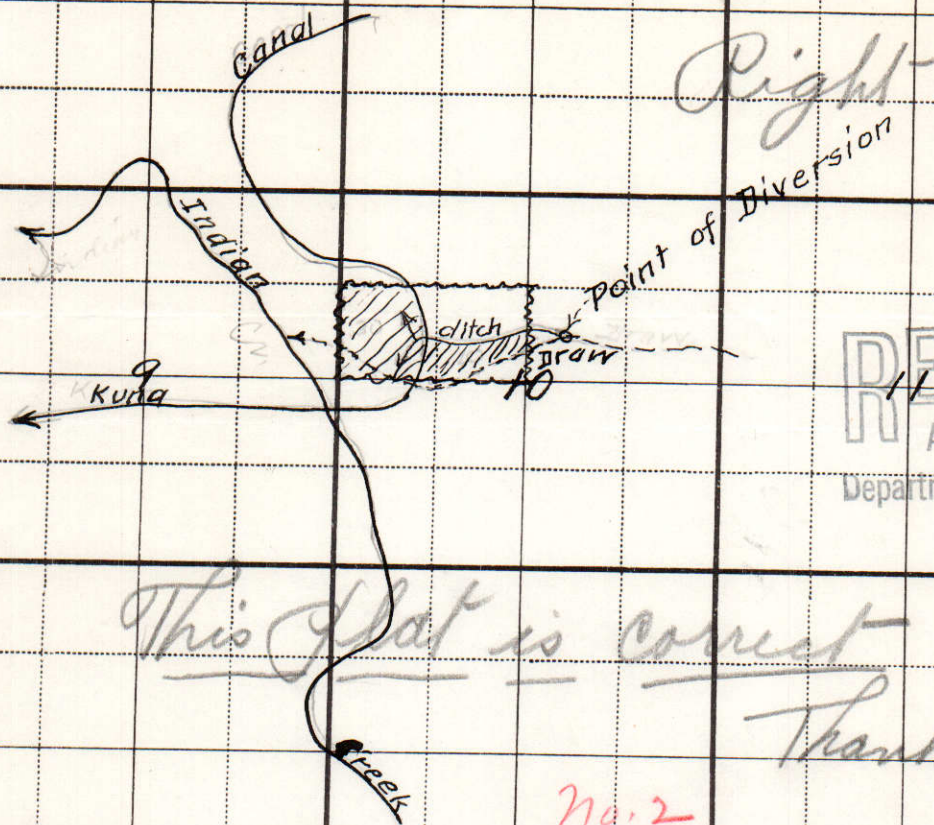


NAME OF APPLICANT _____

FORM No. 0

Permit-20915
Copy of Plot by Examiner



RECEIVED
11 APR 3 1950
Department of Reclamation

This Plot is correct

Thanks

No. 2

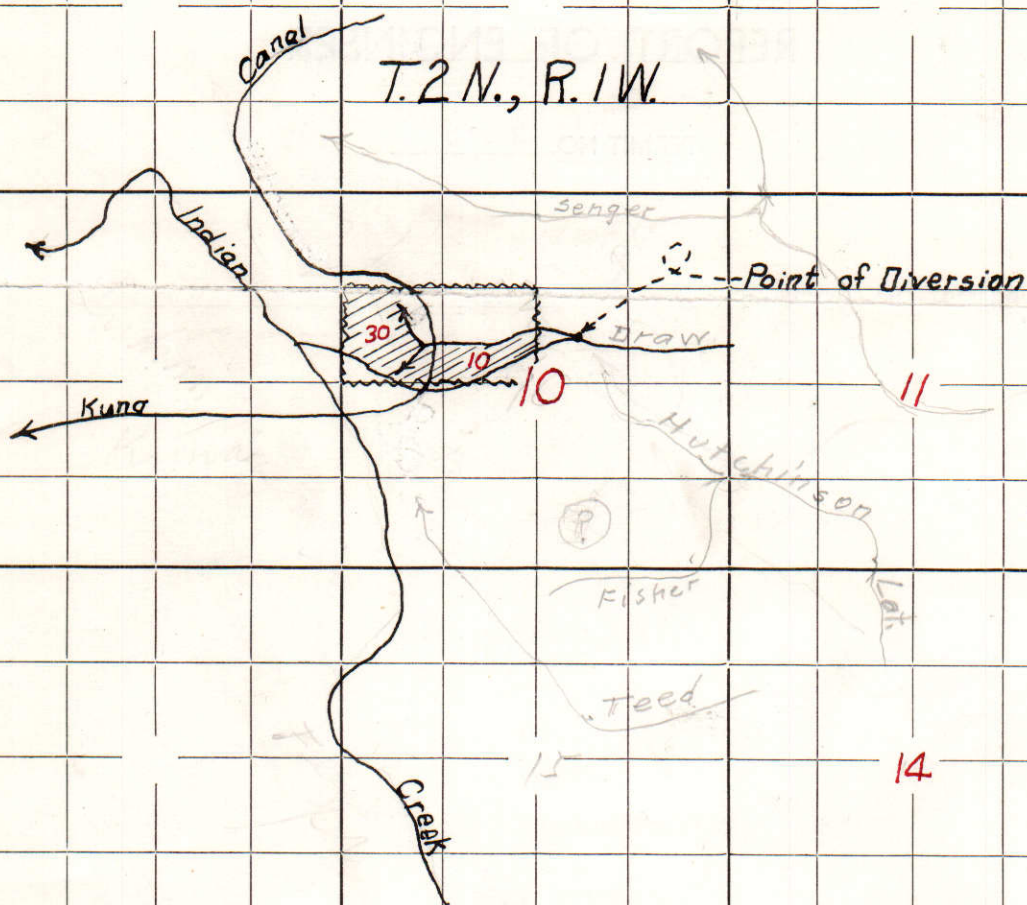
20915

Copy of Plat by owner
Permit - 20915

Wrong



This Plat is wrong
No. 1
Thanks



KUNA

THE MERIDIAN

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 11 A.M. on the 14th day of April, 1949, at Nampa, County of Canyon, State of Idaho, before Willa Hatfield, Notary Public, proof will be submitted of the application to beneficial use of One cubic foot per second of the waters of waste water from natural drain in accordance with the terms and conditions of Permit No. 20915, heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles C. Tobias, 823 Ninth Avenue South, Nampa, Idaho.

The use to which said water has been applied is irrigation and stock water.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, Township 2 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 20915.

The source of supply from which such water is diverted is waste water from natural drain.

The date of priority which said user is prepared to establish is January 24, 1949.

State Reclamation Engineer.
MARK R. KULP, 20915
(Mar. 10, 17, 24, 31, 1949)

PROOF OF PUBLICATION

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

I, Clyde Cornell
MAX O. SHIPLEY being first duly sworn, depose and say, that I am over twenty-one years of age, and Foreman of the MERIDIAN TIMES, a weekly newspaper of general circulation, published at Meridian County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 4 consecutive weeks, the first publication being on the 10 day of Mar, 1949 and the last publication being on the 31 day of Mar 1949.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Clyde Cornell
Foreman.

Subscribed and sworn to before me this 1st day of April, 1949.

M. C. Hills
Notary Public in and for Idaho.

Residence or Postoffice Address Meridian Idaho

20915

NAME OF APPLICANT

Chas C. Tobias

FORM No. O

Trapa. 3. 2. 1. 3. 4.

Indian Creek

10

Point of diversion

Plan

Permit Map No. 20915

As Approved

FEB 4 1949

MARK R. KULP

State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 20915

Amount 0.8 second foot

Water District No. _____

Priority January 24, 1949

THIS IS TO CERTIFY that **CHARLES C. TOBIAS**
of **Nampa, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **January 24,**, 19 **49**; that Permit No. **20915**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second ~~feet~~, was issued thereunder on **March 3,**, 19 **49**, showing that said works
were completed on the **2nd** day of **March**, 19**49**; and that on the **14th**
day of **April**, 19 **49**,

CHARLES C. TOBIAS

of **Nampa**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **waste water from a**
natural drain, a tributary of **Indian Creek**, for the purpose of **irrigation and stock**
purposes, under Use Permit No. **20915** 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 **4547**, on the **7th** day of **April**, 19 **50**;

The right hereby confirmed dates from **January 24**, 19**49**;

The Point of Diversion is located

in the **SW 1/4 NE 1/4**, Sec. **10**, Tp. **2 N.**, R. **1 W.**, B. M. **Canyon County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **0.8** cubic ~~feet~~ ^{foot} per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	1 W.	10	SW 1/4 NW 1/4	25	30
			SE 1/4 NW 1/4	25	10
			Number of Acres Actually Irrigated -		40

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

7th day of **April**, 19 **50**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 20779

Amount 1.3 sec. ft.

Water District No. _____

Priority December 1, 1948

THIS IS TO CERTIFY that **WILLIAM MURPHY and HAZEL O. MURPHY**
of Route 1, Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 1, 19 48; that Permit No. 20779
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on June 25, 19 49, showing that said works
were completed on the 21st day of June, 19 49; and that on the 29th
day of July, 19 49,

WILLIAM MURPHY and HAZEL O. MURPHY
of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow
, ~~subterranean~~ from a well, for the purpose of irrigation and domestic
use, under Use Permit No. 20779 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 4548, on the 7th day of April, 19 50;
The right hereby confirmed dates from December 1, 19 48;

The Point of Diversion is located in the center of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$
~~SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$~~ , Sec. 15, 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 1.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	15	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Number of Acres Actually irrigated - - -		80

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
7th day of April, 19 50.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-2757

APPLICATION No. 28585
 PERMIT No. 20915
 DISTRICT No.

1. Name of Applicant: CHARLES C. TOBIAS

Postoffice address: 823 9th Ave., S., Nampa

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:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: One (1) cubic feet per second.

3. Source of water supply: Waste water drain (natural / drainage course) which is a tributary of Indian Creek

4. Location of point of diversion: Approx. 500 feet distant from the center corner of Section 10, T.2 N., R.1 W., B.M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T. 2 N., R. 1 W., B.M., County of Ada

5. Water is to be used for Irrigation and stock water

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: \$ 300.00

8. Kind of works: Dam and ditches

9. Height of dam 3 feet; length of dam at top 3 feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width 2 feet; height 2 feet.

11. Ditch: Width at bottom 2 feet; width at water line 2 feet; depth of water Various feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile 10 feet.

12. The time required for the completion of such work is Has been in use 11 / years.

13. The time required for the complete application of the water to the proposed use is Same as above 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: Arrow Rock water under Boise Project in Boise-Kuna Irrigation District

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.

CHARLES C. TOBIAS *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 4:00 P. M. January 24, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20915

Recorded in Book 75 Page 20915 Approved February 4, 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 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 **May 4, 1949**

Beneficial use of water appropriated in accordance herewith, to be made on or before **May 4, 1949**

WITNESS My hand this 4th day of February, 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 4th _____

day of February, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS
Governor.

By J. D. "CY" PRICE
Secretary of State.

REMARKS: Natural flow and seepage with waste water has been used as secondary right for over eleven years, and many times was success instead of failure.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 N.	1 W.	10					X X Permit No. 20915 CERTIFICATE OF COMPLETION OF WORKS												50
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that CHARLES C. TOBIAS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 20915, issued upon Application No. 28585 bearing date of priority of January 24, 1949, authorizing the diversion of One second foot of the waters of waste water from a natural drain County of Canyon, State of Idaho, for irrigation and stock water 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 One second foot of the waters of said natural drain, that the point of diversion of said waters is in the SW¼ SE¼ Section 10, Township 2 North, Range 1 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S½ NW¼ Section 10, Township 2 North, Range 1 West, B.M.																
			Witness my hand this 3rd day of March, A. D. 1949.																
			MARK R. KULP State Reclamation Engineer																
			Proof of Completion of Works made March 2, 1949 Certificate of Completion of Works issued March 3, 1949																

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20915.

Comes now Charles C. Tobias and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20915;

That the point of diversion is described in said Permit as being located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, Township 2 North, Range 1 West, B.M.

That he now requests that the point of diversion be changed to a point located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Township 2 North, Range 1 West, B.M.

That his reasons for desiring to make such change are as follows: the location as given in the original application and Permit was in error.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Nampa, Idaho this 4th day of April, 1950.

CHARLES C. TOBIAS

Date of receipt at Department of Reclamation April 6, 1950.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20915. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 2.2 SEC. FT.

p. 4547

NOTICE FOR PUBLICATION

Notice of Application of Water to Beneficial Use

Notice is hereby given that at 11 A.M. on the 14th day of April, 1949, at Nampa, County of Canyon, State of Idaho, before Willa Hatfield, Notary Public, proof will be submitted of the application to beneficial use of One cubic foot per second of the waters of waste water from natural drain in accordance with the terms and conditions of Permit No. 20915, heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles C. Tobias, 823 Ninth Avenue South, Nampa, Idaho.

The use to which said water has been applied is irrigation and stock water.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, Township 2 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 20915.

The source of supply from which such water is diverted is waste water from natural drain.

The date of priority which said user is prepared to establish is January 24, 1949.

State Reclamation Engineer.
MARK R. KULP,
(Mar. 10/17, 24, 31, 1949)

✓
April 12, 1950

Re: Permit No. 20915

Mr. Charles C. Tobias
823 9th. Avenue South
Nampa, Idaho

Dear Mr. Tobias:

We enclose your Application for Amendment to Permit No. 20915, which has been approved by the State Reclamation Engineer and duly recorded.

We also enclose License and Certificate of Water Right issued under this Permit, confirming your right to the use of 0.8 of a second foot of waste water from a natural drain tributary to Indian Creek, with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Township 2 North, Range 1 West, B.M., with priority of January 24, 1949 for irrigation and stock purposes on the S $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 10.

We also enclose Departmental Receipt No. 22215 for the \$4.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

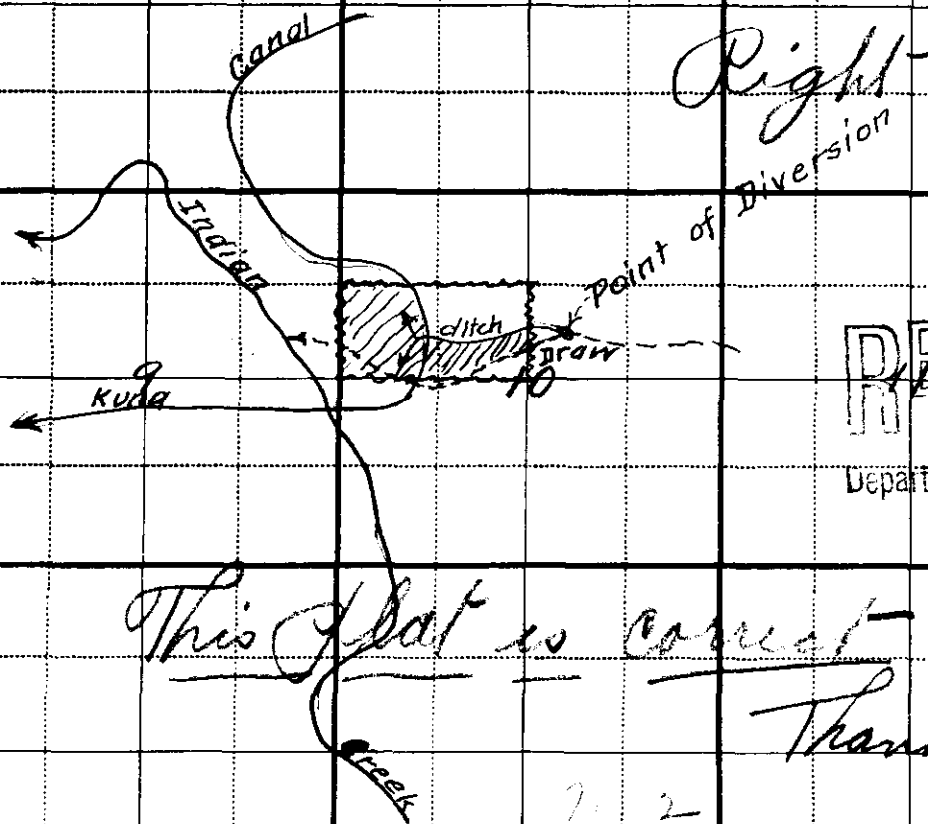
Chief Clerk

A:bn
Enc.

20915

NAME OF APPLICANT _____

FORM No. 0



RECEIVED

APR 3 1950

Department of Reclamation

This Plot is correct

Thanks

7. 2

20915

[illegible]

Wrong



9

Indian

CTCET

Drain

This Great is wrong
Thanks

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20915

✓
April 3, 1950

Re: Permit No. 20915

Mr. Charles C. Tobias
823 9th. Avenue South
Nampa, Idaho

Dear Mr. Tobias:

We thank you for your prompt reply to our letter of March 30, 1950, and returning the corrected plat showing the location of point of diversion under Permit No. 20915.

Since the Permit describes this in the SW¹/₄ SE¹/₄ of Section 10 instead of the SW¹/₄ NE¹/₄, an Application for Amendment to change the point of diversion should be made on the form enclosed. This will then be recorded and will keep the record straight.

Our Field Engineer's report shows that you have irrigated 40 acres under this Permit and License will be issued for 40 inches or .8 of a second foot, upon receipt of the statutory fee of \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20915

March 30, 1950

Re: Permit No. 20915

Mr. Charles C. Tobias
823 9th Avenue South
Nampa, Idaho

Dear Mr. Tobias:

In making inspection for beneficial use under Permit No. 20915, our Field Engineer finds an apparent discrepancy between the location of the point of diversion as shown on your application and as it actually exists on the ground.

A sketch map No. 1 enclosed, is a copy of the plat accompanying your Permit, and gives the point of diversion from a natural drain, tributary to Indian Creek, as in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, Township 2 North, Range 1 West, the water to be used on the S $\frac{1}{2}$ NW $\frac{1}{4}$ of this Section.

Sketch map No. 2, as drawn by our Field Engineer would indicate that the point of diversion from this drain is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10.

Please check both plats and return same to this Department, advising which is correct.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20915

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

Permit No. 20915This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Charles C. Tobias, 823 9th Ave., South, Nampa, Idaho2. Source of water supply: Waste water from a natural drain3. Location of point of diversion: Is in the SW¹/₄ SE¹/₄ of Section 10T. 2 N. R. 1 W. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: _____

Diversion by rocks and earth.5. Water is used for: Irrigation and stock water.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):

S¹/₂ NW¹/₄ Section 10, Township 2 North, Range 1 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? None

Remarks: _____

This examination was made on the 4th day of November, 19 49

(Signed) _____

F. A. Tolman

Examiner.

20915

Charles C. Tobias
823 9th Ave., South, Nampa, Idaho

Permit No. 20915

Examination for Beneficial use

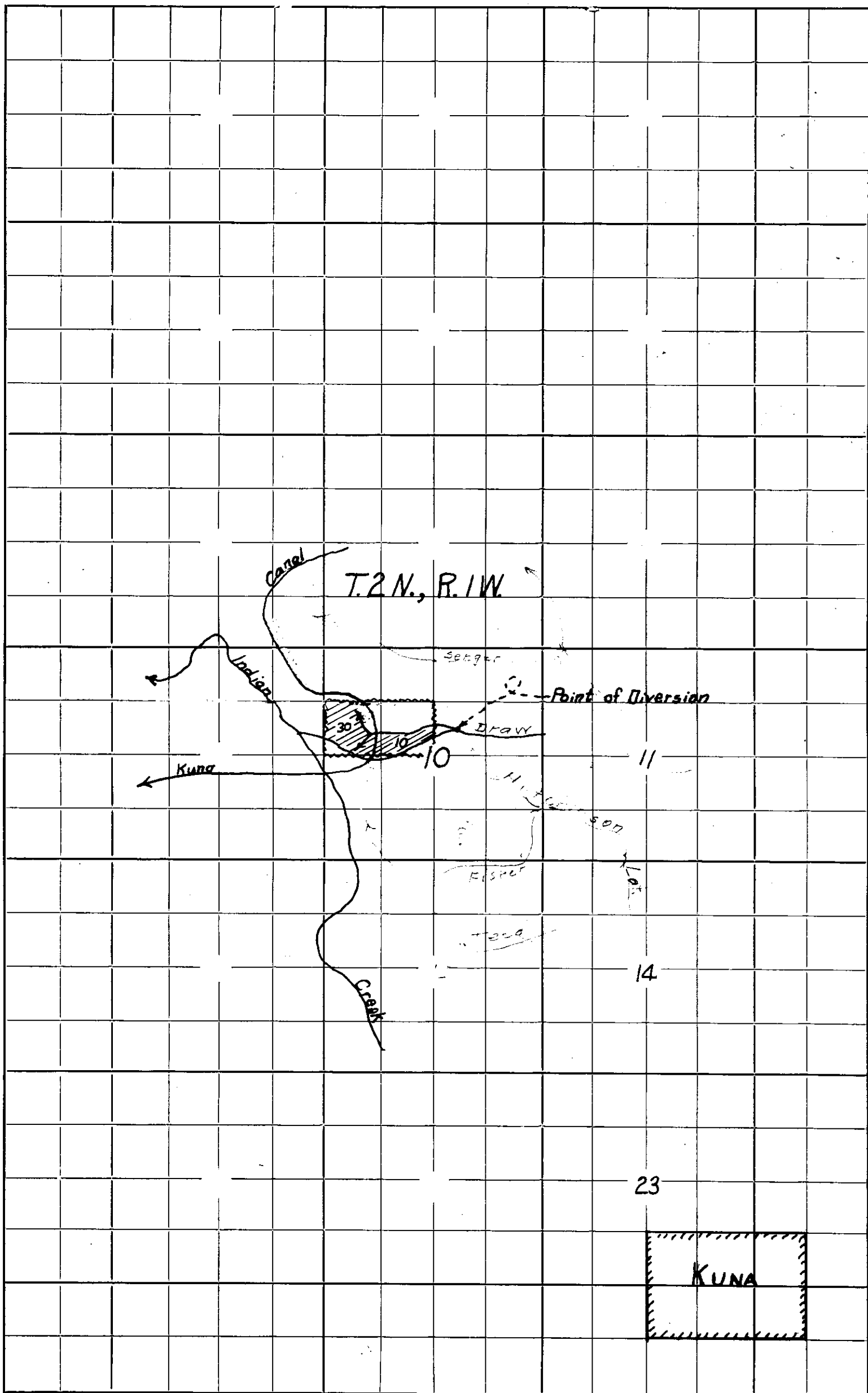
County Ada

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
MAR 24 1950

Department of Reclamation



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20915

John

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20915

REPORT ON PROOF OF Beneficial use

*.8 cfs
max*

app. 1.0 cfs

*40 acres
2-40's*

April 27, 1949

Re: Permits Nos. 20914, 20915, 20916.

Mr. Chas. C. Tobias
823-9th Avenue South
Nampa, Idaho

Dear Mr. Tobias:

We have received from Miss Wills Hatfield, Notary Public, the depositions of yourself and two witnesses, in Proof of Beneficial use under your Permits Nos. 20914, 20915, and 20916, and we have also received the Affidavits of Publication in connection with these several proofs.

The proofs on Permits Nos. 20914 and 20915 have been duly filed, but before final action is taken in the matter, the law requires that a field examination be made by an engineer from this Department. We cannot say just when this examination will be made as this Department has but one Field Engineer, who makes examinations all over the State, but Mr. Tolman, our Field Engineer, will try and contact you at the time he makes the examination, so that you may show him over the grounds.

There seems to have been an error in your Application and Permit, No. 20916, which describes the locations of the points of diversion as being in Ada County, instead of in Canyon County, in Sections 5 and 6, Township 2 North, Range 1 West and Sections 31 and 32, Township 3 North, Range 1 West, B.M.

It will therefore be necessary to readvertise this proof in Canyon County and set a new date for making same. Please advise which Canyon County newspaper you wish this republication to be made.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb

20915

Notice is hereby given that on the 14th day of April, 1949, at Nampa, Idaho, the State of Idaho, County of Ada, was duly constituted of the application to the official use of the water right per second of the water in said water from natural source in accordance with the laws and conditions of the State of Idaho, heretofore issued to the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or persons who applied for said permit are Charles E. Hull, 333 North Avenue, Nampa, Idaho.

The use to which said water shall be applied is for irrigation and stock water.

The amount applied to be used is one cubic foot per second.

The place where said water is used, S4NW4, Section 10, Township 2 North, Range 1 West, E. M.

The name of the canal or ditch or other works by which said water is distributed to each place of use is

The right to take water from such works is based upon Permit No. 20915.

The source of supply from which said water is diverted is water from natural drain.

The date of priority which said water is proposed to take is January 24, 1949.

State Reclamation Engineer
MARK E. HULF, 33373
 (Mar. 20, 27, 24, 31, 1949)

PROOF OF PUBLICATION

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

I, Clyde Cornell
MAX G. SHIPLEY being first duly sworn, depose and say, that I am over twenty-one years of age, and Foreman of the **MERIDIAN TIMES**, a weekly newspaper of general circulation, published at Meridian County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 4 consecutive weeks, the first publication being on the 10 day of May, 1949 and the last publication being on the 31 day of May, 1949.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Clyde Cornell
 Foreman.

Subscribed and sworn to before me this 1st day of April, 1949.

M. E. Hull
 Notary Public in and for Idaho.

Residence or Postoffice Address Meridian Idaho

20915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20915

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Chas. C. Tobias - 823 9th Ave. South, Nampa, Idaho. Farmer.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. nil

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

Ans. 20915 - February 4, 1949. January 24, 1949.

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

Ans. natural drainage course - waste water. approximately 500 feet

from the center corner of Sec. 10, Twn. 2 N., Range 1 West, B.M.,
Adair County, Idaho, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$.

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. dam and ditches. 1 $\frac{1}{2}$ cubic feet per second. tributary of Indian
Creek - dam and ditches from the creek to place of use.

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

Ans. irrigation and stock water. S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 10,
Twn. 2 N., Range 1 W. B.M., ADAM County, Idaho - 80 acres. Cultivated.
Better irrigation which was needed.

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

Ans. nil

20915

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 1 cubic foot per second

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

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Has been used to irrigate 80 acres since 1926 - by ditches
and have had $1\frac{1}{2}$ cubic feet per second conveyed.

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. Since 1926 government water has been available and been applied.
It is on government right, and isn't sufficient water.

(Sign) Chas C. Tobias

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 Nampa, County of Canyon, State of Idaho, on this 14 day of April, A. D. 19 49

My commission expires 4/13/52

Willa Hatfield

20915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20915

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. Owen Elam - 55 - Route #3, Nampa, Idaho - Farmer

Ques. 2. Are you acquainted with Chas. C. Tobias, the holder of Permit No. 20915? How long have you known him and where does he reside?

Ans. 28 years - Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 20915, 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. waste water - natural drainage course. approximately 500 feet from the center corner of Sec. 10, Twn. 2 N., R. 1 West, B.M., and in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section, Twn. and Range, ^{Ada} Canyon County, Idaho. Dam and ditches.

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. from $\frac{1}{2}$ to $1\frac{1}{2}$ second feet. Have seen same amount.

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. stock water and irrigation. S $\frac{1}{2}$ ^{NW $\frac{1}{4}$} of Sec. 10, Twn. 2 N., Range 1 W., B. M., 80 acres. Cultivated land. The additional water necessary for better crops.

20915

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

Ans. nil

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. sandy loam - 1 cubic foot per second

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

Ans. No.

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

Ans. Last two years - visit the place often. Have seen water applied beneficially many times.

(Signed) Aaron E. Lane

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 Nampa,

County of Canyon, State of Idaho, on this 14 day of April,
A. D. 19 49.

Willie Hatfield

Notary Public.

My commission expires 4/13/52

20915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20915

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. George Holmes - 67 - Route #3, Nampa, Idaho - Farmer

Ques. 2. Are you acquainted with Chas. C. Tobias, the holder of Permit No. 20915? How long have you known him and where does he reside?

Ans. 43 years - Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 20915, 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. natural drainage course, waste water - approximately 500 feet from the center corner of Sec. 10, Twn. 2 N., Range 1 West, B.M. and is in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, said Sec., Twn. and Range, Ada County, Idaho. Dam and ditches.

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. from $\frac{1}{2}$ to $1\frac{1}{2}$ second feet. Seen same amount.

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. irrigation and stock water - NW $\frac{1}{4}$ of Sec. 10, Twn. 2 N. Range 1 W. B.M., - 80 acres - cultivated - better crops from additional water.

20915

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

Ans. nil

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. sandy loam - 1 cubic second foot.

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

Ans. No.

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

Ans. Spring of 1948 and 1949 - Visit his place often - have seen the lands irrigated many times beneficially.

(Signed) *W. J. Holmes*

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 Nampa,

County of Canyon, State of Idaho, on this 14 day of April,

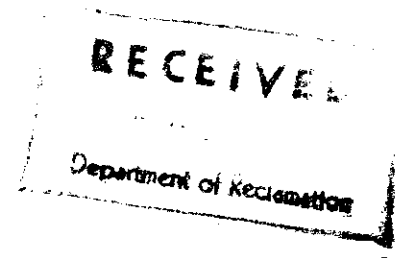
A. D. 19 49.

Hilla Hatfield

Notary Public.

My commission expires 4/13/52.

20915



Box 220
Nampa, Idaho
April 16, 1949

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

Re: Permit No. 20915 - Chas. C. Tobias

Dear Sir:

Enclosed herewith you will find Deposition
of Holder and depositions of two witnesses, together with
Proof of Publication, in connection with the Proof of
Application of Water to Beneficial Use under the above
numbered Permit.

Yours very truly,

A handwritten signature in cursive script that reads "Willa Hatfield". The signature is fluid and elegant, with a large initial 'W'.

WILLA HATFIELD
Notary Public

20915

The Meridian Times

Oscar J. Buttedahl, Publisher

Meridian, Idaho

March 4, 1949



Miss Jeanne L. Anderson
Chief Clerk
Department of Reclamation
Boise, Idaho

Dear Miss Anderson,

This will acknowledge the receipt of two notices for publication in The Times for Charles C. Tobias of Nampa.

These will appear for the first insertion in our issue of March 10 and three insertions thereafter as requested.

Thank you very much for sending these to us and copies of first publication will be sent to you next week.

Sincerely yours,

Oscar J. Buttedahl
Oscar J. Buttedahl

20915

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

Notice is hereby given that at 11:00 A. M. on the 14th day of April, 1949,
at Nampa, County of Canyon, State of Idaho, before
Willa Hatfield, Notary Public, proof will be submitted of the
application to beneficial use of One cubic feet per second of the waters of waste water from
natural drain in accordance with the terms and conditions of Permit No. 20915
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

Charles C. Tobias, 823 Ninth Avenue South, Nampa, Idaho

The use to which said water has been applied is irrigation and stock water.

The amount applied to beneficial use is One cubic feet per second

The place where said water is used (~~if for irrigation, give full and accurate description of the~~
~~lands irrigated~~) 3 1/2 NW 1/4 Section 10, Township 2 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 20915

The source of supply from which such water is diverted is waste water from natural drain

The date of priority which said user is prepared to establish is January 24, 1949

MARK R. KUIP
State Reclamation Engineer.

20915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: March 3, 1949

Re: Permits Nos. 20915-20916

Meridian Times

Meridian, Idaho

Gentlemen:

Enclosed you will find ^{two} notice for publication once a week for four consecutive weeks prior to April 14, 1949 the date set for proof, the expense of the publication to be paid by the applicant, Charles C. Tobias, of 823 9th Ave. South, Nampa, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

20915

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

STATE RECLAMATION ENGINEER
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Meridian Times of Meridian, Idaho, published in
the county in which the works are situated.

Chas C. Tobias

(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.

20915

Permit No. 20915STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Charles C. Tobias

, 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. _____, and that his postoffice address is NampaState of IdahoSecond: That the name of the stream ^{FROM} which said water is to be ~~directed~~ ^{DIVERTED} is _____
Waste water drain in natural drainage courseThird: That the point of diversion of said water is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10,
Township 2 North, Range 1 West, B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 4, 1949Fifth: That the use for which said water is intended is irrigation and stock waterSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: Dam and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: _____

(a) Height of dam 3 feet, length of dam at top 3 feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 2 feet, height 2 feet.(d) Conduit Ditch width at bottom 2 feet, width at water line 2 _____
(State whether ditch, flume or pipe)feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is 10 feet. Length of conduit is _____ miles.Seventh: That said works are capable of conducting to the place of intended use _____
One second feet of water.Eighth: That water appropriated under said permit is available for 50 _____
acres of land described as follows: _____S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, Twp. 2 North, Range 1 West, B. M.

Ninth: Remarks: That _____

Chas C Tobias

(Sign Here)

Subscribed and sworn to before me this 2 day of March, 1949My commission expires March 21 - 49Hell Edison

Notary Public.

20915

11017

February 10, 1949

Re: Permit Numbers 20915 and 20916

Mr. Chas. C. Tobias
823 9th Avenue South
Nampa, Idaho

Dear Mr. Tobias:

We enclose permit numbers 20915 and 20916.

As these permits state that the works are completed and that the water has been used for a number of years, we have allowed three months or until May 4, 1949 within which to make the proofs required by statute to complete your water right.

The first proof or proof of completion of works is made by executing the enclosed affidavit (Form 6) before a Notary Public and returning to this Department with statutory fee of \$5.00. Upon receipt and approval of this proof a certificate of completion of works will be issued.

The final or beneficial use proof requires publication once a week for four consecutive weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the proof will be made. The date, of course, should be set sufficiently far ahead to allow for the four weeks publication.

Both copies of the notice are to be returned to the Department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated newspaper. We shall then send one copy of the notice to the newspaper with instructions in regard to publishing and shall send to the Notary Public the necessary forms of deposition consisting of one for yourself and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear before the Notary Public with two disinterested witnesses who are familiar with your permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARY R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh

20915

Chas C. Tobias

Trappe 3. 22. 1949

Indian Creek

10

Point of diversion

2 IV

E

Permit Map No. 20015

As Approved

FEB 1949
MARK R. KULP

State Sanitation Engineer

S 1 W

20915



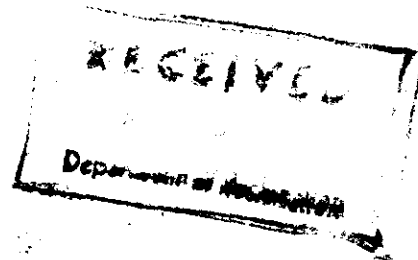
C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 29, 1949



Mr. Chas. C. Tobias
823 9th Avenue South
Nampa, Idaho

Dear Mr. Tobias:

Relative to your recent filing on the waters
of a drain ditch flowing into Indian Creek.

In the application you have given as the
land description the $S\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, Township 2 N.,
Range 1 W. B.M. In checking your sketch map accompany-
ing the application, it looks like the place of use may
be the $S\frac{1}{2}$ of the SW $\frac{1}{4}$ Section 10.

Please let us know which is correct.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T/gt

*Dear Roy: I own the NW $\frac{1}{4}$ Sec 10 2N
R 1 W and the water used on the south $\frac{1}{2}$
So for once I have it right but thanks
for checking me up any how
Very Truly
Chas C. Tobias*

20915