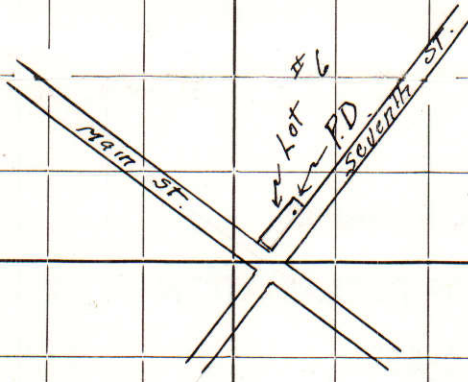
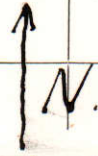


Boise City



Twp 3N. R 2 E.

Lot 6 = 122' long N.-S.
- 50' W. E.-W.

Lot #6 Block #3
← P.D.

7th & Main St.

10



10" cag. x 5'2" deep (62' fr. street level)
used full depth: Suction = 20' deep.
h. = 18' drawdown = 8'

Pump capy = 260 gpm
with open discharge
300 gpm.

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.

E. W. McGhan, Salt Lake City.
See Chester L. Price, Mgr.
Ada Theatre, Boise, Idaho
Permit No. 21242

8319M
Examination for Beneficial use

County Ada

10
371-28

Q = .75 cfs

P.D. = Lot 6 Blk 3

in NW 1/4 NE 1/4 Sec 10

Ada Theatre

Cooling purposes

Pl. Blk

1-1

Reel Blk

1-1

RECEIVED
NOV 21 1951

Department of Reclamation

53
Well = 50'

John Porter Inter. with Plumbing 4866 = Pl.

Berkeley Pump. R.R. M 1750
3" outlet 5010215
model 1803h

Motor = U.S.
#825281 - amps = 1 1/2 - 60
Rpm = 1800. - volts 220/440
Type S.C.D. 1/2 hp h.p. = 5

21' fr center of alley -
34' fr 7' on 1st fr. of bldg of house
P.D. is in basement of
Ada Theatre under the
side walk on 7th
approx 8' fr. bldg. 10'

Discharge approx 30 yds to
four big fans. Takes 15 min to
fill up. on air washer

4 Four Air Rotary Cobblers
4' x 1 1/2' x 14"

PROOF OF PUBLICATION

County of Ada, }
State of Idaho, } ss.

Lloyd Tupling, being first duly sworn, on oath says that he is the principal clerk of THE IDAHO PIONEER STATE-WIDE, a newspaper of general circulation, published weekly by The Pioneer Publishing Co., Inc., publishers and printers thereof, at Boise, County of Ada, State of Idaho;

That the annexed notice was published in said newspaper once each and every week for 4 consecutive weeks, the first publication being on the 5th day of Jan, 1950, and the last publication being on the 26th day of January, 1950;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Lloyd Tupling
Principal Clerk.

Subscribed and sworn to before me this 27th day of January, 1950.

Albert L. Lockett
Notary Public.

(Seal)

My commission expires May 10, 1952.

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

Notice is hereby given that at 11:00 a. m. on the 6th day of February, 1950, at Boise, Idaho, County of Ada, State of Idaho, before W. H. Bakes, Notary Public, proof will be submitted of the application to beneficial use of 0.75 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. 21242 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are E. W. McGhan, 52 W. 2nd South, Salt Lake City, Utah. The use to which said water has been applied is cooling for Ada Theatre.

The amount applied to beneficial use is 0.75 cu. ft. per second.

The place where said water is used Ada Theatre, Boise, Idaho, located in lots 5 and 6, block 3 of the original townsite to Boise in the NW quarter of NE quarter section 10, Township 3 N Range 2 E, Boise meridian.

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

The right to take water from such works is based upon Permit No. 21242.

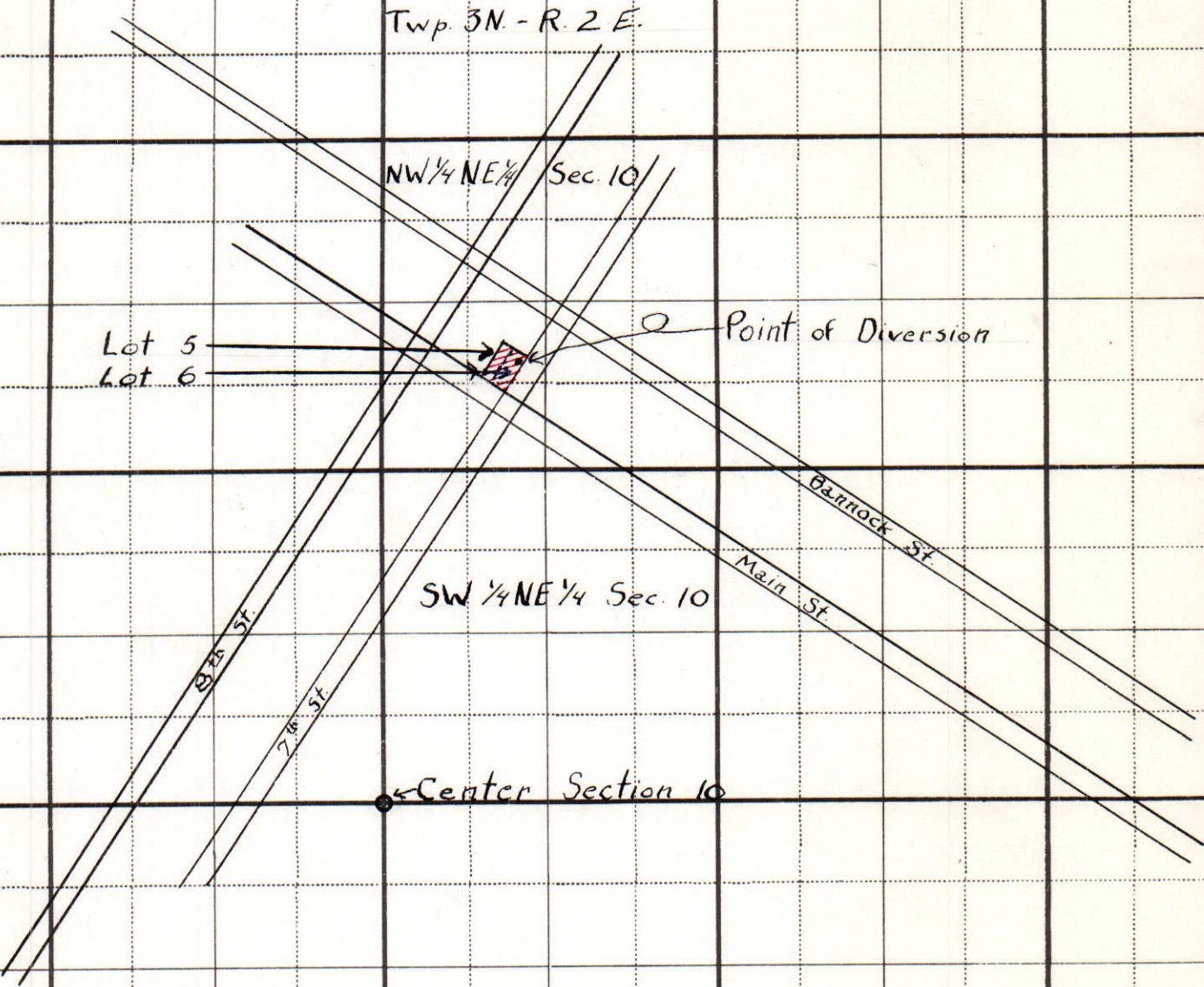
The source of supply from which such water is diverted is subterranean flow from a well in lot 6, block 3, B. C. O. T.

The date of priority which said user is prepared to establish is October 19, 1949.

MARK R. KULP,
State Reclamation Engineer.
4490-t4 Jan 5, Jan 26, 1950.

10.65

21242



Permit Map No. 21242
As Approved
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 21242 Amount 0.58 second foot
Water District No. Priority October 12, 1949

THIS IS TO CERTIFY that E. W. McGHAN
of Salt Lake City, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 19, 1949; that Permit No. 21242
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.75 second foot, was issued thereunder on January 4, 1950, showing that said works
were completed on the 21st day of December, 1949; and that on the 6th
day of February, 1950,

E. W. McGHAN, THROUGH TOM D. McELDOWNEY, his authorized agent,
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, ~~tributary of~~ (subterranean flow), for the purpose of commercial cooling Ada
Theatre, under Use Permit No. 21242 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 4874, on the 4th day of January, 1952;

The right hereby confirmed dates from October 19, 1949;

The Point of Diversion is located in Lot 6, Block 3, Boise City Original Townsite, located
in the NW 1/4 NE 1/4, Sec. 10, Tp. 3 N., R. 2 E., B.M. Ada 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 0.58 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			At the Ada Theatre, Boise, Idaho, located in Lots 5 and 6, Block 3, Boise City Original Townsite.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
4th day of January, 1952

(SEAL) MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 20742
Water District No. _____

Amount One second foot
Priority November 5, 1948

THIS IS TO CERTIFY that JESSE BRDKE
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 5, 19 48; that Permit No. 20742
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second foot, was issued thereunder on December 16, 19 49, showing that said works
were completed on the 14th day of December, 19 49; and that on the 13th
day of November, 19 50,

JESSE BRDKE
of Oakley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, tributary of (subterranean flow), for the purpose of irrigation and dom-
estic use, under Use Permit No. 20742 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 4873, on the 4th day of January, 19 52;

The right hereby confirmed dates from November 5, 19 48;

The Point of Diversion is located
in the SE 1/4, SW 1/4, Sec. 28, Tp. 13 S., R. 22 E., B. M. Cassia 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 one cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	22 E.	28	NE 1/4 SW 1/4	10	10
			SE 1/4 SW 1/4	40	40
			Number of Acres Actually Irrigated -	- - - -	50

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
5th day of January, 19 52.

MARK R. KULP
State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-2785

Capital Theatre Building
Salt Lake City, Utah

APPLICATION No. 28923
PERMIT No. 21242
DISTRICT No.

1. Name of Applicant: E. W. McGHAN

Postoffice address: Salt Lake City

County: Salt Lake

State: Utah

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:

Assigned to Penman Theatre Co.

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.75

cubic feet per second.

3. Source of water supply: Subterranean flow (well)

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the lot 6, Block 3, Boise City Original Townsite, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10 , T. 3 N. , R. 2 E. , B.M., County of Ada

5. Water is to be used for Commercial cooling purposes for Ada Theatre.

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

(a) Point of use of water: See Remarks feet distant from

corner of Section

T. , R. , B.M., in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10 , T. 3 N. , R. 2 E. , B.M. Lots 5 and 6, Block 3, B. C. O. T.

(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: \$ 3,500.00

8. Kind of works: Well, pump and piping system

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom

feet; width at water line

feet; depth of water

feet;

dimensions of flume:

Diameter of pipe

inches; length of conduit

miles.

Average grade per mile

feet.

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

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

None

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:

16. (a) Is reservoir to be used? 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.

E. W. McGHAN

Applicant.

By

W. H. Reller

Agent.

Date of first receipt at Department of Reclamation: 5:00 P. M. September 19, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21242

Recorded in Book 76 Page 21242 Approved October 6, 1949

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 December 8, 1949 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 January 6, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before January 6, 1950

WITNESS My hand this 6th day of October, 1949

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 6th

day of October, 1949.

STATE OF IDAHO

Countersigned:

(SEAL)

By..... C. A. ROBINS

Governor,

By J. D. "CY" PRICE

Secretary of State.

REMARKS: Water will be used for commercial cooling of Ada Theatre.

14.

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 $\frac{1}{4}$	
			Permit No. 21242 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that E. W. McGHAN of Salt Lake City, County of Salt Lake, and State of Utah, the holder of Permit No. 21242, issued upon Application No. 28923 bearing date of priority of September 19, 1949, authorizing the diversion of 0.75 second foot of the waters of subterranean flow from a well, County of Ada, State of Idaho, for cooling purposes for Ada Theatre, 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 0.75 second foot of the waters of said well; that the point of diversion of said waters is in Lot 6, Block 3, Boise City Original Townsite, located in the NW$\frac{1}{4}$ NE$\frac{1}{4}$ Section 10, Township 3 North, Range 2 East, Boise, Meridian; and that the place of use of said water is at the Ada Theatre, located in Lots 5 and 6, Block 3, Boise City Original Townsite. Witness my hand this 3rd day of January, A. D. 1950. Proof of completion of works made Dec. 21, 1949 Certificate of completion of works issued Jan. 4, 1950 MARK R. KULP State Reclamation Engineer																
			LICENSE ISSUED FOR 2.52 SEC. FT. 82- 4874 4874																

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

That, I, E. W. MC GHAN, the undersigned for One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell, assign, transfer, and set over to MENMAR THEATRE COMPANY, Assignee, a Utah Corporation, all of my right, title and interest in and to the following water rights, to wit:

Beneficial use under Permit No. 21242
granted to E. W. McGhan by the State of
Idaho for the right to draw 29 inches
or .58 second foot of water from the
well in Lot 6, Block 3, Boise City Townsite,
for cooling of the Ada Theatre located in
Boise, Idaho.

IN WITNESS THEREOF, the Undersigned have hereunto set their hands and seals this ___ day of November, 1951.

MENMAR THEATRE COMPANY
(SEAL)
By Sidney L. Cohen
Assignee

E. W. McGhan
E. W. McGhan, Assignor

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 30 day of November 1951, personally appeared before me, E. W. McGhan, the signer of the foregoing instrument, who duly acknowledged to me that he executed same.

HORTENCE SHAW /s/
(SEAL)
ex. 8-12-52

Received and filed for record in the State Department of Reclamation, at Boise, Idaho, January 4, 1952.

MARK R. KULP
State Reclamation Engineer

WATER RIGHT NUMBER 63-2785 ✓

OWNER LAST NAME - MC GHAN
OWNER LAST NAME - MENMAR THEATER CO. ✓

FIRST NAME - E. W. ✓

ORIG OWNER - 0

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - 52 W. 2ND S. ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - SALT LAKE CITY

STATE - UT ZIP CODE - ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 10-19-1949 COUNTY - ADA

TOTAL DIV. RATE - .5800 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 10 03N 02E 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 - COOLING

USE DIV. RATE -

.5800 CFS

USE DIV. VOLUME -

.00 AFA

USE -

PLACE OF USE - TWN

RNG

SEC

DATE -

TOTAL ACRES

0

DECREE NAME -

REMARKS - P/D LOT 6, BLK. 3, BOISE CITY ORIGINAL TOWNSITE. ✓

P/U LOTS 5 & 6, BLK. 3, BOISE CITY ORIGINAL TOWNSITE. ✓

NON IRRIG USE - L/COOLING THEATRE.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 21242 ✓

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

WATER RIGHT NUMBER 63-2785

WATER RIGHTS EDIT REPORT

08/24/79

PAGE 44

ACT
ION

N OWNER LAST NAME - MC GHAN
N OWNER LAST NAME - MENMAN THEATER CO.

FIRST NAME - E. W.

ORIG OWNER - O

CITY - SALT LAKE CITY

STATE - UT

N SOURCE - GROUNDWATER

N STAGE - LICENSE

PRIORITY - 10-19-1949 COUNTY - ADA

TOTAL DIV. RATE - .5800CFS

N DIVERSION POINT - NWNE 10 03N 02E

USE - COOLING

USE DIV. RATE - .5800CFS

N REMARKS - P/D LOT 6, BLK. 3, BOISE TOWNSITE.

P/U LOTS 5 & 6, BLK. 3, BOISE TOWNSITE.

N NON IRRIG USE - L/COOLING THEATRE.

OLD NO. - 21242

IDENT. NO. 63-2785

WATER RIGHT DATA ENTRY LOG

Item	Value
1. The first step in the process of creating a new product is to identify a market need.	100%
2. The second step in the process of creating a new product is to develop a prototype.	100%
3. The third step in the process of creating a new product is to conduct market research.	100%
4. The fourth step in the process of creating a new product is to develop a business plan.	100%
5. The fifth step in the process of creating a new product is to secure financing.	100%
6. The sixth step in the process of creating a new product is to launch the product.	100%
7. The seventh step in the process of creating a new product is to monitor sales and customer feedback.	100%
8. The eighth step in the process of creating a new product is to make improvements based on feedback.	100%
9. The ninth step in the process of creating a new product is to re-launch the product.	100%
10. The tenth step in the process of creating a new product is to evaluate the success of the product.	100%

Keypunched by State Office

8-22-77

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 21242 / 63-2785
 Old No. New No.

Record

1. Original Owner: E. W. Mc Elhan

Present Owner: Menman Theatre Co.

2. Address: Go From D. Mc Elhan

3. City: Bain Salt Lake City State: UT Zip:

4. A. Source of Water: DW

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: .58

D. County: 01

E. Total Diversion Rate: .58

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWNE</u>	<u>10</u>	<u>3N</u>	<u>2E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from	to	for	purposes.	Amount
		<u>1</u>		<u>.58</u> (cfs or AC -FF/yr)
from	to	for	purposes.	Amount
from	to	for	purposes.	Amount
from	to	for	purposes.	Amount
from	to	for	purposes.	Amount
from	to	for	purposes.	Amount

QIA 8-20-79

8. Use Code: 3

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/D Lot 6, Blk. 3, Boise Original Townsite.
B. P/4 Lots 5+6, Blk. 3, Boise Original Townsite.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

2/ cooling ~~the~~ theatre.

12. Other Rights ² for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 21242

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

January 7, 1952

RE: Permit No. 21242

Menner Theatre Company
52 West 2nd South
Salt Lake City, Utah

Gentlemen:

We return the assignment of Permit No. 21242 from E. W. McGhen to you, which has been recorded in this department.

We also enclose license and certificate of water right confirming the right of the Menner Theatres Company to the use of 0.58 second foot of water from a well in Lot 6, Block 3, Boise City Original Townsite, with priority of October 19, 1949, for commercial cooling of the Ada Theatre in Boise, Idaho.

We also enclose departmental receipt No. 24079 for the \$5.00 fee paid in connection with beneficial use proof.

Receipt for the 50 cents recording fee was handed to Mr. Price of this city.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

Enc.

cc: Mr. E. W. McGhen

21242



INTERMOUNTAIN THEATRES, Inc.

CAPITOL THEATRE BUILDING
SALT LAKE CITY 1, UTAH

December 4, 1951

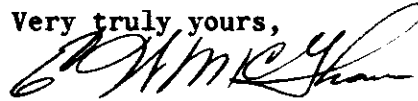
Mr. Mark R. Kulp
Reclamation Engineer
Department of Reclamation
Boise, Idaho

DEC 6 1951
Department of Reclamation

Dear Mr. Kulp:

In reply to your letter of the 3, I wish to thank you for making the assignment of permit #21242 to the Menmar Theatre Company, and I am asking our local city manager, Mr. Price of the Ada theatre to remit to you the 50¢ fee for the recording of this assignment.

Very truly yours,



E. W. McGhan

P. S. The mailing address of Menmar Theatre Company is
52 West 2nd South, Salt Lake City, Utah.

Would you please mail the permit here upon receipt of the 50¢
from Mr. Price.

21242

✓
December 3, 1951

RE: Permit No. 21242

Mr. E. W. McGhan
C/o Intermountain Theatres, Inc.
Capitol Theatre Building
Salt Lake City 1, Utah

Dear Mr. McGhan:

We acknowledge receipt of your letter of November 30, 1951, enclosing assignment of Permit No. 21242 to the Menner Theatre Company, and also enclosing their check for the \$5.00 fee in connection with license under said permit.

Please advise the mailing address of the Menner Theatre Company and also send the 50 cents fee for recording the assignment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21242



INTERMOUNTAIN THEATRES, Inc.

CAPITOL THEATRE BUILDING
SALT LAKE CITY 1, UTAH

November 30, 1951

RECEIVED
DEC 3 1951
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mr. Mark R. Kulp, State Reclamation Engineer

Dear Mr. Kulp:

Re: Beneficial Use Under
Permit No. 21242.

Enclosed herewith is a copy of an Assignment to Menmar Theatre Company of the rights granted me to draw water for the cooling of the Ada Theatre at Boise, Idaho.

Also enclosed is Menmar Theatre Company Check No. 1361 in the amount of \$5.00 representing statutory fee for the required license which should now be issued in the name of Menmar Theatre Company.

I shall appreciate your sending this license to my attention.

Very truly yours,



E. W. McGhan

EWM:ib

21242

November 21, 1951

RE: Permit No. 21242

Mr. E. W. McGhan
C/o Intermountain Theatres
52 W. 2nd So.
Salt Lake City, Utah

Dear Mr. McGhan:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 21242.

Therefore, upon receipt of the statutory fee of \$5.00 a license will be issued for 29 inches, or .58 second foot of water from the well in Lot 6, Block 3 Boise City Townsite, for cooling the Ada Theatre.

Very truly yours,

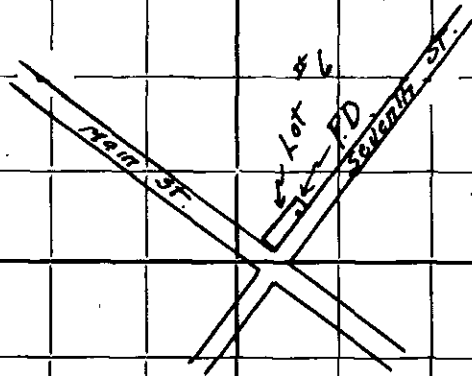
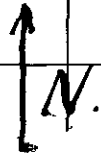
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21242

Boise City



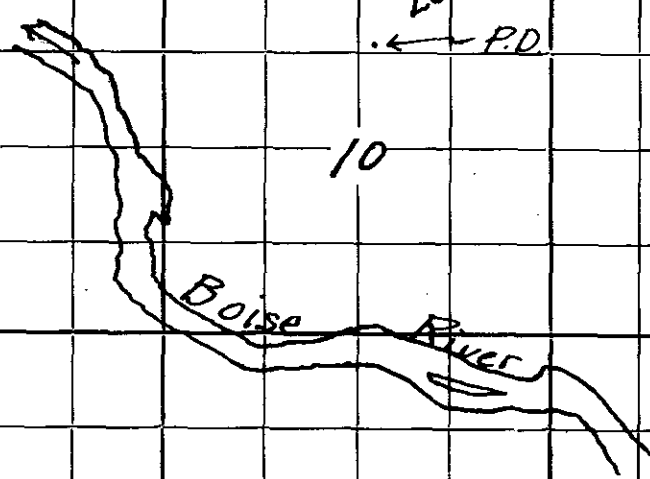
Twp 3 N. R 2 E.

Lot 6 = 122' long N.-S.
- 50' W. E. W.

Lot #6 Block #3
← P.D.

7th & Main St.

10



4 X 5 X 3 X 9" thick roller
units in air filter.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21242

REPORT ON PROOF OF beneficial use

.58 cfs
max

app. 0.75 cfs.

10" cag. x 5'2' deep (62' fr. street level)
used full depth. Suction = 20' deep.
h. = 18' drawdown = 8'

Pump capy = 260 gpm
with open discharge
300 gpm.

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.

E. W. McGhan, Salt Lake City.
See Chester L. Price, Mgr.
Ada Theatre, Boise, Idaho
Permit No. 21242

8319M
Examination for Beneficial use

County Ada

10
371 - 25

Q. 450

10

10

10

10

10

10

RECEIVED
NOV 21 1951
Department of Reclamation

53

Threll = 50'

John Porter Inter 4866 = 44'

Berkley Pump. R.M. 1750
3" outlet 5010215
- model 1805L

Motor = U.S.
#825-281 - amp. 14 1/2 - 6
Rpm = 1800. - volts 220/440
Type S.C.D. ~~500~~ 440 h.p. = 5
21' fr center of alley -
34' fr 7' on 7th fr. 2' 1/2' 1/2' 1/2'
P.D. is in basement of
Ada Theatre under the
side walk on 7th
approx 8' fr. bldg. 10'

Discharge approx 20 yds to
four big fans. Takes 15-min to
fill up. on air washer

4 Four Air Rotary coolers
4' x 1 1/2' x 14"

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

Permit No. 21242This proof is for Beneficial use

In Water District No. _____

1. Name of applicant E. W. McGhan, C/o Intermountain Theatres, 52 W. 2nd So. Salt Lake City, Utah.2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10T. 3 N. R. 2 E. County of Ada (Lot 6, Block 3, B. C. O. T.)

4. Describe works as they exist, giving dimensions and capacities of same: Well is 52 feet deep, 10 inch casing, cased to the bottom. H. equals 18 feet, drawdown is 8 feet. Well and pump are located in the basement of the Ada Theatre under the sidewalk on 7th. Street. Point of diversion is 10 feet from the building, and 21 feet from the center of the ally to the North. The motor is a 5 h.p. U. S. Motor, Serial No. 825281, 60 cy., 3 ph., 1800 r.p.m. 220/440 volts, 14/7 amps.

5. Water is used for: Cooling for Ada Theatre.6. State whether or not water has been turned into works of diversion: Yes

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

Lots 5 & 6, Block 3, B. C. O. T., in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Twp. 3 N., Range 2 E., B.M.The Ada Theatre on the Northwest corner of 7th. and Main. Boise, Idaho

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

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

Remarks: The pump is a Berkley Pump, Serial No. 5010215, 1750 r.p.m., Model #1803L. The pump has a 5 inch outlet. Pump capacity is 250 gallons per minute as used. Open discharge delivery is 300 g.p.m. The discharge pipe is covered with asbestos and is about 30 yards long, leading to the air cooler unit. The main air cooler unit is a very large radiator approximately 6' x 6' square x 9" thick. There is also a small pipe leading to 4 large air wash units (FARR Air Rotary Coolers). Water wells on each is 4' long x 1 $\frac{1}{2}$ ' deep x 14" across. Each rotor is 4' in diameter. This cooler system cools the air, washes it and then dries it before introducing it to the theatre auditorium. The water in this system passes through the cooler units and is dumped back into the sewer system of Boise. This system is a closed system. There is no pressure gage.

This examination was made on the 16th day of July, 19 51(Signed) E. M. Humphrey Examiner.

21242

✓
February 6, 1950

Re: Permit No. 21242

Mr. Tom D. McEldowney
P. O. Box 358
Boise, Idaho

Dear Mr. McEldowney:

We have placed on file the depositions of yourself and two witnesses, also Affidavit of Publication in "Statewide", all submitted in Proof of Beneficial Use under Permit No. 21242, in the name of E. W. McGhen.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact someone on the premises at the time he makes the examination in order that they may arrange to show him over the grounds.

Very truly yours, .

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

CC: Mr. Chester L. Price

21242

PROOF OF PUBLICATION

County of Ada, }
State of Idaho, } ss.

Lloyd Tupling, being first duly sworn, on oath says that he is the principal clerk of THE IDAHO PIONEER STATE-WIDE, a newspaper of general circulation, published weekly by The Pioneer Publishing Co., Inc., publishers and printers thereof, at Boise, County of Ada, State of Idaho;

That the annexed notice was published in said newspaper once each and every week for 4 consecutive weeks, the first publication being on the 5th day of Jan., 1950, and the last publication being on the 20th day of January, 1950;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

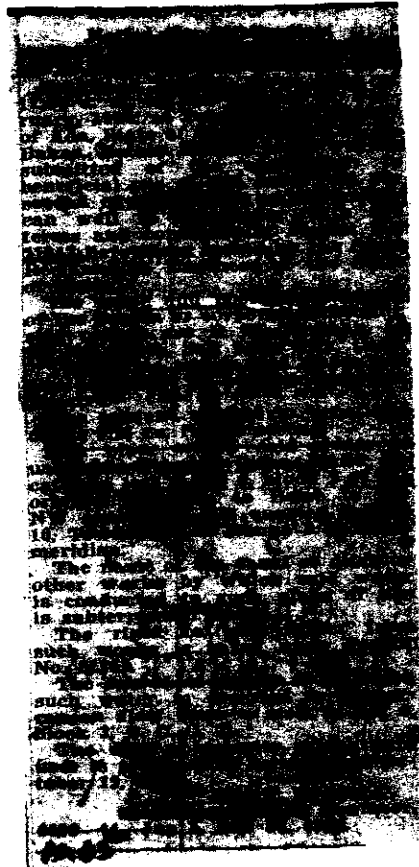
Lloyd Tupling
Principal Clerk.

Subscribed and sworn to before me this 27th day of January, 1950.

Robert E. Smith
Notary Public.

(Seal)

My commission expires May 10, 1952.



21242

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Tom D. McEldowney 1405 Shoshone Theatre Manager P.O. Box 358 Boise, 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. Intermountain Theatres Inc. 52 West 2nd South, Salt Lake City, Utah Theatre Manager
authorized agent for E.W. Mc Ghan, of above address.

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

Ans. 21242 date of established priority October 19, 1949

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

Ans. Underground water supply from a well drilled in furnace room of Ada Theatre
(well 10" Diam. & 60' deep) Water will be conveyed to the air conditioner by a pump and
after use will be conveyed to storm sewer on 8th st. and from there into irrigation canal
on Grove Street

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.

Ans. The amount applied to beneficial use is 0.75 cu. ft per second. Water is diverted
from supply, subterranean flow from a well in lot 6, block 3, B.C.O.T.

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. Cooling system (Ada Theatre) Boise, Idaho, located in lots 5 and 6, block
3 of the original townsite to Boise in the NW quarter of NE quarter section 10,
Township 3 N Range 2E, Boise meridian

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

Ans. _____

21242

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

Ans. 160 gal. per min.

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. _____

Water has not been put in use as yet. Theatre cooling used only in summer months

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. _____

(Sign) Donald M. Edgerton

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 Boise, County of Ada, State of Idaho, on this 6th day of February, A. D. 19 50.

My commission expires November 14th, 1952

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21242

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. John R. Porter, 39 yrs of age, res. Boise. Mgr. of General Electric Heating
& Air Conditioning Sales for Intermountain Plumbing Co., Boise. Phone 4866

Ques. 2. Are you acquainted with E. W. McGhan, the
holder of Permit No. 21242? How long have you known him and where does
he reside?

Ans. Five months.

Salt Lake City, Ut.

Ques. 3. Have you read or heard read said Permit No. 21242, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Underground water supply from a well drilled in the furnace room of the Ada
Theatre(well 10" Diam. & 60' Deep) Water will be conveyed to the air conditioner
by a pump and after use will be conveyed to storm sewer on 8th st. and from there
into irrigation canal on Grove Street. ~~The source of supply from which such water is~~
diverted is subterranean flow from a well in lot 6,
block 3. B.C.O.T.

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

Ans. .75 second feet or more. I have seen the well test pumped at a rate of flow
of a little over 200 gal. / min.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each
subdivision.) State whether cultivated or natural meadow land and the nature of all im-
provements which have been made as a direct result of said use.

Ans. The water is to be used to furnish cool water for use in summer air conditioning
of the Ada Theatre. Boise, Idaho located in lots 5 and 6, block 3 of the original town-
site to Boise in the N.W. quarter of N.E. quarter section 10, Township 3 N Range 2E,
Boise meridian

21242

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

Ans. As cooling in the theatre is required only during the summer months the
water has not been put into actual use as yet.

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

Ans. _____

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

Ans. As a representative of Intermountain Plumbing Co. Who are the sub contractors
on the air conditioning work at the Ada Theatre.

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

Ans. None at present. See Ques. no. 7 above..

(Signed) John R. Porter

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 Boise,

County of Ada, State of Idaho, on this 6th day of February,

A. D. 19 50.

M. Dake

Notary Public.

My commission expires November 14th, 1952.

21242

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

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. Chester L. Price (38) 409 Bacon Drive, Boise, Idaho

City Manager, Intermountain Theatres Inc.

Ques. 2. Are you acquainted with E. W. McGhan, the holder of Permit No. 21242? How long have you known him and where does he reside?

Ans. 20 Years

Salt Lake City, Utah

Ques. 3. Have you read or heard read said Permit No. yes, 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. Underground water supply from a well drilled in the furnace room of the Ada Theatre (well 10" Diam. & 60' deep) Water will be conveyed to the air conditioner by a pump and after use will be conveyed to storm sewer on 8th st. and from there into irrigation canal on Grove Street. The source of supply from which such water is diverted is subterranean flow from a well in lot 5, block 3. E.C.O.T.

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. .75 second feet or more. Well has been test pumped, showing a rate of flow of a little over 200 gal. per min.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water will be used for cooling system of Ada Theatre, Boise, Idaho located in lots 5 and 6, block 3 of the original townsite to Boise in the NW quarter of NE quarter section 10, Township 3 N Range 2 E, Boise meridian

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

Ans. Water has not been put into use as yet, Cooling of this theatre done only in hot summer months.

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

Ans. _____

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

Ans. Only as manager of permisses to be cooled,

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

Ans. _____

None at present. See answer to Question 7, above.

(Signed) 

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____ Boise _____,

County of Ada _____, State of Idaho, on this 6th day of February _____,

A. D. 19 50 _____



My commission expires November 14th, 1952

Notary Public.

21242

January 6, 1950

Re: Permit No. 21242

Mr. E. W. McGhen
52 West 2nd. South
Salt Lake City, Utah

Dear Mr. McGhen:

We enclose Certificate of Completion of Works issued under Permit No. 21242 for the diversion of 0.75 second foot of water from a well located in Lot 6, Block 3, Boise City Original Townsite, for cooling purposes for Ade Theatre.

We have sent to the Statewide of Boise, Idaho, copy of Notice of Beneficial Use Proof to be made under this Permit at 11:00 A. M. February 6, 1950, with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mr. Tom D. McElDowney the Affidavit of Publication together with statement of costs.

We have handed Mr. McElDowney the necessary forms for making Proof of Beneficial Use consisting of one for the Permit Holder and one for each of two witnesses, and at the time set, he is to appear before Mr. W. H. Bakes, Notary Public, together with two disinterested witnesses for the purpose of executing these depositions.

It will not be necessary for you to appear at that time to execute the deposition as Permit Holder, as Mr. McElDowney can act as your agent.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bh
Enc.
CC: Mr. McElDowney.

Chief Clerk

21242

Boise, Idaho.
Jan 5, 1950 /

Dear Mrs. Anderson:

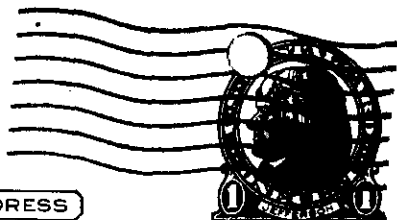
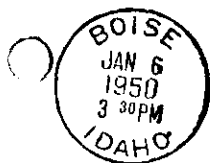
This will acknowledge receipt of the notice for
publication in the case of E. W. McGhan, c/o
Tom D. McEldowney, Ada Theater, Boise, Idaho.

This notice will run in STATEWIDE on January
5, 12, 19, and 26, and you will be furnished *
with a copy of the first publication.

STATEWIDE

Clara L. Johnson

21242



THIS SIDE OF CARD IS FOR ADDRESS

Mrs. Jeanne L. Anderson
Chief Clerk
Department of Reclamation
State House
Boise, Idaho

21242

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: January 4, 1950

Re: Permit No. 21242

Statewide
911 Jefferson St.
Boise, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **February 6, 1950** the date set for proof, the expense of the publication to be paid by the applicant, **C/o Tom D. McGildowney** of **C/o Ada Theatre, Boise, 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. KUTP

State Reclamation Engineer

By

Chief Clerk

21242-

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 12/21/49

(P. O.) 52 W. 2nd South, Salt Lake City, Utah

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Statewide of Boise published in
the county in which the works are situated.


E. W. McGhan

(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.

John J. McElmurry

21242

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

Notice is hereby given that at 11:00 A. M. on the 6th day of February, 1950,
at Boise Idaho, County of Ada, State of Idaho, before
W. H. Bakes, Notary Public, proof will be submitted of the
application to beneficial use of 0.75 cubic feet per second of the waters of Subterranean well
in accordance with the terms and conditions of Permit No. 21242
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are E. W.
McGhan, 52 W. 2nd South, Salt Lake City, Utah

The use to which said water has been applied is Cooling for Ada Theatre

The amount applied to beneficial use is 0.75 Cu ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Ada theatre, Boise, Idaho, Located in lots 5 & 6, block 3 of the original
townsite to Boise in the NW quarter of NE quarter section 10, Township 3 N Range
2 E Boise meridian

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

The right to take water from such works is based upon Permit No. 21242

The source of supply from which such water is diverted is Subterranean flow from a well in
lot 6, Block 3, B. O. O. T.

The date of priority which said user is prepared to establish is October 19, 1949

MARK R. KUTP
State Reclamation Engineer.

21242

Permit No. 21242

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada } ss.

E. W. McGhan

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

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21242, and that his postoffice address is 52 W. 2nd St., State of Salt Lake City, Utah

Second: That the name of the stream which said water is to be ^{FROM} ~~directed~~ ^{DIVERTED} is
From subterranean flow, (well)

Third: That the point of diversion of said water is from a point in lot 6 of the ^{5 & Block 3} ~~NE quarter~~ original townsite to Boise in the NW quarter of NE quarter Section 10 township 3 N range 2 E base meridian

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 1/6/1950

Fifth: That the use for which said water is intended is for cooling purposes of Ada Theatre

Sixth: That on the date above mentioned, the works constructed under said permit were (or ~~were~~) fully completed and consisted of the following:

I. Kind of works: 10" casing well 10" casing well
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: 10" casing 10" casing

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction 10" steel casing

(State whether wood, earth, stone or concrete)

(b) Capacity of ^{Well} ~~reservoir~~ 0.75 Cu. Ft. per second

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

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water 60 feet; diameter of pipe 10 inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use .75 Cu. Ft. second feet of water.

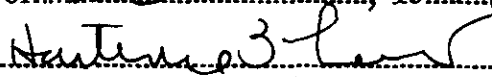
Eighth: That water appropriated under said permit is available for cooling of Ada acres of land described as follows: Theatre

Ninth: Remarks: That The .75 Cu. Ft. second water is to be obtained by well from a pump, and piping system


(Sign Here)

Subscribed and sworn to before me this 21 day of Dec, 1949

My commission expires 8-12-52


Notary Public.

21242

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Mr. E. W. McGhan
Capital Theatre Building
Sole Lake City, Utah

BOISE

November 1, 1949

Dear Sir:

Under the terms of your permit No. 21242 you are required to complete your diversion works and make proof of beneficial use on or before January 6, 1950.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is January 6, 1950, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

21242

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 21242

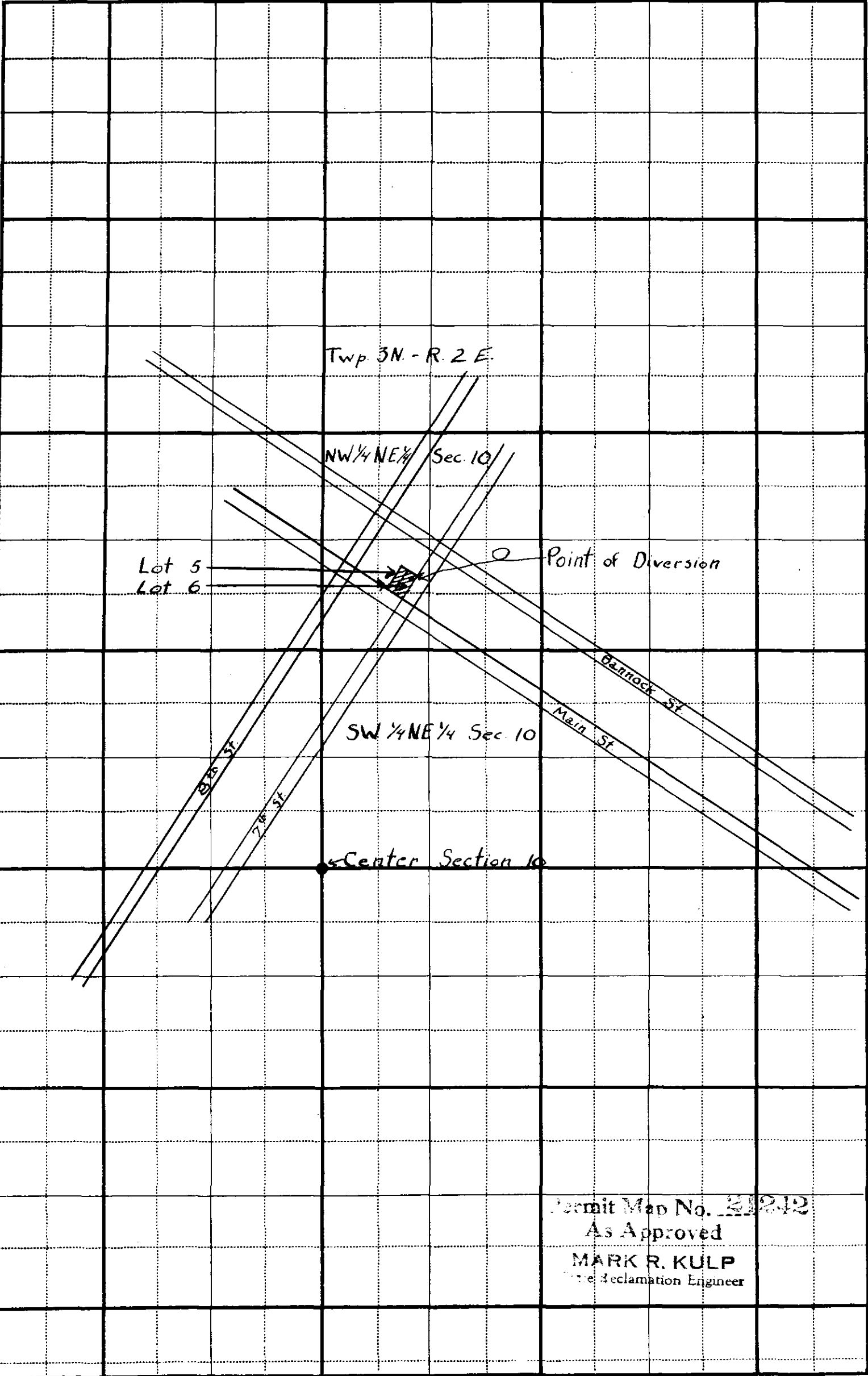
Date October 12, 1949

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. E. W. McGhan
Capital Theatre Building
Salt Lake City, Utah

MARK R. KULP
State Reclamation Engineer

21242



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

Notice is hereby given that at 11:00 a. m. on the 6th day of February, 1950, at Boise, Idaho, County of Ada, State of Idaho, before W. H. Bakes, Notary Public, proof will be submitted of the application to beneficial use of 0.75 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. 21242 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are E. W. McGhan, 52 W. 2nd South, Salt Lake City, Utah.

The use to which said water has been applied is cooling for Ada Theatre.

The amount applied to beneficial use is 0.75 cu. ft. per second.

The place where said water is used Ada Theatre, Boise, Idaho, located in lots 5 and 6, block 3 of the original townsite to Boise in the NW quarter of NE quarter section 10, Township 3 N Range 2 E, Boise meridian.

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

The right to take water from such works is based upon Permit No. 21242.

The source of supply from which such water is diverted is subterranean flow from a well in lot 6, block 3, B. C. O. T.

The date of priority which said user is prepared to establish is October 19, 1949.

MARK R. KULP,
State Reclamation Engineer.
4490—td—Jan 5, Jan 26, 1950.