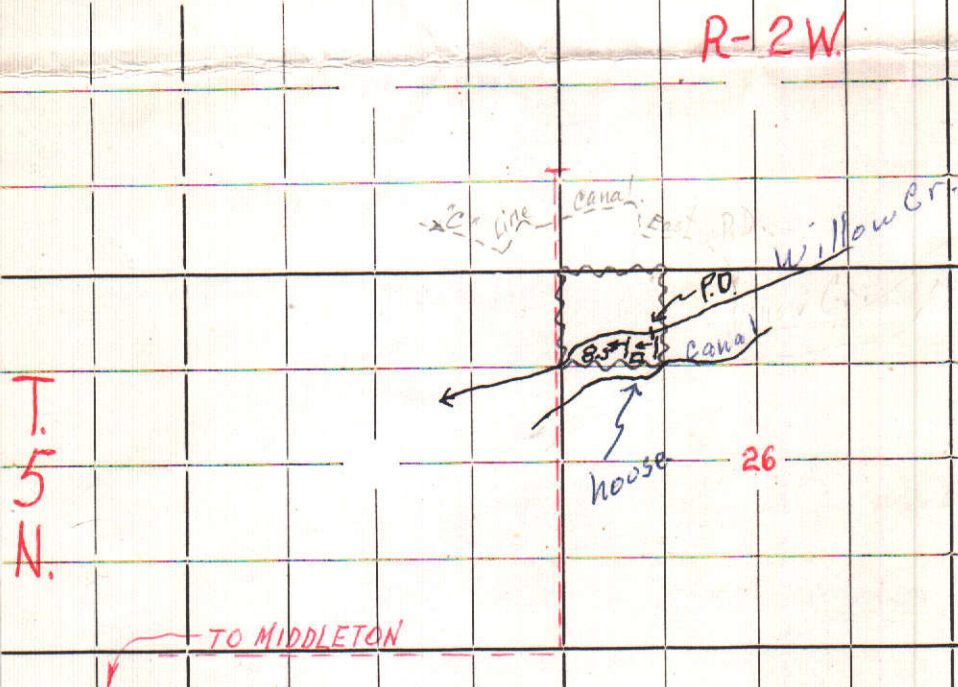




Subdivisions = One

Area = $8\frac{1}{2}$ acres.

$Q = 8\frac{1}{2}$ inches.

An additional proof will eventually be made for some land on the north side of the stream.

20567
~~20567~~
~~20570~~

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

ss.

RECEIVED
JAN 6 1956

Department of Reclamation

Virgil Grey, being first duly sworn, deposes and says;

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

Saturday issue of The News-Tribune for 4 consecutive weeks

beginning with the issue of Nov 5

1955 and ending with the issue of Nov

26, 1955

Virgil Grey

Subscribed and sworn to before me this 27

day of December, 1955.

H. G. Carhane

Notary Public for Idaho
Residing at Caldwell, Idaho

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 30th day of November, 1955, at 914 Main Street, Caldwell, County of Canyon, State of Idaho, before Robert E. Dunlap, a Notary Public, proof will be submitted of the application to beneficial use of 1.3 cubic feet per second of the waters of Little Willow Creek in accordance with the terms and conditions of Permit No. 20567 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 Ira M. Dillon, Route 1, Caldwell, Idaho.

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

The amount applied to beneficial use is 1.3 cubic feet per second.

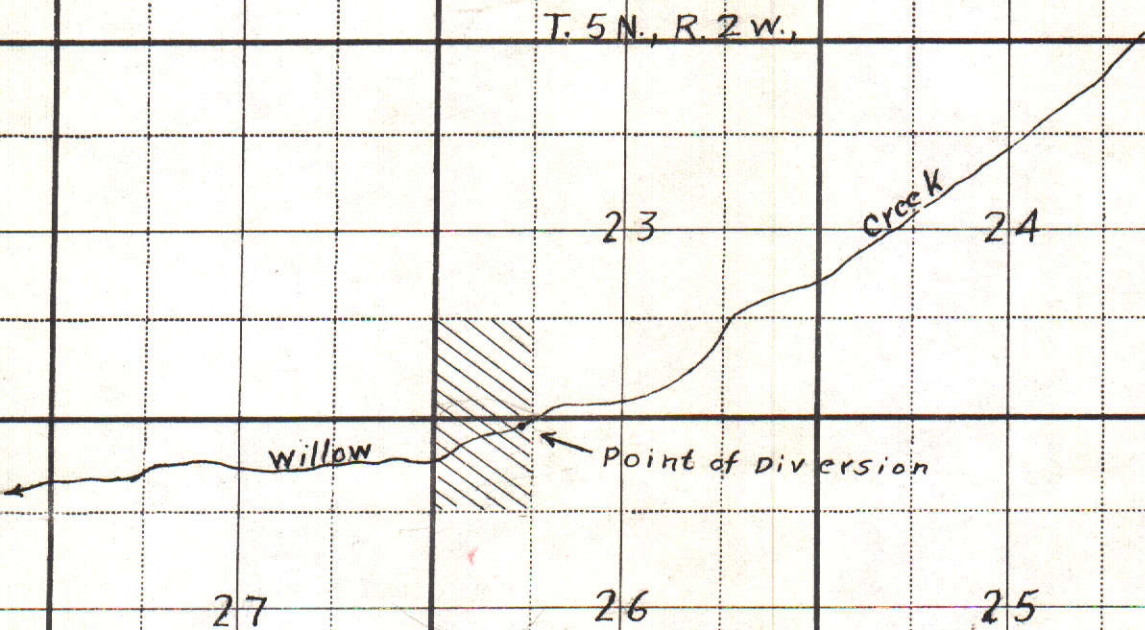
The place where said water is used The Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 23, Township 5 North, Range 2 West of the Boise Meridian, and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 26, Township 5 North, Range 2 West of the Boise Meridian.

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



~~20570~~

20567



20567
Permit Map No. 20567
As Approved
JUL 31 1948
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 20567 Amount 0.17 second foot
Water District No. Priority July 20, 1948

THIS IS TO CERTIFY that CARL P. BENTZ and ERVA BENTZ
of Middleton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 20, 1948; that Permit No. 20567
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on August 10, 1953, showing that said works
were completed on the 29th day of July, 1953; and that on the 30th
day of November, 1955,

IRA M. DILLON (Assignee)
of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Little
Willow Creek, a tributary of Boise River, for the purpose of Irrigation
, under Use Permit No. 20567 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5661, on the 23rd day of February, 1956;

The right hereby confirmed dates from July 20, 1948;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 26, Tp. 5 N, R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.17 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	2 W.	26	NW 1/4 NW 1/4	40	8 1/2

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
23rd day of February, 1956.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

63 2709

State of Idaho
License and Certificate of Water Right

Water License No. G-23064 Amount 0.4 second foot
Water District No. Priority September 20, 1952

THIS IS TO CERTIFY that GEORGE SIMONSON
of Sterling, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 20, 1952; that Permit No. G-23064
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.4 second foot, was issued thereunder on February 29, 1956, showing that said works
were completed on the 21st day of March, 1955; and that on the 21st
day of March, 1955,

GEORGE SIMONSON
of Sterling, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an artesian
well, a tributary of, for the purpose of irrigation and
domestic, under Use Permit No. G-23064 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5662, on the 29th day of February, 1956;

The right hereby confirmed dates from September 20, 1952;
The Point of Diversion is located
in the NE 1/4 SW 1/4, Sec. 18, Tp. 5 S., R. 32 E., B. M. Bingham 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 0.4 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	32 E.	18	NE 1/4 SW 1/4	30	25

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
29th day of February, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-271

APPLICATION No. 28191
 PERMIT No. 20567
 DISTRICT No.

1. Name of Applicant: CARL P. BENTZ and ERVA BENTZ

Postoffice address: Middleton

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:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 65 inches or 1.3

cubic feet per second.

3. Source of water supply: Little Willow Creek

which is a tributary of Boise River

4. Location of point of diversion:

feet distant from the

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

of Section 26 , T. 5 N. , R. 2 W. , B.M., County of Canyon

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

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

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

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

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

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

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

7. Estimated cost of works: \$500.00

8. Kind of works: Pump and ditch

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 3 feet; height 6 feet.

11. Ditch: Width at bottom 1.5 feet; width at water line 3 feet; depth of water 2 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 80 rods miles,

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is One (1) 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: None

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N.	2 W.	23 26																40 40 80	
Total Number of Acres to be Irrigated - -																			
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 20567																			
Comes Now CARL P. BENTZ, 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. 20567, and the list of lands to be irrigated, as described in said permit, be changed to read as follows: 9 1/2 NW 1/4, N 2 SW 1/4 All Township 5 North, Range 2 West, B.M., making atotal of 81 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affe Signed at Lindsay Calif. this 3rd day of June, 1953.																			
Carl P. Bentz																			
Date of receipt at Office of Department of Reclamation June 8, 1953.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing app ment to Permit to appropriate the Public Waters of the State of Idaho, No. 20567. This approval consitiutes a new as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application in insofar as the rights of others will not be adversely affected thereby.																			
MARK R. KULP State Reclamation Engineer																			

Permit No. 20567

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Carl P. Bentz and Erva Bentz of Lindsay, County of _____, and State of California, the holders of Permit No. 20567, issued upon Application No. 28191 bearing date of priority of July 20, 1948, authorizing the diversion of 1.3 second feet of the waters of Little Willow Creek, a tributary of Boise River, County of Canyon, State of Idaho, for irrigation, domestic and stock watering purposes, have 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 1.5 second feet of the waters of Little Willow Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 5 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26, Township 5 North, Range 2 West, B.M.

Witness my hand this 10th day of August, A.D. 1953.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made July 29, 1953
Certificate of Completion of Works issued August 10, 1953

APPROVAL OF THE STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20567 to September 30, 1956.

Witness my hand this first day of February, 1954.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20567

Comes now CARL P. BENTZ, 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. 20567, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 5 North, Range 2 West B. M., making a total of 80 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 22nd day of March, 1954.

CARL P. BENTZ

Date of receipt at Office of Department of Reclamation March 22, 1954.

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. 20567. 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

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 20567 to Ira M. Dillon of Caldwell, Idaho.

CARL P. BENTZ
Permit Holder
ERVA BENTZ
Wife of Permit Holder

State of Idaho) ss
County of Canyon)

On this 19th day of April, 1954, before me, a Notary Public for the State of Idaho, residing at Caldwell, Idaho personally appeared Carl P. Bentz and Erva Bentz, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

ROBERT L. ALEXANDERSON
Notary Public, residing at Caldwell, Idaho

(SEAL)
My commission expires 5/30/54

Received and filed for record in the Department of
Reclamation, at Boise, Idaho, April 21, 1954.

MARK R. KULP
State Reclamation Engineer

LICENSE ADDED FOR 0.12 SEC. FT.
Page no. 5661

WATER RIGHT NUMBER 63-2710

OWNER LAST NAME - BENTZ

FIRST NAME - CARL P.

ORIG OWNER - 0

OWNER LAST NAME - BENTZ

FIRST NAME - ERVA

ORIG OWNER - 0

OWNER LAST NAME - DILLON

FIRST NAME - IRA M.

ORIG OWNER -

ADDRESS LINE 1 - RT. 1

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CALDWELL

STATE - ID ZIP CODE - 83605

SOURCE - LITTLE WILLOW CREEK

TRIBUTARY OF - BOISE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 07-20-1948

COUNTY - CANYON

TOTAL DIV. RATE -

.1700 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNW 26 05N 02W LOT

REDIV -

272.0 312.0

39.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

6.9

FROM -

TO -

USE - IRRIGATION

USE DIV. RATE -

.1700 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 02W SEC 26 TRACT NWNW LOT AC 08

DATE -

TOTAL ACRES

8

DECREE NAME -

REMARKS - AC. IRR.=8.5.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 20567

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

WATER RIGHT NUMBER 63-2710

WATER RIGHTS EDIT REPORT

08/23/79

PAGE 201

ACT
ION

N OWNER LAST NAME - BENTZ
N OWNER LAST NAME - BENTZ
N OWNER LAST NAME - DILLON

FIRST NAME - CARL P.
FIRST NAME - ERVA
FIRST NAME - IRA M.

ORIG OWNER - 0
ORIG OWNER - 0

N
N SOURCE - LITTLE WILLOW CREEK
N STAGE - LICENSE

CITY - CALDWELL STATE - ID
TRIBUTARY OF - BOISE RIVER

N DIVERSION POINT - NWNW 26 05N 02W

PRIORITY - 07-20-1948 COUNTY - CANYON

TOTAL DIV. RATE - .1700CFS

N USE - IRRIGATION

USE DIV. RATE - .1700CFS

N USE - IRRIGATION
N REMARKS - AC. IRR.=8.5.

PLACE OF USE - TWN 05N RNG 02W SEC 26 TRACT NWNW AC 08

OLD NO. - 20567

3/79

IDENT. NO. 63-2710

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: Ira. M. Dillon

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

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ac. err. = 8.5.*
B.
C.
D.
E.

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

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 20567

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

February 23, 1956

RE: Permit No. 20567

Mr. Ira M. Dillon
Route 1
Caldwell, Idaho

Dear Mr. Dillon:

We enclose License and Certificate of Water Right issued under Permit No. 20567 confirming your right to the use of 0.17 second foot of water from Little Willow Creek with point of diversion in the NW¹/₄ NW¹/₄ Section 26, Township 5 North, Range 2 West, B.M. for irrigation of the same subdivision, and with priority of July 20, 1948.

We also enclose departmental receipt No. 27840 for the \$2.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

20567
~~20567~~
~~20567~~



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

February 17, 1956

RE: Permit No. 20567

RECEIVED
FEB 23 1956
Department of Reclamation

Mr. Ira M. Dillon
Route # 1
Caldwell, Idaho

Dear Mr. Dillon:

Report has been turned in that you have irrigated eight and one-half acres from your pump.

Accordingly upon receipt of the statutory fee of two dollars (\$2.00) a License will be issued for eight and one-half inches (8 $\frac{1}{2}$ inches) of water to be used on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 2 West, B.M.

After you have extended your irrigation system across the stream to the North and irrigated the land on that side of the stream, it will be possible to make an additional proof and get a License for the water used there also.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Edna P. Rutledge
Chief Clerk

R:hll

20567
~~20567~~
~~20567~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20567

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Ira M. Dillon
2. Source of water supply: Little Willow Creek
3. Location of point of diversion: Is in the South east corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26,
T. 5N R. 2W B.M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: This is a diversion
from Little Willow Creek by use of a No. 4 Parma Water Lifter Pump driven by a
single phase 3 hp Wagner Electric Motor. Water is lifted through an 8" pipe 40' long
to a ditch to the fields by gravity. The lift is estimated at 8 feet.
5. Water is used for: Irrigation
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):
See the map
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Twp. 5 North, Range 2 W., B.M.

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

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

Remarks: Mr. Dillon intends to irrigate some additional land within this 40 on the
North side of Willow Creek but has not yet extended his pipe line across the Creek
and made water available on that side. He will make an additional proof in the
future.

This examination was made on the 16th day of February, 19 56

(Signed) E. J. Humphrey Examiner.

20567
~~20567~~

Ira. M. Dillon
Route # 1, Caldwell, Idaho

Permit No. 20567

Examination for Beneficial Use

County Canyon

26-5N-2W.

Q = 1.3 cfs

S. 6th St.

1/2 mi. S. of Caldwell

Divided by 4

6 to 10 d. to 1/2 mi.

Filed - July 20, 1948
Dec. 30, 1956 (Rev.)

C/W = 8-10-53.

Wagner color 1750 ft
1 ph. 3 hp B 801017

Karna. Water Patten #4
8" pipe x 40'
Lgt 5' to fields by
gravel

INSTRUCTIONS TO EXAMINERS

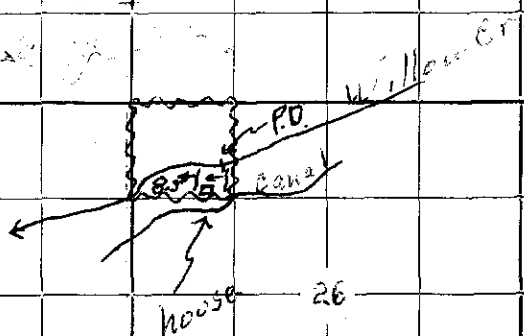
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated 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
FEB 17 1956

Department of Reclamation

R-2W

T.
5
N.



Subdivisions = One

Area = $8\frac{1}{2}$ acres.

$Q = 8\frac{1}{2}$ inches.

An additional proof will eventually
be made for some land on
the north side of the stream.

20567

~~20567~~

~~20567~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20567

REPORT ON PROOF OF Beneficial Use

017 OK
SRRK

app. 1.3 ft/min

1 Sub

8 1/2 ft/min

January 11, 1956

Re: Permit 20567

Robert B. Dunlap
914 Main Street
Caldwell, Idaho

Dear Mr. Dunlap:

We acknowledge receipt of the depositions of Mr. Ira Dillon, holder of said permit along with two witnesses, also affidavit of publication in the News-Tribune, all submitted in proof of beneficial use on Permit No. 20567.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULF
State Reclamation Engineer
By:

Chief Clerk

EPR
cc; Ira M. Dillon

20567
~~20567~~

ROBERT B. DUNLAP
~~XXXXXXXXXXXXXXXXXXXX~~
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

~~XXXXXXXX~~
ROBERT B. DUNLAP

January 4, 1956

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

Re: Ira M. Dillon, Permit No. 20567

Attention: Miss Jeanne L. Anderson

Dear Miss Anderson:

Pursuant to your request of December 15, 1955,
I enclose a corrected Affidavit of Publication
in the above entitled matter.

Very truly yours,



Robert B. Dunlap

RBD/my
Enc.

20567
~~20567~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20567

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ira M. Dillon, Route 1, Caldwell, Idaho. Farmer.

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

Ans.

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

Ans. Permit No. 20567 dated July 31, 1948. Date of priority July 20, 1948.

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

Ans. Little Willow Creek. In the NE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, Twp. 5 N. R. 2 W.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. By private unnamed ditch. Discharge of pump is 65 inches measured by weir. Pump and ditch capable of delivering 65 inches.

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 of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 26, Township 5 North, Range 2 West of the Boise Meridian. Total of 40 acres have actually been irrigated. The land is cultivated and the use of the water thereon has and is producing valuable crops.

20567

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

Ans. _____

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

Ans. 40 inches.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder. I acquired ownership by purchasing the land from Carl P. Bentz and Erva Bentz, husband and wife and the above mentioned permit was assigned to me by said Bentz by written assignment dated April 19, 1954, which said assignment is on file with the Dept. at Boise.

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

Ans. The full amount of 65 inches has been used upon the total 40 acres during each and every irrigation season since the irrigation season of 1948.

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. That portion of the above described real property lying North of the Willow Creek is within the boundaries of the Black Canyon Irrigation District and entitled to receive water from said District.

(Sign) L. M. Dillon

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Caldwell, County of Canyon,

State of Idaho, on this 30th day of November, A. D. 1955.

(SEAL)

My commission expires 5-23-58

Robert B. Dunlap
Notary Public for Idaho
Residing at Caldwell

20567

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20567

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. J. W. Stanton, 69 years, Middleton, Idaho, Farmer, Box 92
Middleton, Idaho

Ques. 2. Are you acquainted with Ira M. Dillon, the holder of Permit No. 20567? How long have you known him and where does he reside?

Ans. Yes. Since 1949. He resides at Route 1, Caldwell, Idaho

Ques. 3. Have you read or heard read said Permit No. 20567, 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. Little Willow Creek. In the NE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 2 W.B.M., and the works consist of a pump and private ditches for conveying water from point of diversion to place of use, which said place of use is the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, Twp. 5 N., R. 2 W.B.M.

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. 1.3 second feet and I have seen said amount of water so conveyed.

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 is used for irrigating the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, Twp. 5 N., R. 2 W.B.M., consisting of 40 acres. Said land is cultivated land and the use of water thereon has and does produce valuable crops.

20567
~~20570~~

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

Ans. _____

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

Ans. Heavy sandy loam and requires at least 1 miner inch per acre of water for profitable cultivation.

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

Ans. No

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

Ans. I have observed the application of at least 65 inches of water applied to said lands under said permit for the farming seasons of 1952, 1953, 1954 and 1955.

(Signed) _____

J. W. Stanton

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell, County of Canyon, State of Idaho, on this 20 day of November, A. D. 1955.

Robert B. Blumley

Notary Public.

My commission expires 5-23-58

Residing at Caldwell, Idaho

20567
~~20570~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20567

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. Elbert Harvey, 49 years, Route 1, Caldwell, Idaho, Farmer,
Route 1, Caldwell, Idaho

Ques. 2. Are you acquainted with Ira M. Dillon, the holder of Permit No. 20567? How long have you known him and where does he reside?

Ans. Yes. Since 1932. He resides at Route 1, Caldwell, Idaho

Ques. 3. Have you read or heard read said Permit No. 20567, 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. Little Willow Creek. In the NE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 2 W.B.M., and the works consist of a pump and private ditches for conveying water from point of diversion to place of use, which said place of use is the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, Twp. 5 N., R. 2 W.B.M.

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. 1.3 second feet and I have seen said amount of water so conveyed.

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 is used for irrigating the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 2 West of the Boise Meridian, consisting of 40 acres. Said land is cultivated land and the use of water thereon has and does produce valuable crops.

20567

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

Ans. _____

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

Ans. Heavy sandy loam and requires at least 1 miner inch per acre
of water for profitable cultivation.

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

Ans. No

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

Ans. I have observed the application of at least 65 inches of water
applied to said lands under said permit for the farming seasons of 1949,
1950, 1951, 1952, 1953, 1954 and 1955.

(Signed) E. Albert Harvey

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

County of Canyon, State of Idaho, on this 30 day of November

A. D. 19 55

Robert B. Raulo
Notary Public.

My commission expires 5-23-58

Residing at Caldwell, Idaho

20567

Affidavit of Publication

STATE OF IDAHO,

County of Canyon

ss.

RECEIVED
JAN 6 1956

Department of Reclamation

Virgil Grey, being first duly sworn, deposes and says;

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

Saturday issue of The News-Tribune for 4 consecutive weeks beginning with the issue of Nov 5 1955 and ending with the issue of Nov

26 1955
Virgil Grey
Subscribed and sworn to before me this 27 day of December 1955.

H. G. Conbrane

Notary Public for Idaho
Residing at Caldwell, Idaho

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 30th day of November, 1955, at 814 Main Street, Caldwell, County of Canyon, State of Idaho, before Robert B. Danlap, a Notary Public, proof will be submitted of the application of beneficial use of 1.3 cubic feet per second of the waters of Little Lost Creek in accordance with the terms and conditions of Permit No. 20567 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation having said permit is H. G. Conbrane, Route 1, Caldwell, Idaho.

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

The amount of water for beneficial use is 1.3 cubic feet per second.

The place where said water is used is the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 23, Township 5 North, Range 2 West of the Boise Meridian, and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 26, Township 5 North, Range 2 West of the Boise Meridian.

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

~~20570~~

20567

December 15, 1955

RE: Permit No. 20567

Mr. Robert B. Dunlap
914 Main Street
Caldwell, Idaho

Dear Mr. Dunlap:

We have your letter of December 12, 1955, enclosing depositions of Ira M. Dillon and two witnesses also Affidavit of Publication in the Caldwell New Tribune offered in proof of Beneficial Use on Permit No. 20567.

We return the Affidavit from the news Tribune which you note is incomplete in that a portion of the clipping seems to have been torn off. Please send a corrected Affidavit.

We also note that the land description only includes 40 acres in the NW 1/4 NW 1/4 Section 26, Township 5 North, Range 2 West, B. M., whereas, the SW 1/4 SW 1/4 Section 23 is also included in the Permit and the published notice. Was this omission intentional?

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

20567
~~20570~~

ROBERT B. DUNLAP
~~ROBERT B. DUNLAP~~
ATTORNEYS AT LAW
914 MAIN STREET
CALDWELL, IDAHO

December 12, 1955

~~XXXXXXXX~~
ROBERT B. DUNLAP

RECEIVED
DEC 15 1955
Department of Reclamation

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

Re: Ira M. Dillon
Permit No. 20567

Dear Mr. Mark:

I enclose the following papers in the above
entitled matter:

1. Affidavit of Publication
2. Deposition of Holder
3. Deposition of Witness, J. W. Stanton
4. Deposition of Witness, Elbert Harvey

Very truly yours,

Robert B. Dunlap

Robert B. Dunlap

RBD/my
Enc.

20567
~~20567~~

Oct. 30/55

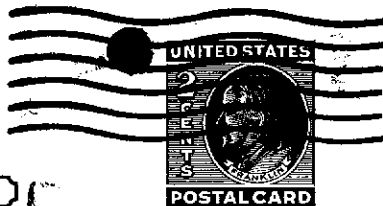
We acknowledge receipt of your notice
for publication of permit # 20567 for
Ira Dillon Rt.1 Caldwell Ida. Dates of
publication Nov.5-12-19-26.

News Tribune

By H. G. Lockman

20567

~~*20570*~~



THIS SIDE OF CARD IS FOR ADDRESS

State of Idaho

Dept. of Reclamation

Boise Ida.

Department of Reclamation

RECEIVED
OCT 31 1955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20567

Date: October 28, 1955

Caldwell News-Tribune

Caldwell, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 30, 1955** the date set for proof, the expense of the publication to be paid by the applicant, **Ira M. Dillon** of **Route 1, Caldwell, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20567

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 25, 1955

(P. O.) 914 Main Street, Caldwell, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

News-Tribune

of Caldwell, Idaho

published in

the county in which the works are situated.

Robert B. Hunsley

(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.

20567

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

Notice is hereby given that at 10:00 A. M. on the 9th day of November, 1955
914 Main Street
 at Caldwell, County of Canyon, State of Idaho, before
Robert B. Dunlap, a Notary Public, proof will be submitted of the
 application to beneficial use of 1.3 Cubic feet per second of the waters of Little Willow Creek
 in accordance with the terms and conditions of Permit No. 20567
 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
Ira M. Dillon, Route 1, Caldwell, Idaho.

The use to which said water has been applied is irrigation, domestic and stock watering

The amount applied to beneficial use is 1.3 cubic feet per second

The place where said water is used ~~(if for irrigation give following accurate description of the lands irrigated)~~
The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section
23, Township 5 North, Range 2 West of the Boise Meridian, and the
Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 26,
Township 5 North, Range 2 West of the Boise Meridian.

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

The right to take water from such works is based upon Permit No. 20567

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

The date of priority which said user is prepared to establish is July 20, 1948

 MARK B. KULP

State Reclamation Engineer.

20567

✓
October 27, 1955

RE: Permit No. 20567

Mr. Robert B. Dunlap
914 Main Street
Caldwell, Idaho

Dear Mr. Dunlap:

In accordance with your letter of October 25, we are sending to the Caldwell News Tribune notice for proof of beneficial use to be made November 30, 1955, on Permit No. 20567 in the name of Ira M. Dillon with instructions to publish it once a week for four weeks prior to that date and to send Mr. Dillon the affidavit of publication together with statement of costs.

We enclose two sets of forms for making this proof, each consisting of a deposition of the holder and a deposition for each of two disinterested witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

20567

ROBERT B. DUNLAP

~~DUNLAP & DUNLAP~~

ATTORNEYS AT LAW

914 MAIN STREET

CALDWELL, IDAHO

~~XXXXXXXXXX~~

ROBERT B. DUNLAP

October 25, 1955

RECEIVED
OCT 26 1955
Department of Reclamation

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

Re: Permit No. 20567
Ira M. Dillon

Dear Mr. Kulp:

I enclose letter and notice of proof of Beneficial Use for publication in the above captioned matter. Will you please send us two copies of the forms necessary for making proof of beneficial use.

Very truly yours,



Robert B. Dunlap

RBD/my
Enc.

20567

✓
October 11, 1955

RE: Permit No. 20567

Mr. Robert B. Dunlap
914 Main Street
Caldwell, Idaho

Dear Mr. Dunlap:

In reply to your letter of October 6, 1955, requesting forms for making proof of Completion of Works on Permit No. 20567.

Our records show Permit No. 20567 is in the name of Ira M. Dillon and proof of Completion of Works has been made and Certificate of Completion of Works issued August 10, 1953, to the original Permit Holder, Carl P. Bantz, for 1.5 second feet of water from Little Willow Creek.

If Mr. Dillon is prepared to make proof of Beneficial Use notice should be made in duplicate on Form 10 enclosed and both copies returned to this Department with Form 11 which is authorization for us to have the notice published at his expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

Enc.

20567

ROBERT B. DUNLAP

~~DUNLAP & DUNLAP~~

ATTORNEYS AT LAW

914 MAIN STREET

CALDWELL, IDAHO

October 6, 1955

~~XXXXXXXXXX~~
ROBERT B. DUNLAP

RECEIVED
OCT 7 1955
Department of Reclamation

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

Re: Permit No. 20567

Dear Mr. Kulp:

Will you please send me the necessary blanks on which to make proof of COMPLETION OF WORKS, for the above captioned matter.

Thanking you, I am

Very truly yours,

Robert B. Dunlap
Robert B. Dunlap *m*

RBD/my

Ira M. Dillon

*C/W - Oct 8, 10-55 Carl P. Buntz
115 - Little Bear -*

20567

CALDWELL, ALEXANDERSON & DAVIS

LAWYERS

HARMON BUILDING

CALDWELL, IDAHO

HUGH N. CALDWELL 1892-1954
ROBERT L. ALEXANDERSON
WAYNE E. DAVIS

RECEIVED
APR 21 1954
Department of Reclamation

April 20, 1954

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

Dear Sir:

Re: Permit No. 20567

Pursuant to your letter of April 8, 1954, we enclose herewith Assignment of above permit executed by Carl P. Bentz and Erva Bentz in favor of Ira M. Dillon. We also enclose fifty cents (50¢) in cash for filing fee.

The Application for Permit is being delivered to Dunlap & Dunlap, Attorneys for Mr. Dillon.

Very truly yours,

ALEXANDERSON & DAVIS


By ROBERT L. ALEXANDERSON

RLA/m
Encs. (2)

cc: Dunlap & Dunlap
Attorneys at Law
Caldwell, Idaho

20567

April 21, 1954

RE: Permit No. 20567

Messrs. Alexanderson & Davis
Harmon Building
Caldwell, Idaho

ATTENTION: Mr. Robert L. Alexanderson

Dear Mr. Alexanderson:

We return the assignment of Permit No. 20567 from Carl P. Bents and wife to Ira M. Dillon, which has been recorded in this department.

We also enclose departmental receipt No. 26616 for the fifty cent recording fee.

We understand from your letter that this permit is being delivered to Messrs. Dunlap & Dunlap, attorneys for Mr. Dillon.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

Enc.

CC: Messrs. Dunlap & Dunlap

20567

CALDWELL, ALEXANDERSON & DAVIS

LAWYERS

HARMON BUILDING

CALDWELL, IDAHO

HUGH N. CALDWELL 1892-1954
ROBERT L. ALEXANDERSON
WAYNE E. DAVIS

April 7, 1954

RECEIVED
APR 8 1954
Department of Reclamation

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

Dear Mr. Kulp:

Re: Permit No. 20567

The original applicant for the above permit has sold his land on contract, and desires if possible to assign his right in the Permit to his contract purchaser.

Please advise us whether such assignment is possible, and if so, furnish us with the necessary assignment forms.

Thanking you for your favor in this matter, I am,

Very truly yours,

ALEXANDERSON & DAVIS

Robert L. Alexander

By ROBERT L. ALEXANDERSON

RLA/dk

20567

April 8, 1954

Re: Permit No. 20567

Messrs. Alexanderson & Davis
Harmon Building
Caldwell, Idaho

ATTENTION: Mr. Robert L. Alexanderson

Dear Mr. Alexanderson:

We have your letter of April 7 in regard to an assignment of Permit No. 20567 from Mr. Carl E. Bentz to a contract purchaser.

We assume that this assignment is to be made to Mr. Ira M. Dillon, whom we have previously been advised, is purchasing same under contract and we enclose a form of assignment herewith which should be executed by Mr. Bentz and returned to this department with a fifty cent recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.
CC: Messrs. Dunlap & Dunlap

20567

✓
March 22, 1954

RE: Permit No. 20567

Mr. Carl P. Bantz
P. O. Box 23
Lucille, Idaho

Dear Mr. Bantz:

We return your application for amendment to the land list in Permit No. 20567 to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 5 North, Range 2 West B.M., which has been approved by the State Reclamation Engineer and recorded in this department.

This puts the place of use as originally described in Permit No. 20567.

We note that you are prepared to make proof of beneficial use on this Permit and before this proof is made the statutes require publication of a notice once a week for four weeks in the county where the water is located.

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 is to be made.

The proof may be made at any place convenient for you and your two witnesses and the time must be set sufficiently ahead to allow for four weeks publication.

Both copies of Form 10 are to be returned to this department together with Form 11, which is your authorization to us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall then send you the necessary forms of deposition to be used in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

cc: Dunlap & Dunlap

20567

March 17, 1954

RECEIVED
MAR 18 1954
Department of Reclamation

Mr. Carl P. Bentz
P. O. Box 23
Lucile, Idaho

Dear Mr. Bentz:

We are writing to you at the request of Ira M. Dillon who is purchasing certain property from you located in Sections 23 and 26 of Township 5 North, Range 2 West of the Boise Meridian, pursuant to a contract of sale made between you on January 4, 1952.

This contract reflects that you agreed to sell to him all water and water rights appurtenant to said land. At the time he purchased from you, this land was irrigated by pumping from the drain ditch located on this property under permit to appropriate public waters No. 20567.

This water, of course, having been beneficially applied to the land, became appurtenant thereto, but a check of the Office of the State Reclamation Engineer reflects that on June 8, 1953, after having agreed to sell this water right to Mr. Dillon, you caused the permit to be changed, taking the water right from said land and applying it to other lands belonging to you.

The contract also reflects that you agreed to sell him the pump and motor used for the purpose of lifting water from said drain ditch.

It would appear from reading this contract and the records of the Office of the State Reclamation Engineer, that you do not intend to comply with the agreement you have made with Mr. Dillon. We cannot believe that you would intentionally do such a thing and there must be some misunderstanding on your part which caused you to take the action you have taken with the State Reclamation Office.

20567

Mr. Dillon bought this water right from you in good faith and does, of course, expect you to carry out your contract with him.

It would, therefore, be appreciated if you would see us at your earliest convenience concerning this matter.

Very truly yours,

DUNLAP & DUNLAP

By:

Robert B. Dunlap

RBD:bb

cc: Mr. Ira M. Dillon
Route #1
Caldwell, Idaho

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

20567

February 2, 1954

20567

Mr. Robert Dunlap
1914 Main Street
Caldwell, Idaho

Dear Mr. Dunlap:

The enclosed copy of letter we are today writing Mr. Carl P. Bentz is self-explanatory.

This is in accordance with your request that you be notified of any matters in connection with this permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

✓
February 2, 1954

RE: Permit No. 20567

Mr. Carl P. Bentz
P. O. Box 23
Lucile, Idaho

Dear Mr. Bentz:

We enclose Approval of the State Reclamation Engineer of your application for extension of time for making proof of Beneficial Use on Permit No. 20567 to September 30, 1956.

This should be attached to the original permit of which it now forms a part.

For our records, please advise us which is your correct address. The original permit gives it at Middleton, Idaho, your proof of Completion of Works was sent from Lindsay, California, and your present application for Extension from Lucile, Idaho.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

20567

STATE OF IDAHO
Department of Reclamation

Permit No. 20567

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO

County of Canyon } SS

Joe Carl P. Bentz and Erna Bentz Lucile Idaho Box 23

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

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 20567

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by July 31, 1954

That he has heretofore put to beneficial use 3 second feet of water and has irrigated 7 acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: On account of sickness of wife, has had to seek another climate, also a shortage of funds has curtailed operations on getting water on the entire acreage by above date.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to Sept 30, 1956

Subscribed and sworn to before me this 29 day of Jan, 1954

Lloyd Bash

Notary Public.

My commission expires Oct 29 - 1957

Date of receipt at office of Department of Reclamation Feb. 1 - 1954

APPROVAL OF THE STATE RECLAMATION ENGINEER

~~APPROVAL OF THE COMMISSIONER OF RECLAMATION~~

I, MARK R. KULP

~~XXXXXXXXXXXXXXXXXXXX~~

State Reclamation Engineer

ing of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20567, to

September 30, 1956

Witness my hand this First day of February, 1954

Mark R. Kulp

State Reclamation Engineer

20567

August 14, 1953

RE: Permit No. 20567

Mr. Carl P. Bentz
Route # 2
Lindsay, California

Dear Mr. Bentz:

We enclose Certificate of Completion of Works issued on Permit No. 20567 for the diversion of one and five-tenths (1.5) second feet of water from Little Willow Creek with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 5 North, Range 2 West, B.M. for irrigation, domestic and stock watering in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26, Township 5 North, Range 2 West, B.M.

We also enclose Departmental Receipt No. 26122 for the \$5.00 fee in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

20567



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

August 3, 1953

RE: Permit No. 20567

AUG 10 1953
Department of Reclamation

Mr. Carl P. Bentz
Route 2, Box 971
Lindsay, California

Dear Mr. Bentz:

We return your affidavit submitted in proof of completion of works on Permit No. 20567 for completion as follows:

Under Question 6, describe the width, depth and length of the ditch. Also, give the kind and power of the pump.

Answer Question 7.

We are unable to read the land description in Question 8, or the place where the water is to be used. The permit gives it in the SW¹/₄ SW¹/₄ Section 23 and the NW¹/₄ NW¹/₄ Section 26, Township 5 North, Range 2 West, B.M.

Meanwhile, we hold to your credit your check for the \$5.00 fee in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:fg Dear Sir; Find enclosed Corrected Proof as per your request above.
Enc. Thank you kindly.

Yours truly,

Carl P. Bentz

20567

Permit No. 20567STATE OF IDAHO
Department of ReclamationRECEIVED
JUL 31 1953
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Canyon

ss.

~~Carl P. Bentz~~, 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. 20567, and that his postoffice address is R# 2, Box 971, Lindsay
State of CaliforniaSecond: That the name of the stream from which said water is to be diverted is Willow CreekThird: That the point of diversion of said water is In the south east corner of
North west 1/4 of the north west 1/4, Sec. 26, Twp. 5 north R. 2, W. Canyon Co.
Idaho
Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 31, 1953, 19 .Fifth: That the use for which said water is intended is Irrigation

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

I. Kind of works: Ditch and pump 2 hp Electric 4 in. Parma lifter
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Ditch ~~Reservoir~~ width at bottom 1 ft. feet, width at water line 2 ft.
(State whether ditch, flume or pipe)feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is feet. Length of ~~conduit~~ Ditch is 1/4 miles.Seventh: That said works are capable of conducting to the place of intended use One and One-half Second feet of water.Eighth: That water appropriated under said permit is available for 81
acres of land described as follows: North 1/2 Sec. 26, Twp. 5N, R. 2, W. Canyon Co. Idaho.
(Please refer to amendment as of June 23, 1953)Pump used is a 2hp 4 inch Parma lifter. A larger motor will be installed when
and if necessary when all acreage has water applied.Ninth: Remarks: That Water has been used for irrigation on part of
above acreage for the past four or five years, First by ditch then
by pump and ditch.Carl P. Bentz
(Sign Here)Subscribed and sworn to before me this 29th day of JULY, 1953My commission expires April 5, 1955William Swain Palmer
Notary Public.

20567

June 23, 1953

RE: Permit No. 20567

Mr. Carl F. Bentz
Box 971
Lindsay, California

Dear Mr. Bentz:

We return your application for amendment to your land list in Permit No. 20567 which has been approved by the State Reclamation Engineer and recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

a:op
Enc.

20567



LEN JORDAN
GOVERNOR

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

BOISE

June 8, 1953

RE: Permit No. 20567

RECEIVED
JUN 20 1953
Department of Reclamation

Mr. Carl P. Bentz
Box 971
Lindsay, California

Dear Mr. Bentz:

We do not quite understand the two applications for amendment to the land list in Permit No. 20567, which reached us this morning.

They both seem to relate to the same permit and they both total the same number of acres, but the land description is different.

Please correct whichever one is in error and return to this department for approval and record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:fg Mark R. Kulp; Kind Sir, I am sorry for the mistaken discription
Enc.

I thank you kindly.

Yours truly, Carl P. Bentz

to mailman - 70 211 - 26 571 211 -
511 511 23
60 acres

6511

20567

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 20567

State

Comes now Carl P. Bentz, and represents to the ~~Commissioner~~
Engineer
of Reclamation/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. 20567, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

~~NE 1/4 SW 1/4, NE 1/4 SW 1/4 and SW 1/4 NW 1/4~~ Section 26, Township 5 North, Range 2 West, B. M.
~~NE 1/4 SW 1/4, NE 1/4 SW 1/4 and SW 1/4 NW 1/4~~ All in

making a total of 81 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Lindsay Calif., this 3rd day of June, 1953.

Carl P. Bentz

Date of receipt at Office of Department of Reclamation June 8-1953

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, _____, Commissioner of Reclamation 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. _____. 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.

Commissioner of Reclamation.

(Over)

20567

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT.

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) Source or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me.....
19..... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date.....

19.....

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

May 1, 1953

INSTRUCTIONS

Carl P. & Erva Beutz
Middleton
Idaho

PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sir:-

Under the terms of your Permit No. 20567..... you are required to complete your diversion works on or before July 31, 1953..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

20567

✓
April 8, 1952

Re: Permit No. 20567

Mr. Robert L. Alexanderson
Harmon Building
Caldwell, Idaho

Dear Mr. Alexanderson:

At the request of Mr. Carl P. Bents,
we enclose a form of application for amendment to
the land list in Permit No. 20567.

This should be signed by Mr. Bents, and
returned to this department for approval and record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encl.

20567

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

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

B O I S E

Permit No. 20567

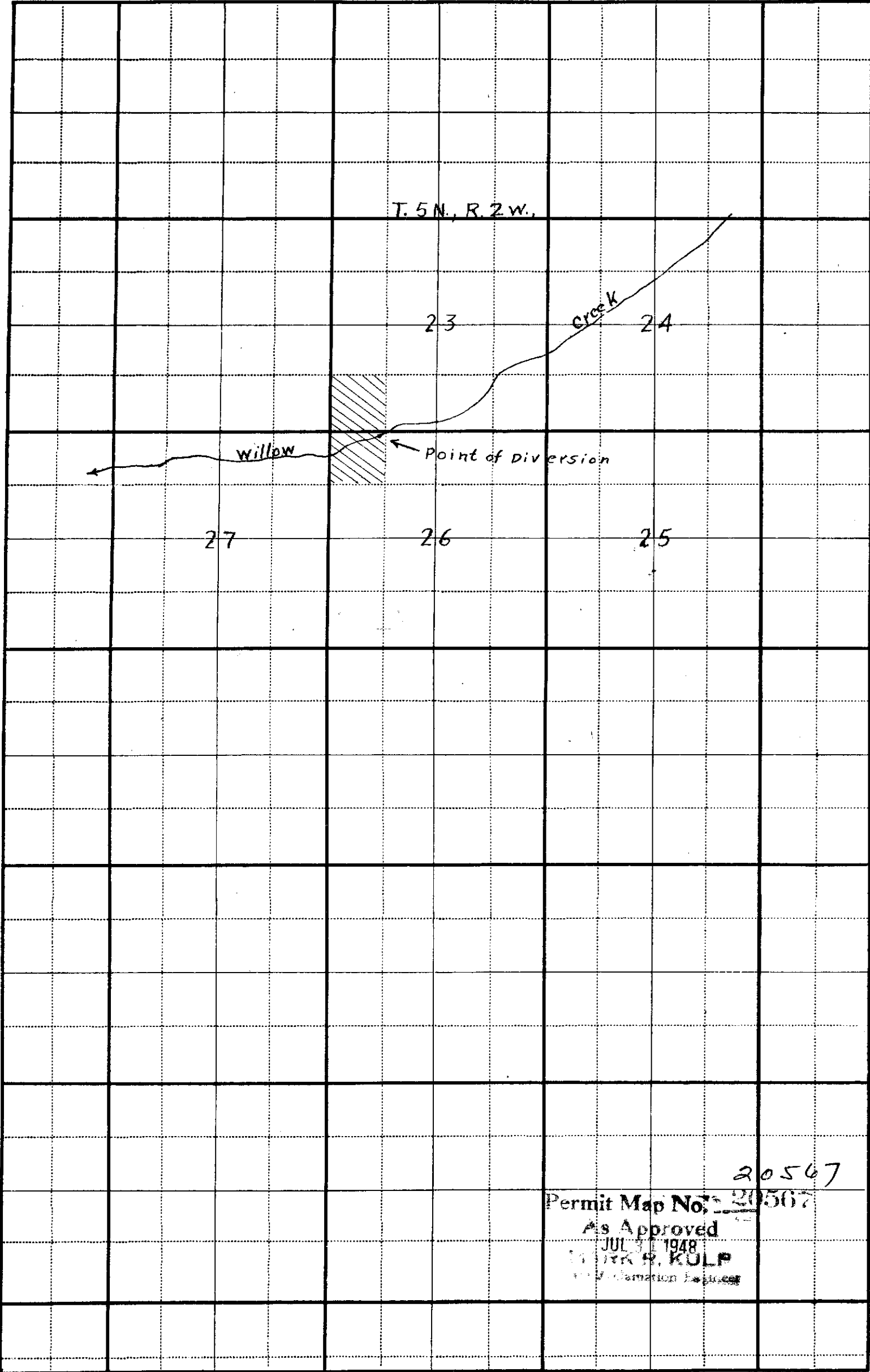
Date August 5, 1948

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

MARK R. KULP
State Reclamation Engineer

Carl W. Bontz and Mrs Bontz
Middleton, Idaho

20567



Dear Mr Dillon:-

Report has been turned in that you ^{have} ~~are~~ irrigated eight and one half acres from your pump.

Accordingly, upon receipt of the statutory fee of two (\$2.00) dollars, a license will be issued for ~~that~~ $8\frac{1}{2}$ inches and to be used on the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S26, T5N., R2W.B.M.

After you have extended your irrigation system across the stream to the north and irrigated the land over there it will be possible to make an additional proof and get a license for the water used there also.

Yours &c,

20567
~~20570~~
~~20567~~

February 17, 1956

RE: Permit No. 20567

Mr. Ira M. Dillon
Route # 1
Caldwell, Idaho

Dear Mr. Dillon:

Report has been turned in that you have irrigated eight and one-half acres from your pump.

Accordingly upon receipt of the statutory fee of two dollars (\$2.00) a License will be issued for eight and one-half inches ($8\frac{1}{2}$ inches) of water to be used on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 2 West, B.M.

After you have extended your irrigation system across the stream to the North and irrigated the land on that side of the stream, it will be possible to make an additional proof and get a License for the water used there also.

Very truly yours,

MARK R. KULI
State Reclamation Engineer
By

Chief Clerk

R:hll

20567

~~20567~~
~~20567~~

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 30th day of November, 1955, at 914 _____ Street, Caldwell, County of Canyon, State of Idaho, before Robert B. Dunlap, a Notary Public, proof will be submitted of the application to beneficial use of 1.3 cubic feet per second of the waters of Little Willow Creek in accordance with the terms and conditions of Permit No. 20567 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 Ira M. Dillon, Route 1, Caldwell, Idaho.

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

The amount applied to beneficial use is 1.3 cubic feet per second.

The place where said water is used The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 23, Township 5 North,

_____ Meridian.

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

The right to take water from such works is based upon Permit No. 20567.

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

The date of priority which said user is prepared to establish is July 20, 1948.

MARK R. KULP,
State Reclamation Engineer.
No 953—Nov 5-1955 ✓