyon, State of Idaho, before Marjorie Yarborough, a Notary Public for the State of Idaho, proof will be submitted for the completion of works for the diversion of 7.94 cubic feet of the waters of the Wilson Drain and for the diversion of 18.60 cubic feet of the Elijah Drain in Canyon County, Idaho, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 22453 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 is the Black Canyon Irrigation District, Notus, Idaho.

Said works of diversion will be fully completed on the date set for such completion, and the amount which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 18.54 cubic feet per second.

The place where said water used is located within the boundaries of the Black Canyon Irrigation District in Sections 15, 16, 9, 8, 4, 5 and 6 of Township 4 North, range 3 West of the Boise Meridian; Sections 1 and 2 in Township 4 North, Range 4 West of the Boise Meridian; Sections 19, 22, 31 and 30 in Township 5 North, Range 3 West of the Boise Meridian; Sections 24, 25, 36, 35, 26, 23, 14, 15, 22, 27, 21, 11, 12, 13, 16, 20, 28 and 29 in Township 5 North, Range 4 West of the Boise Meridian.

The date of priority which said user is prepared to establish is August 30, 1951.

State Reclamation Engineer

MARK R. KULT

Dunlap & Dunlap
Attorneys at Law
Caldwell, Idaho
Attorneys for Black Canyon
Irrigation District

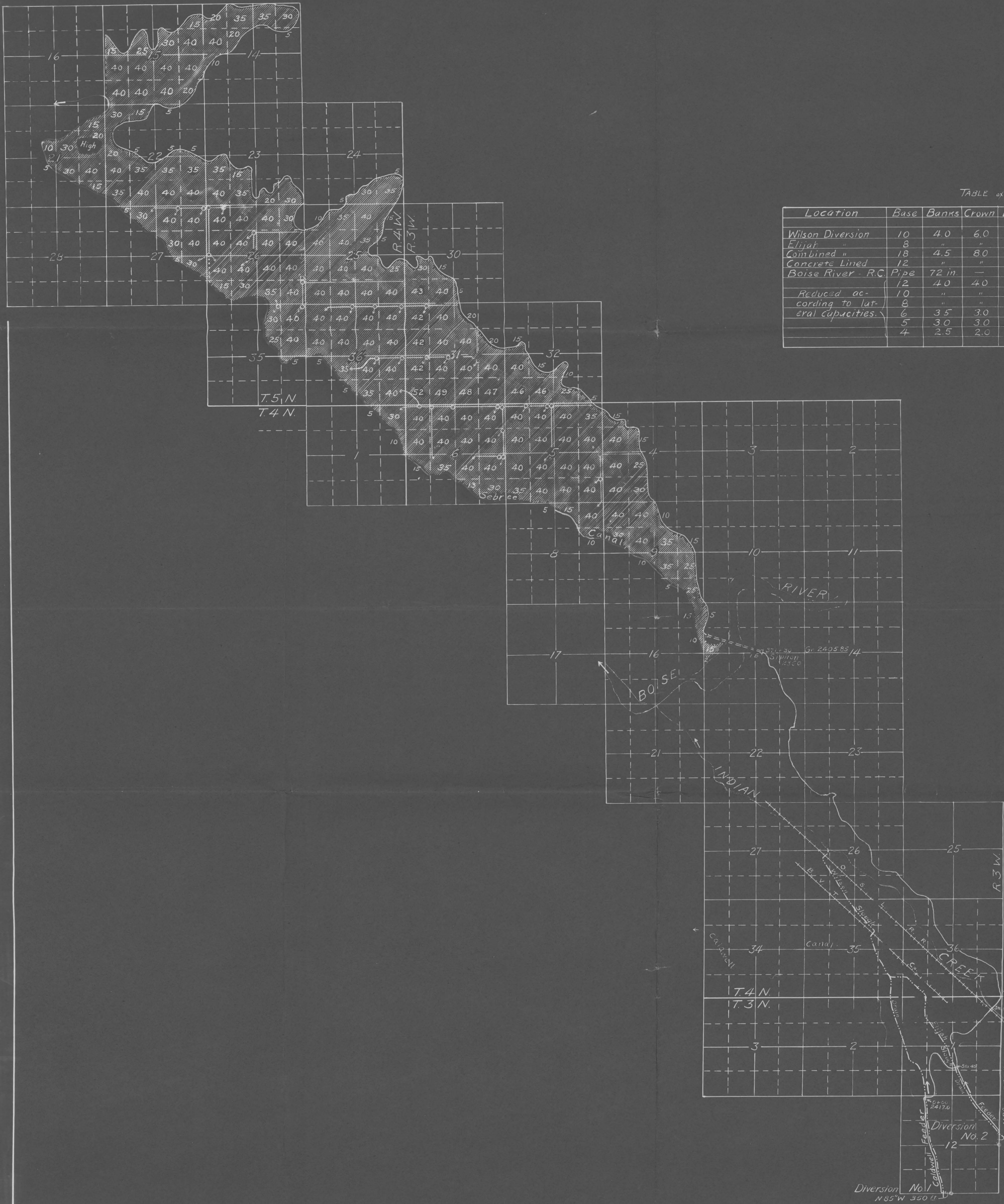


TABLE of CANAL ELEMENTS

Location	Base	Banks	Crown	DW	Area	R	V	Q	N	S	Slopes
Wilson Diversion	10	4.0	6.0	2.8	39.8	1.98	1.77	70	0.225	0.003	1 1/2 to 1
Elijak "	8	"	"	2.7	32.5	1.83	1.65	54	"	"	"
Combined "	18	4.5	8.0	2.8	62.2	2.21	1.92	120	"	"	"
Concrete Lined	12	"	"	2.7	38.0	1.93	2.06	101	.015	"	1 1/2 to 1
Boise River - RC Pipe	12	72 in	—	—	28.3	—	4.33	120	—	.0008	"
Reduced ac-	10	4.0	4.0	2.6	41.3	1.93	1.73	71	0.225	.0003	"
cording to lat-	8	"	"	"	36.1	1.87	1.69	61	"	"	"
eral capacities	6	3.5	3.0	2.4	30.9	1.74	1.61	49	"	"	"
	5	3.0	3.0	2.0	23.0	1.57	1.49	34	"	"	"
	4	2.5	2.0	1.8	16.0	1.31	1.30	20	"	"	"
					12.1	1.15	1.18	14	"	"	"

I, D.W. Cole, hereby certify that this map was prepared from actual surveys made under the direction of the Project Manager U.S. Reclamation Service between July 1913 and March 1916 and correctly shows the position of points indicated thereon.

D.W. Cole
Senior Engineer.

BOISE, IDAHO, AUG. 1, 1918

REVISED SEPT. 25, 1918

Department of the Interior
United States Reclamation Service
Boise Project, Idaho
Map of
NORTH SIDE SUB UNIT
Covered by
PROPOSED NOTUS CANAL
Irrigable Area
Scale 2 inches = 1 mile
June 1918

22453