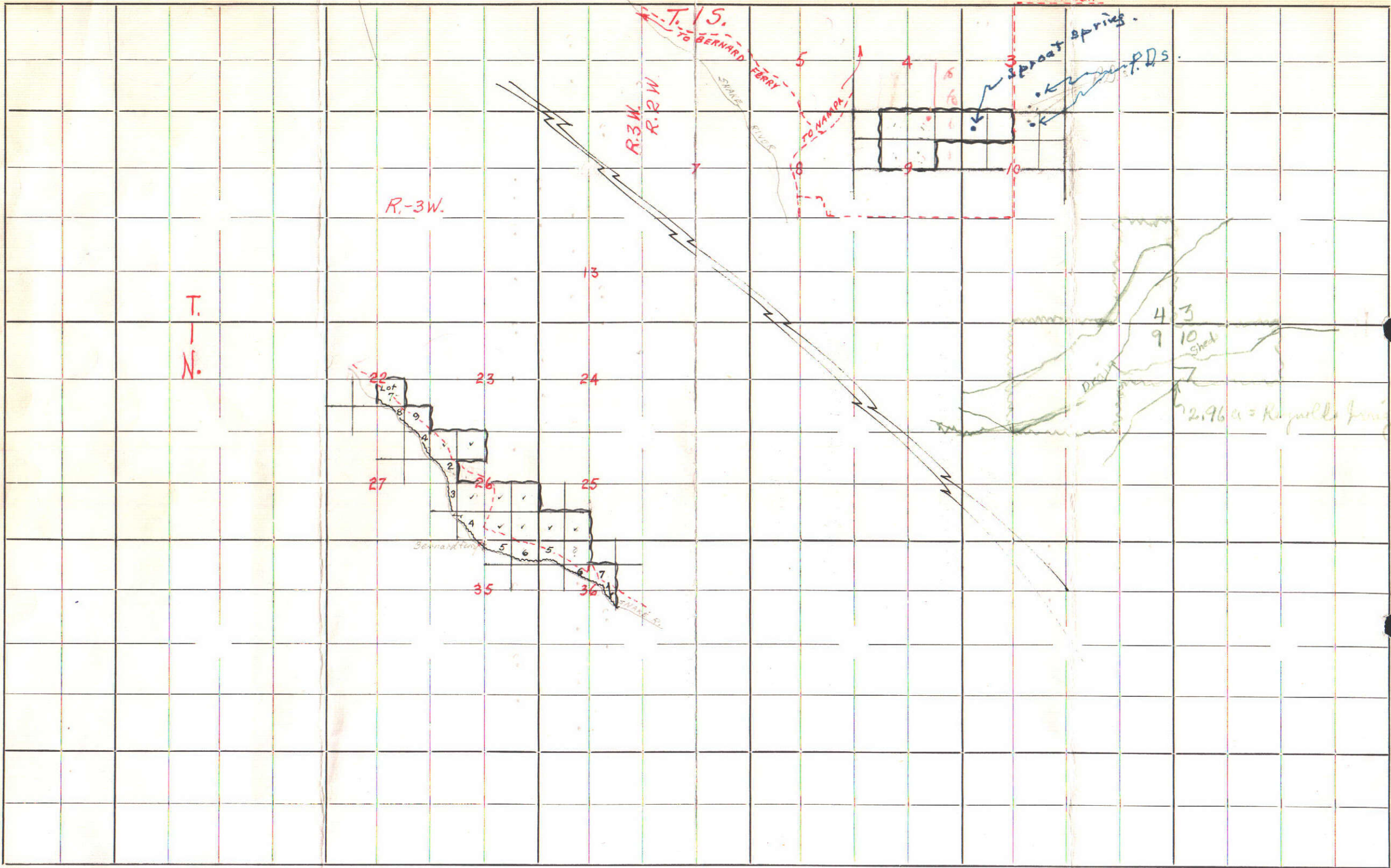
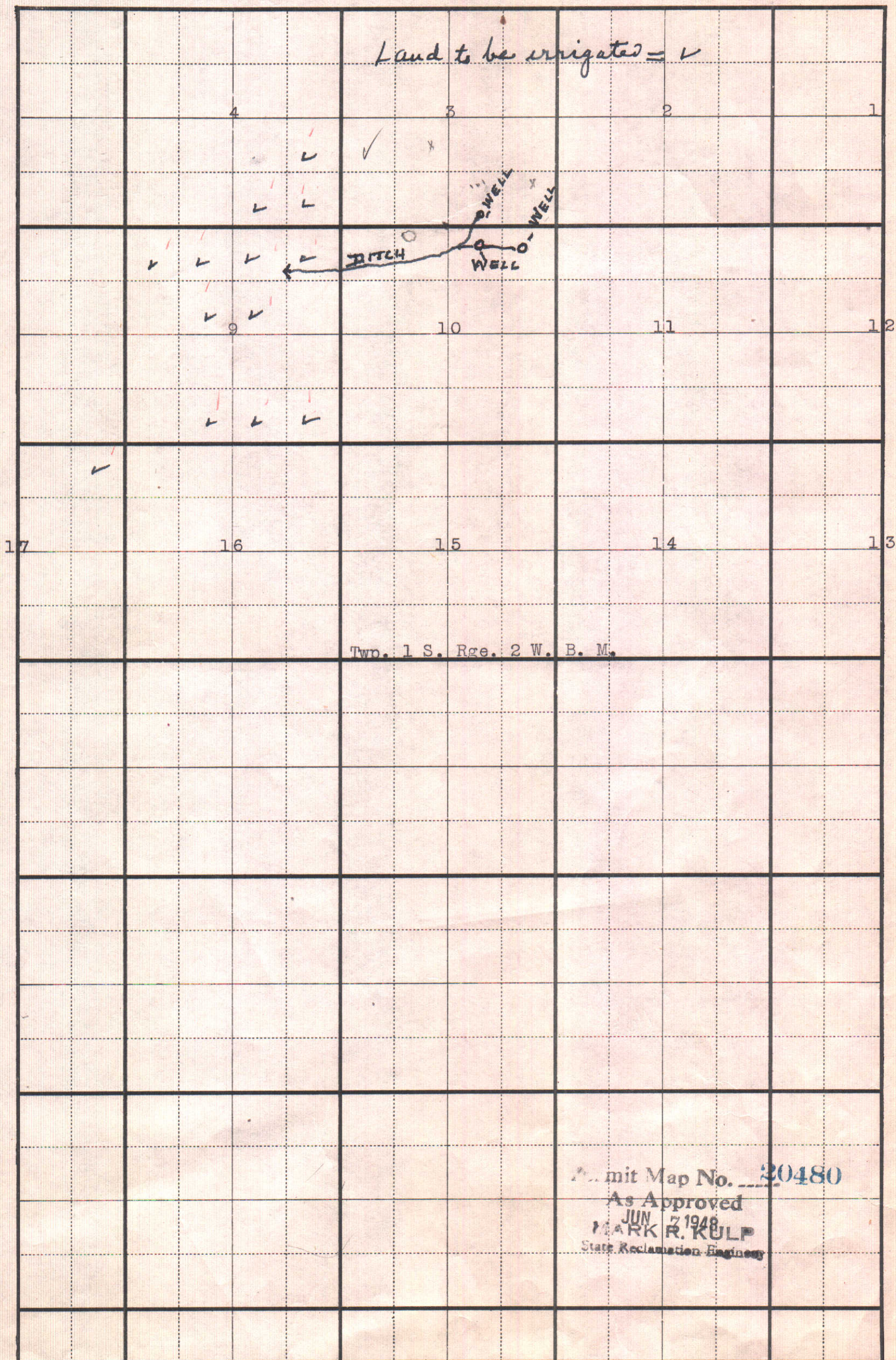


Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



20480

FORM No. 0



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

20480

State of Idaho

License and Certificate of Water Right

Water License No. 24010

Amount 6.4 cfs

Water District No. 1

Priority 1st

THIS IS TO CERTIFY that

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 2, 1948; that Permit No. 20410 was issued under said application; that Certificate of Completion of works with a carrying capacity of 6.4 cfs, was issued thereunder on June 12, 1953, showing that said work was being let on the 1st day of June, 1953, and that on the 1st day of June, 1957, (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (aa) (ab) (ac) (ad) (ae) (af) (ag) (ah) (ai) (aj) (ak) (al) (am) (an) (ao) (ap) (aq) (ar) (as) (at) (au) (av) (aw) (ax) (ay) (az) (ba) (bb) (bc) (bd) (be) (bf) (bg) (bh) (bi) (bj) (bk) (bl) (bm) (bn) (bo) (bp) (bq) (br) (bs) (bt) (bu) (bv) (bw) (bx) (by) (bz) (ca) (cb) (cc) (cd) (ce) (cf) (cg) (ch) (ci) (cj) (ck) (cl) (cm) (cn) (co) (cp) (cq) (cr) (cs) (ct) (cu) (cv) (cw) (cx) (cy) (cz) (da) (db) (dc) (dd) (de) (df) (dg) (dh) (di) (dj) (dk) (dl) (dm) (dn) (do) (dp) (dq) (dr) (ds) (dt) (du) (dv) (dw) (dx) (dy) (dz) (ea) (eb) (ec) (ed) (ee) (ef) (eg) (eh) (ei) (ej) (ek) (el) (em) (en) (eo) (ep) (eq) (er) (es) (et) (eu) (ev) (ew) (ex) (ey) (ez) (fa) (fb) (fc) (fd) (fe) (ff) (fg) (fh) (fi) (fj) (fk) (fl) (fm) (fn) (fo) (fp) (fq) (fr) (fs) (ft) (fu) (fv) (fw) (fx) (fy) (fz) (ga) (gb) (gc) (gd) (ge) (gf) (gg) (gh) (gi) (gj) (gk) (gl) (gm) (gn) (go) (gp) (gq) (gr) (gs) (gt) (gu) (gv) (gw) (gx) (gy) (gz) (ha) (hb) (hc) (hd) (he) (hf) (hg) (hh) (hi) (hj) (hk) (hl) (hm) (hn) (ho) (hp) (hq) (hr) (hs) (ht) (hu) (hv) (hw) (hx) (hy) (hz) (ia) (ib) (ic) (id) (ie) (if) (ig) (ih) (ii) (ij) (ik) (il) (im) (in) (io) (ip) (iq) (ir) (is) (it) (iu) (iv) (iw) (ix) (iy) (iz) (ja) (jb) (jc) (jd) (je) (jf) (jg) (jh) (ji) (jj) (jk) (jl) (jm) (jn) (jo) (jp) (jq) (jr) (js) (jt) (ju) (jv) (jw) (jx) (jy) (jz) (ka) (kb) (kc) (kd) (ke) (kf) (kg) (kh) (ki) (kj) (kk) (kl) (km) (kn) (ko) (kp) (kq) (kr) (ks) (kt) (ku) (kv) (kw) (kx) (ky) (kz) (la) (lb) (lc) (ld) (le) (lf) (lg) (lh) (li) (lj) (lk) (ll) (lm) (ln) (lo) (lp) (lq) (lr) (ls) (lt) (lu) (lv) (lw) (lx) (ly) (lz) (ma) (mb) (mc) (md) (me) (mf) (mg) (mh) (mi) (mj) (mk) (ml) (mm) (mn) (mo) (mp) (mq) (mr) (ms) (mt) (mu) (mv) (mw) (mx) (my) (mz) (na) (nb) (nc) (nd) (ne) (nf) (ng) (nh) (ni) (nj) (nk) (nl) (nm) (nn) (no) (np) (nq) (nr) (ns) (nt) (nu) (nv) (nw) (nx) (ny) (nz) (oa) (ob) (oc) (od) (oe) (of) (og) (oh) (oi) (oj) (ok) (ol) (om) (on) (oo) (op) (oq) (or) (os) (ot) (ou) (ov) (ow) (ox) (oy) (oz) (pa) (pb) (pc) (pd) (pe) (pf) (pg) (ph) (pi) (pj) (pk) (pl) (pm) (pn) (po) (pp) (pq) (pr) (ps) (pt) (pu) (pv) (pw) (px) (py) (pz) (qa) (qb) (qc) (qd) (qe) (qf) (qg) (qh) (qi) (qj) (qk) (ql) (qm) (qn) (qo) (qp) (qq) (qr) (qs) (qt) (qu) (qv) (qw) (qx) (qy) (qz) (ra) (rb) (rc) (rd) (re) (rf) (rg) (rh) (ri) (rj) (rk) (rl) (rm) (rn) (ro) (rp) (rq) (rr) (rs) (rt) (ru) (rv) (rw) (rx) (ry) (rz) (sa) (sb) (sc) (sd) (se) (sf) (sg) (sh) (si) (sj) (sk) (sl) (sm) (sn) (so) (sp) (sq) (sr) (ss) (st) (su) (sv) (sw) (sx) (sy) (sz) (ta) (tb) (tc) (td) (te) (tf) (tg) (th) (ti) (tj) (tk) (tl) (tm) (tn) (to) (tp) (tq) (tr) (ts) (tt) (tu) (tv) (tw) (tx) (ty) (tz) (ua) (ub) (uc) (ud) (ue) (uf) (ug) (uh) (ui) (uj) (uk) (ul) (um) (un) (uo) (up) (uq) (ur) (us) (ut) (uu) (uv) (uw) (ux) (uy) (uz) (va) (vb) (vc) (vd) (ve) (vf) (vg) (vh) (vi) (vj) (vk) (vl) (vm) (vn) (vo) (vp) (vq) (vr) (vs) (vt) (vu) (vv) (vw) (vx) (vy) (vz) (wa) (wb) (wc) (wd) (we) (wf) (wg) (wh) (wi) (wj) (wk) (wl) (wm) (wn) (wo) (wp) (wq) (wr) (ws) (wt) (wu) (wv) (ww) (wx) (wy) (wz) (xa) (xb) (xc) (xd) (xe) (xf) (xg) (xh) (xi) (xj) (xk) (xl) (xm) (xn) (xo) (xp) (xq) (xr) (xs) (xt) (xu) (xv) (xw) (xx) (xy) (xz) (ya) (yb) (yc) (yd) (ye) (yf) (yg) (yh) (yi) (yj) (yk) (yl) (ym) (yn) (yo) (yp) (yq) (yr) (ys) (yt) (yu) (yv) (yw) (yx) (yy) (yz) (za) (zb) (zc) (zd) (ze) (zf) (zg) (zh) (zi) (zj) (zk) (zl) (zm) (zn) (zo) (zp) (zq) (zr) (zs) (zt) (zu) (zv) (zw) (zx) (zy) (zz)

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of the Snake River, a tributary of the Snake River, for the purpose of irrigation, under Use Permit No. 20410 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 10 of Licenses at page 6269, on the 24th day of February, 1957.

The right hereby confirmed dates from March 2, 1948.

The Point of Diversion ^{are} located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3 and in the NW $\frac{1}{4}$ E $\frac{1}{4}$ Sec 10, Tp. 1 S., R. 2 W., B. M. County Oregon.

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 6.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	2 W.	4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	6
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	35
		9	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	25
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	10
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	10
	3 W.	10	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
		25	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
		26	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	8.34
			Lot 2	10	30.70
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	1	6.52
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37.62
			Lot 1	10	10.62
			Lot 4	20	35.20
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	18.35
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	25.79
			Lot 4	20	7.89
			Lot 5	10	13.40
			Lot 6	25	23.70
			Lot 5	31	31.40
			Lot 6	14	14.30
			Lot 7	37	5.46
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	1	20
Total number of acres irrigated - - -					580.19

N^o 20480
63-2495

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

APPLICATION No. 22946
PERMIT No. 20480
DISTRICT No.

Edwin Snow
P. O. Box 515, Boise, Idaho

1. Name of Applicant: NICHOLSON & ISAACS, A Co-partnership

Postoffice address: Boise

County: Ada

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: Ten (10)

cubic feet per second.

3 & 10, Twp. 1 South, Range 2 West, B. M.

3. Source of water supply: Underground water in Sections / which is a tributary of No other stream so far as known

4. Location of point of diversion: See "Remarks"

feet distant from the

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

of Section , T. , R. , B.M., County of *Ada Canyon*

5. Water is to be used for Irrigation

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: \$1,500.00

8. Kind of works: Wells and ditches

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 None feet; height feet.

11. Ditch: Width at bottom 6 feet; width at water line 10 feet; depth of water $2\frac{1}{2}$ feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is Four (4) additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

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

NICHOLSON & ISAACS Applicant.

By Edwin Snow Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. March 2, 1948

Returned to applicant for correction: April 1, 1948

Corrected application received: May 28, 1948

Approval of State Reclamation Engineer

The number of this permit is 20480
Recorded in Book 73 Page 20480 Approved June 7, 1948
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 August 7, 1948 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 December 7, 1950
The whole of said work to be completed on or before June 7, 1953
Beneficial use of water appropriated in accordance herewith, to be made on or before June 7, 1957

WITNESS My hand this 7th day of June, 1948

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 7th day of June, 1948.

Countersigned: By C. A. ROBINS Governor.
(SEAL) By J. D. "CY" PRICE Secretary of State.

REMARKS: The points of diversion are as follows: SW 1/4 SE 1/4 Section 3, Twp. 1 South, Range 2 West- 4 second feet
NE 1/4 NE 1/4 " 10 " " " " - 2 " "
NW 1/4 NE 1/4 " 10 " " " " - 4 " "
Wells are to be driven in each of the 40-acre subdivisions listed above, to divert the quantity of water as shown.
From these wells ditches are to be constructed to convey the water to the lands to be irrigated.
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	
1 S.	2 W.	4													40				120
		9	40	40	40		40	40			40				40	40	360		
		17	40																40
		Total Number of Acres to be Irrigated -																520	

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 20480

Comes now Nicholson and Isaacs, a copartnership, and represents to the State Reclamation Engineer of the State of Idaho that it is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20480, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: To add to said list of lands the NW 1/4 SW 1/4 Section 3, Township 1 S., Range 2 W. B.M. - 40 acres, making a total of 560 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely effected by such change.
Signed at Boise, Idaho, this 22 day of October, 1948.

Date of receipt at Office of Department of Reclamation - October 22, 1948.

/s/ Nicholson & Isaacs
By Edwin Snow, Attorney and Agent

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. 20480. 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 effected thereby.

/s/ 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. 20480 to Carl E. Nicholson of Boise, Idaho.

K. D. Isaacs
Permit holder.

MINNIE A. ISSACS
Wife of Permit Holder.

State of Idaho)
)ss
County of Ada)

On this 24th day of January, 1950, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared K. D. Isaacs and Minnie A. Isaacs, his wife, 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.

LELA D. PAINTER
Notary Public, residing at Boise, Idaho

(SEAL)

My commission expires 9/25/53.

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at
2:00 P.M. January 24, 1950.

MAKR R. KULP
State Reclamation Engineer.

APPLICATION FOR AMENDMENT OF PERMIT TO APPROPRIATE
THE PUBLIC WATERS OF THE STATE OF IDAHO NO. 20480

Comes now CARL E. NICHOLSON, the record holder of Permit No. 20480, to appropriate the public waters of the State of Idaho, and requests that the list of lands to be irrigated as described in said permit be changed to read as follows:

Twp. 1 S., R. 2,
W.B.M.

Section 4:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
Section 9:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
Section 10:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "

Twp. 1 N., R. 3,
W.B.M.

Section 22:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	Lot 8	9.83 "
	Lot 9	37.20 "
Section 25:	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
Section 26:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	(lot) 2 30 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10 "
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	20 "
Section 27:	Lot 4	20 "
Section 35:	Lot 5	10 "
	Lot 6	25 "
Section 36:	Lot 5	31 "
	Lot 6	14 "
	Lot 7	37 "

1,004.03 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 21 day of May, 1953.

Carl E. Nicholson

By Edwin Snow
Attorney and Agent

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. 20480. 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
MARK R. KULP
State Reclamation Engineer

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CARL E. NICHOLSON of Boise, County of Ada, and State of Idaho, the holder of Permit No. 20480 issued upon Application No. 27946 Bearing date of priority of March 2, 1948, authorizing the diversion of Ten (10) second feet of the waters of Underground flow from wells County of Canyon, State of Idaho, for irrigation 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 6.4 second feet of the waters of said wells; that the points of diversion of said waters or location of the wells are in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10; Township 1 South, 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: E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 9; N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10; Township 1 South, Range 2 West, B.M. NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 8 and 9 Section 22; S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26 Lot 4, Section 27; Lots 5 and 6, Section 35; Lots 5, 6 & 7, Section 36; Township 1 North, Range 3 West, B.M.

Witness my hand this 12th day of June, A.D. 1953.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made June 6, 1953.
Certificate of completion of works made June 12, 1953.

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 20480

Comes now Carl E. Nicholson, 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. 20480, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: In addition to the lands listed in the last amendment, include the following; - T. 1 N., R. 3 W.B.M. Section 26, SE $\frac{1}{4}$ NW $\frac{1}{4}$, making a total of 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, this 11 day of February, 1958.

/s/ Carl E. Nicholson

Date of receipt at office of Department of Reclamation
February 12, 1958.

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. 20480. 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.

/s/ Mark R. Kulp
State Reclamation Engineer

Approved and recorded:
February 11, 1958.

LICENSE ISSUED FOR 6.4 SEC. FT
Page 6269

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

Permit No. 20480This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Carl E. Nicholson2. Source of water supply: Subterranean flow from two wells3. Location of point of diversion: Is in the NE 1/4 of Section 10T. 1 S. R. 2 W., B. M. County of Canyon

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

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: _____

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

E 1/2 SW 1/4 of Sec. 1., N 1/2 NE 1/4, S 1/4 NE 1/4 and E 1/2 NW 1/4 of Sec. 9., N 1/2 NW 1/4 OF Sec. 10.,
Twp. 1 S., Rge. 2 W., B.M. NE 1/4 SE 1/4, Lots 8 and 9, Sec. 22., S 1/2 SW 1/4 of Sec. 25.,
N 1/2 NW 1/4, S 1/4 NE 1/4, SE 1/4, N 1/2 SW 1/4, S 1/4 NE 1/4 of Sec. 26., Lot 4 of Sec. 27., Lots 5 and 6
of Sec. 35., Lots 5, 6 and 7 of Sec. 36; Twp. 1 N., Rge. 3 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: _____

6.4 cfs is amount e/w was made for.

See #18849

This examination was made on the 4 day of Feb., 1958(Signed) E. N. Humphrey Examiner.

20480

Carl E. Nicholson
101 Warm Springs Ave.,
Boise, Idaho
Permit No. 20480

Examination for Beneficial Use

County Canyon

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 12 1953
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20480

REPORT ON PROOF OF Beneficial Use

Carl E. Nicholson, 101 Warm Springs Ave., Boise, Idaho

*App. 10/12/10
J. E. Smith
S. E. 10.6*

1 0 0 *

1 0 0 *

3 2 0 0 0
 3 7 0 4
 4 0 0 0
 9 8 3
 3 7 2 0
 1 2 0 0 0
 3 0 0 0
 8 0 0 0
 1 9 0 0
 3 5 2 0
 1 6 0 0 0
 1 8 0 0
 1 3 4 0
 2 3 7 0
 4 0 0 0
 3 1 3 0
 1 4 3 0
 3 7 1 7

-H0

1004.63 | 1 0 6 5 ⁸ 1 4 *
 +0
1106.84

1066.84
 1026.84

5 0 0
 3 5 0 0
 2 5 0 0
 4 0 0 0
 1 0 0 0
 1 0 0 0
 3 0 0 0
 2 5 0 0
 3 5 0 0
 3 5 0 0
 8 3 4
 3 0 7 0
 5 5 2
 3 7 6 2
 1 0 6 2
 3 5 2 0
 6 1
 1 8 3 5
 4 0 0 0
 2 5 7 9
 7 8 9
 1 3 4 0
 2 3 7 0
 2 0 0 0
 3 1 3 0
 1 4 3 0
 5 4 6

5 8 0.8 0 *
61
 .19

These wells are covered by
the decree Nicholson vs.
Reynolds Irrig Co.

Mr Snow (lawyer) wants
the Permit brought to license.

February 24, 1958

Re: Permit No. 20480
Carl E. Nicholson

Mr. Edwin Snow
Lawyer
P. O. Box 515
Boise, Idaho

Dear Mr. Snow:

In connection with Permit No. 20480 in the name of Carl E. Nicholson, we enclose the following:

1. Application for Amendment to Permit No. 20480 as approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 73 of Permits at Page 20480 amending the list of land as described on record to read as follows: "Township 1 North, Range 3 West, B.M., Section 36, NE $\frac{1}{4}$ NW $\frac{1}{4}$ - Section 26, SE $\frac{1}{4}$ NW $\frac{1}{4}$." This should now be attached to the original permit to which it refers and of which it becomes a part.
2. License and Certificate of Water Right issued under Permit No. 20480, confirming the right with priority of March 2, 1948, to the use of 6.4 second feet of subterranean water, with the points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2 West, B.M., for irrigation of 580.19 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 9; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10; Township 1 South, Range 2 West, B.M.; S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 3 and 4, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 26; Lot 4, Section 27; Lots 5 and 6, Section 35; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 5, 6, and 7, Section 36; Township 1 North, Range 3 West, B.M.
3. Departmental receipt #28988 for \$52.00, issued as receipt of the fee for the license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

20480

Edwin Snow
Lawyer
Boise, Idaho

RECEIVED
FEB 17 1958

Department of Reclamation
February 14, 1958.

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

Dear Mr. Kulp:

Re: Permit No. 20480
Carl E. Nicholson

In response to your letter of February 13th concerning the license on the above permit: Enclosed herewith find my check for \$52.00--the statutory fee mentioned in the letter.

I understand the license will be for 6.4 second feet of subterranean water, with priority of March 2, 1948, for the irrigation of the land described in your letter.

Very truly yours,

Edwin Snow

S-W

Edwin Snow

20480

old - 101-212

February 13, 1958

Re: Permit No. 20480
Carl E. Nicholson

Mr. Edwin Snow
Lawyer
P. O. Box 515
Boise, Idaho

Dear Mr. Snow:

Our field engineer's report on his inspection of beneficial use of the water filed on under Permit No. 20480, Carl E. Nicholson, shows that the wells are capable of conveying 320 miners' inches (6.4 c.f.s.) of water for irrigation of 580.19 acres.

Upon receipt of the statutory fee of \$52.00, we can issue to Mr. Nicholson the License and Certificate of Water Right under Permit No. 20480, confirming the right with priority of March 2, 1948, to his use of 6.4 second feet of subterranean water, with the points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2 West, B.M., for irrigation of 580.19 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 9; N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10; Township 1 South, Range 2 West, B.M., NE $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 8 & 9, Section 22; S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 3 & 4, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 26; Lot 4, Section 27; Lots 5 & 6, Section 35; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 5, 6, & 7, Section 36; Township 1 North, Range 3 West, B.M.

This License confirms the right decreed in the case of "Carl E. Nicholson and Blanche Nicholson - vs- Reynolds Irrigation District and Ellen T. Sproat" and is not in addition to the decreed right.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

20480

To Permit to appropriate the Public Waters
of the State of Idaho, No. 20480

U U FEB 12 1958 U
Department of Reclamation

Comes now Carl E. Nicholson, 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. 20480, and requests that the list of lands to be irrigated, as described in said
permit, be changed to read as follows:

In addition to the lands listed in the last amendment, include
the following:-

T. 1 N., E. 3 E.E.M., Section 36, NE 1/4
Section 26, SE 1/4 NW 1/4

, making a total of _____ acres.

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

Signed at Paris, this 11 day of February, 1958.

Carl E. Nicholson

Date of receipt at office of Department of Reclamation February 12, 1958

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. 20480. 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 appli-
cation is approved only insofar as the rights of others will not be adversely affected thereby.

20480

Mark R. Kulp

State Reclamation Engineer

Permit # 20480

Attorney Edwin Snow feels that this permit is partially the basis on which the decree was issued in the case of "Nicholson vs Reynolds Irrigation District et al". Therefore he feels that this must be brought to license.

The decree allows a maximum of 475 miner's inches beginning July 1st each year to Nicholson. The water is from all the waters in the drain ditch including seepage, the Simpson well and all other waters.

Proofs under # 20480 claim from 350 to 400 inches out of the North well and 45 to 50 inches out of the South well.

I visited the two wells this morning in company with Carl Nicholson the owner of the permit and made inspection as to Point of Diversion, Amount of water and Place of Use.

The place of use is correct as listed and the transmission line is the regular ditches and system that has been in use for a long time for the delivery of their irrigation water.

The point of diversion is stated correctly in the proofs and is as shown on the inspection report.

Both wells are 12" casing diameter and water is free flowing into the drain ditch from each. There is considerable fall and the drains are cutting and becoming deeper. This water was not measured today but there is undoubtedly 45 inches in the smaller flow and 375 inches in the larger one. There appears to be ample water to deliver more than the amount stated in the decree.

These wells are free flowing without any control. But it is pointed out that the land thru which the drain ditches were dug was becoming too wet to farm and drainage was the No.1 problem. They were anxious to find a means for draining the land.

Later they got the idea that a better job of draining could be done by putting down wells and letting the water flow more freely from the deeper strata. Results are that the land is now being satisfactorily drained and is farmed successfully again and the water is being put to use irrigating on lands that need it down stream. In winter time it continues to drain into the Snake River to keep from making the fields wet again.

E. M. Humphrey
Feb 4, 1958.

$$Q = \frac{375''}{50''}$$

425" or 8.5 cfs.

20480

T. 1 S., R. 2 W.B.M.

Irrigated

Section 4,	NE $\frac{1}{4}$	SE $\frac{1}{4}$	-----	40.00	acres	-----	6.00	acres
	SE $\frac{1}{4}$	SE $\frac{1}{4}$	-----	40.00	"	-----	35.00	"
9,	NE $\frac{1}{4}$	NE $\frac{1}{4}$	-----	40.00	"	-----	25.00	"
	NW $\frac{1}{4}$	NE $\frac{1}{4}$	-----	40.00	"	-----	40.00	"
	SW $\frac{1}{4}$	NE $\frac{1}{4}$	-----	40.00	"	-----	10.00	"
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	-----	40.00	"	-----	10.00	"
	SE $\frac{1}{4}$	NW $\frac{1}{4}$	-----	40.00	"	-----	30.00	"
10,	NE $\frac{1}{4}$	NW $\frac{1}{4}$	-----	40.00	"	-----	25.00	"
	NW $\frac{1}{4}$	NW $\frac{1}{4}$	-----	37.04	"	-----	00.00	"

T. 1 N., R. 3 W.B.M.

Section 22,	NE $\frac{1}{4}$	SE $\frac{1}{4}$	-----	40.00	"	-----	00.00	"
Lot 8			-----	9.83	"	-----	00.00	"
Lot 9			-----	37.20	"	-----	00.00	"
25,	SW $\frac{1}{4}$	SW $\frac{1}{4}$	-----	40.00	"	-----	35.00	"
	SE $\frac{1}{4}$	SW $\frac{1}{4}$	-----	40.00	"	-----	35.00	"
26,	NW $\frac{1}{4}$	NW $\frac{1}{4}$	-----	40.00	"	-----	8.34	"
Lot 2			-----	30.70	"	-----	30.70	"
	SE $\frac{1}{4}$	NW $\frac{1}{4}$	-----	40.00	"	-----	6.52	"
	NE $\frac{1}{4}$	SW $\frac{1}{4}$	-----	40.00	"	-----	37.62	"
Lot 3			-----	19.00	"	-----	10.62	"
Lot 4			-----	35.20	"	-----	35.20	"
	NE $\frac{1}{4}$	SE $\frac{1}{4}$	-----	40.00	"	-----	18.35	"
	NW $\frac{1}{4}$	SE $\frac{1}{4}$	-----	40.00	"	-----	40.00	"
	SW $\frac{1}{4}$	SE $\frac{1}{4}$	-----	40.00	"	-----	25.79	"
27, Lot 4			-----	18.00	"	-----	7.89	"
35, Lot 5			-----	13.40	"	-----	13.40	"
Lot 6			-----	23.70	"	-----	23.70	"
36,	NE $\frac{1}{4}$	NW $\frac{1}{4}$	-----	40.00	"	-----	20.00	"
Lot 5			-----	31.30	"	-----	31.30	"
Lot 6			-----	14.30	"	-----	14.30	"
Lot 7			-----	37.17	"	-----	5.46	"
				1026.84	acres		580.19	acres

Sub divisions = 26

Area = 580.19 acres.

Q = 6.4 cfs.

June 7, 1957

Re: Permit No. 20480

Mr. Carl E. Nicholson
101 Warm Springs Avenue
Boise, Idaho

Dear Mr. Nicholson:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Farm Review, all submitted in proof of Water to Beneficial Use on Permit No. 20480.

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 H. KULP
State Reclamation Engineer
BY

Chief Clerk

EPR:lw
cc: Edwin Snow

20480

ANSWER TO QUESTION 4

(a) In the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 73 feet, from which well has been obtained a flow of water by artesian pressure in the amount of 350 to 400 miners inches. The water from this well is conveyed in a channel to a drain ditch located upon the same 40 acre subdivision. The drain extends in a southerly direction a distance of about 1,000 feet, and then runs in a westerly direction about a quarter of a mile to a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., where it is diverted into a canal jointly owned by the holder of the permit and Ellen T. Sproat (commonly known as the "Spreat Ditch"). Through this canal and other distributing canals and laterals leading therefrom (including in part sprinkling systems) the water may be conveyed to the lands set out in the amended list of lands which is a part of the water permit.

(b) In the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 90 feet, which flows by artesian pressure between 45 and 50 miners' inches; equipped with a centrifugal pump driven by a diesel engine, a flow of 125 miners inches was obtained in a test conducted on June 3, 1953. From this well a short ditch has been built to provide a conduit for the water from this well to a drain ditch traversing this 40 acre subdivision. By means of a flume the water is by-passed across the canal of Reynolds Irrigation District; thence by a short ditch the water is conducted to the main drain ditch located in said subdivision below an obstruction in such drain caused by a diversion dam of the Reynolds Irrigation District. From the main drain the water is diverted at the head of the Spreat ditch above described and conveyed to the place of intended use in the same manner as set out in the above subdivision (a) of this answer.

20480

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 6 1957
Department of Reclamation

Permit No. 20480

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Carl E. Nicholson, livestock operator; residence and postoffice address--101 Warm Springs Ave., Boise, Idaho

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

Ans.

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

Ans. Permit No. 20480; Permit issued June 7, 1948; Application for permit filed and priority claimed March 2, 1948.

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

Ans. Underground water developed by two wells. Points of diversion:
(a) SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3 (b) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, both in Twp. 1 S. 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. See separate sheet attached hereto.

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. Used for irrigation. All cultivated land except about 75 acres pasture
Description: E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10; Twp. 1 South, Range 2, W.B.M.; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 8 and 9,
Sec. 22; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
26; Lot 4, Sec. 27; Lots 5 and 6, Sec. 35; Lots 5, 6 and 7, Sec. 36;
Twp. 1 North, Range 3, W.B.M.

20480

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. For irrigation. One sec. ft. for each 50 acres actually applied to land.

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. Assignment by partner of his partnership interest.

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

Ans. Each irrigation season of years 1953 to 1956 inclusive.

9 sec. ft.; in manner set out in answer to Question 5.

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. See slip attached

(Sign) *Carl E. Nicholson*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 5th day of June, A. D. 1957.

Betty A. Knight
Notary Public for Idaho
Residing at Boise, Idaho

My commission expires Oct. 24, 1958

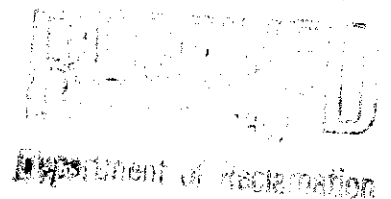
20480

ANSWER TO QUESTION 5.

(a) In the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 73 feet, from which well has been obtained a flow of water by artesian pressure in the amount of 350 to 400 miners inches. The water from this well is conveyed in a channel to a drain ditch located upon the same 40 acre subdivision. The drain extends in a southerly direction a distance of about 1,000 feet, and then runs in a westerly direction about a quarter of a mile to a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., where it is diverted into a canal jointly owned by the holder of the permit and Ellen T. Sproat (commonly known as the "Sproat Ditch"). Through this canal and other distributing canals and laterals leading therefrom (including in part sprinkling systems) the water may be conveyed to the lands set out in the amended list of lands which is a part of the water permit.

(b) In the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 90 feet, which flows by artesian pressure between 45 and 50 miners inches; equipped with a centrifugal pump driven by a diesel engine, a flow of 125 miners inches was obtained in a test conducted on June 3, 1953. From this well a short ditch has been built to provide a conduit for the water from this well to a drain ditch traversing this 40 acre subdivision. By means of a flume the water is by-passed across the canal of Reynolds Irrigation District; thence by a short ditch the water is conducted to the main drain ditch located in said subdivision below an obstruction in such drain caused by a diversion dam of the Reynolds Irrigation District. From the main drain the water is diverted at the head of the Sproat ditch above described and conveyed to the place of intended use in the same manner as set out in the above subdivision (a) of this answer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 20480

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. Richard Plummer, age 41, residence Melba, occupation farmer,
address P. O. Box 84, Melba, Idaho.

Ques. 2. Are you acquainted with Carl E. Nicholson, the
holder of Permit No. 20480? How long have you known him and where does
he reside?

Ans. Yes, for about 9 years. He resides at Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20480, and are you
familiar with its provisions and conditions?

Ans. Yes

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

Ans. See separate answer to Ques. 4 on attached sheet.

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

Ans. (a) Works will safely carry more than 10 sec. feet (b) Have seen
9 sec. feet 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 im-
provements which have been made as a direct result of said use.

Ans. Water used for irrigation--all on cultivated land except about 75
acres pasture. Description: E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10; Twp. 1 South, Range 2, W.B.M.; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 8 and
9, Sec. 22; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26;
Lot 4, Sec. 27; Lots 5 and 6, Sec. 35; Lots 5, 6 and 7, Sec. 36; Twp. 1
North, Range 3, W.B.M.

20480

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

Ans. Only irrigation

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. All cultivated land except about 75 acres of pasture. Land requires one miners inch per acre delivered on the land.

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

Ans. Yes, am operating land under lease.

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. Every season since 1953; 9 second feet; beneficial use.

(Signed) *Richard Plummer*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 5th day of June,
A. D. 1957.

Betty D. Wright

Notary Public.

My commission expires Oct. 24, 1958

Residing at Boise, Idaho

20480

RECEIVED
JUN 6 1957
Department of Reclamation

ANSWER TO QUESTION 4

(a) In the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 73 feet, from which well has been obtained a flow of water by artesian pressure in the amount of 350 to 400 miners inches. The water from this well is conveyed in a channel to a drain ditch located upon the same 40 acre subdivision. The drain extends in a southerly direction a distance of about 1,000 feet, and then runs in a westerly direction about a quarter of a mile to a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., where it is diverted into a canal jointly owned by the holder of the permit and Ellen T. Sproat (commonly known as the "Sproat Ditch"). Through this canal and other distributing canals and laterals leading therefrom (including in part sprinkling systems) the water may be conveyed to the lands set out in the amended list of lands which is a part of the water permit.

(b) In the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 90 feet, which flows by artesian pressure between 45 and 50 miners' inches; equipped with a centrifugal pump driven by a diesel engine, a flow of 125 miners inches was obtained in a test conducted on June 3, 1953. From this well a short ditch has been built to provide a conduit for the water from this well to a drain ditch traversing this 40 acre subdivision. By means of a flume the water is by-passed across the canal of Reynolds Irrigation District; thence by a short ditch the water is conducted to the main drain ditch located in said subdivision below an obstruction in such drain caused by a diversion dam of the Reynolds Irrigation District. From the main drain the water is diverted at the head of the Sproat ditch above described and conveyed to the place of intended use in the same manner as set out in the above subdivision (a) of this answer.

20480

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
1937 JUN 13 1937
Department of Reclamation

PERMIT NO. 20480

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. Albert E. Huff, age 49, residence Melba, occupation farmer,
address P.O. Box 197, Melba, Idaho.

Ques. 2. Are you acquainted with Carl E. Nicholson, the holder of Permit No. 20480? How long have you known him and where does he reside?

Ans. Yes, for about 9 years. He resides at Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20480, 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. See separate answer to Ques. 4 on attached sheet.

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. (a) Works will safely carry more than 10 sec. ft. (b) Have seen
9 sec. feet 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 used for irrigation--all on cultivated land except about 75
acres pasture. Description: E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10; Twp. 1 South, Range 2, W.B.M.; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots
8 and 9, Sec. 22; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 26; Lot 4, Sec. 27; Lots 5 and 6, Sec. 35; Lots 5, 6 and 7, Sec. 36;
Twp. 1 North, Range 3, W.B.M.

20480

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

Ans. Only irrigation.

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. All cultivated land except about 75 acres of pasture. Land requires one miners inch per acre delivered on the land.

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

Ans. Yes, am operating land under lease.

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. Every season since 1953; 9 second feet; beneficial use.

(Signed)

Albert E. Knapp

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 5th day of June,
A. D. 1957.

Betty L. Knight

Notary Public.

My commission expires October 24, 1958. Residing at Boise, Idaho

20480

RECEIVED
JUN 6 1957

Department of Reclamation

ANSWER TO QUESTION 11

(a) By decree of the District Court of Canyon County, dated June 11, 1956, in case entitled "Nicholson vs. Reynolds Irrigation District et al.", Nicholson and wife, as holders of Permit No. 20480 (and as beneficial users of other and additional waters diverted from the drain mentioned in supplemental answer to "Ninth" question above), were allotted an aggregate amount of water varying from 7.8 second feet (390 miners inches) in April of each irrigation season to 9.5 second feet (475 miners inches) beginning July 1st, and continuing thereafter during the irrigation season. Such aggregate water rights were, however, decreed for use not only on the land described in Permit No. 20480 as amended but upon certain additional contiguous tracts.

(b) By decree of the District Court of Canyon County in the case of Bachman et al. vs. Reynolds Irrigation District et al., dated September 17, 1934, approximately 8.7 second feet (435 miners inches) of water from Warm Springs Creek were decreed to a portion of those lands above described in the answer to Question six, which are located in Sections 22, 25, 26, 27, 35 and 36, all in Township 1 North, Range 3, W. B. M. These lands now belong to the holders of Permit No. 20480 and the cultivated area thereof has been increased since the time of said decree.

20480

Edwin Snow
Lawyer
Boise, Idaho

RECEIVED
JUN 6 1957

Department of Reclamation
June 5, 1957.

DEPARTMENT OF RECLAMATION,
State Capitol Bldg.,
Boise, Idaho.

Gentlemen:

Re: Carl E. Nicholson--
Permit No. 20480--
Proof of Beneficial Use.

Enclosed herewith are:

1. Proof of Beneficial Use by Carl E. Nicholson, permit holder;
2. Deposition of Albert E. Huff, a witness;
3. Deposition of Richard Plummer, a witness.

If you will inform me of the fee required to be paid upon issuance of license, I will promptly remit.

Thanking you, I am

Very truly yours,

Edwin Snow

Edwin Snow

S-W

20480

Department of Reclamation

Affidavit of Publication

— LEGAL NOTICE —

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

Notice is hereby given that at 11 A.M. on the 5th day of June, 1957, at Boise, County of Ada, State of Idaho, before Betty W. Wright, Notary Public, 412 Idaho Bldg., proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the underground waters from wells in accordance with the terms and conditions of Permit No. 20480 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 Carl E. Nicholson, 101 Warm Springs Ave., Boise, Idaho.

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

The amount applied to beneficial use is 6.4 second feet

The place where said water is used E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9; all in Twp. 1 S., R. 2, W. B. M.; Lots 8 and 9, Sec. 22; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25; Lots 2, 3, and 4; S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; Lot 4, Sec. 27; Lots 5 and 6, Sec. 25; Lots 5, 6 and 7, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36; all in Twp. 1 North, Range 3, W. B. M.

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

The right to take water from such works is based upon Permit No. 20480.

The source of supply from which such water is diverted is Under-ground waters.

The date of priority which said user is prepared to establish is March 2, 1948.

MARK R. KULP

State Reclamation Engineer
Pub. May 2, 9, 16, 23, 1957.

STATE OF IDAHO

COUNTY OF CANYON

ss.

Gertrude E. Gough, being first
duly sworn, on her oath deposes and says:

That she is a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years and not a party to the action as per notice attached.

That she is permitted of

THE PARMA REVIEW

a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly printed and published in said county during a period of 78 consecutive weeks prior to the first publication of the annex-

ed Legal notice;

that said notice being

"Notice of Proof Application of water to Beneficial use"

was published in said newspaper in first consecutive issues in the regular and entire issue of each and every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon

the following dates: May 2, 1957

May 9, 1957, May 16, 1957,

May 23, 1957

Gertrude E. Gough

Subscribed and sworn to before me, this 23rd

day of May, 1957

C. E. Kunk

Notary Public for Idaho,
Residing at Parma, Idaho

12/2/54

20480

Edwin Snow
Attorney
Boise, Idaho

May 24, 1957.

Hon. Mark Kulp,
State Reclamation Engineer,
Capitol Building,
Boise, Idaho.

RECEIVED
MAY 27 1957
U.S. DEPARTMENT OF AGRICULTURE

Dear Mr. Kulp: Re: Water Permit No. 20480--
 Carl E. Nicholson--
 Publication Notice of Bene-
 ficial Use.

Enclosed herewith is affidavit of publi-
cation of the above captioned notice of proof of
beneficial use.

Very truly yours,

Edwin Snow

S-W

Edwin Snow

Affidavit shows publi-
cation made on following
dates in May, 1957:
May 2-9-16-23

20480

May 23, 1957

RE: Permit No. 20480
Carl E. Nicholson

Parma Review
Parma, Idaho

Gentlemen:

On April 26, 1957, we mailed you a Notice for publication in connection with Permit No. 20480 in the name of Carl E. Nicholson, with the request that you acknowledge receipt of same and send us a copy of your first issue containing same. This Notice was to have been published once a week for four weeks prior to June 5th, 1957.

We received your acknowledgment stating the first publication would be May 2nd, 1957, but to date we have not received a copy of your paper containing same.

Please send us a copy in order that we may check the publication.

Thank you.

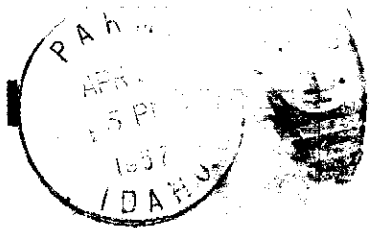
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm

20480



Mark R Kulp
State Colon. Stud. Engr.
Bosch.
Idaho

20480

Permit, San Jo

April 27-1957

Mark R. Kulp.

Kind Sir. To acknowledge receipt of Permit.

No. 20480 (Case E. Nicholson) notice

for publication will start publishing.

May 2.

RECEIVED
APR 29 1957

The Permit Permit
Futrell E. Lynch

Department of Reclamation

20480

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 20480
Carl E. Nicholson

Per. to publish map
Date: April 26, 1957

Perma Review
Perma, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 5th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **s Att'y- Edwin Snow, P.O. Box 515 of Boise, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm
Encl. (1)

20480

April 26, 1957

RE: Permit No. 20480
Carl E. Nicholson

Mr. Edwin Snow
Lawyer
P.O. Box 515
Boise, Idaho

Dear Mr. Snow:

We have your letter of April 22, 1957, enclosing Notice in proof of Beneficial Use on Permit No. 20480 in the name of Carl E. Nicholson, to be made June 5th, 1957, before Betty W. Wright, Notary Public.

We shall send a copy of the Notice to the Permit Review with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should contact Mr. Nicholson, the Permit holder, to appear before Betty W. Wright, Notary Public, with his two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm
Encl. (3)
CC. Betty W. Wright
412 Idaho Bld.
CC. Carl E. Nicholson
101 Farm Springs Ave.
Boise, Idaho

20480

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

RECEIVED
APR 23 1957
Department of Reclamation

Notice is hereby given that at 11 A. M. on the 5th day of June, 1957,
at Boise, County of ADA, State of Idaho, before
Betty W. Wright, Notary Public, 412 Idaho Bldg., proof will be submitted of the
application to beneficial use of 6.4 cubic feet per second of the underground waters of from wells
SW 1/4 Sec. 4, NE 1/4 Sec. 9, all in Twp. 1 S., R. 2, W. B. M.; Lots 8 and 9, Sec. 22; S 1/2 SW 1/4, Sec. 25; Lots 2, 3, and 4; S 1/2 SE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, and the SE 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 26; Lot 4, Sec. 27; Lots 5 and 6, Sec. 35; Lots 5, 6, and 7, and the NE 1/4 NW 1/4, Sec. 36; all in Twp. 1 North, Range 3, W. B. M.
in accordance with the terms and conditions of Permit No. 20480
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 _____

Carl E. Nicholson, 101 Warm Springs Ave., Boise, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 6.4 second feet

The place where said water is used ~~(if for irrigation, list the place where the water is used)~~
E 1/2 SE 1/4, Sec. 4; N 1/2 NE 1/4, E 1/2 NW 1/4, SW 1/4 NE 1/4, Sec. 9; all in Twp. 1 S.,
R. 2, W. B. M.; Lots 8 and 9, Sec. 22; S 1/2 SW 1/4, Sec. 25; Lots 2, 3,
and 4; S 1/2 SE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, and the SE 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 26;
Lot 4, Sec. 27; Lots 5 and 6, Sec. 35; Lots 5, 6, and 7, and the NE 1/4 NW 1/4,
Sec. 36; all in Twp. 1 North, Range 3, W. B. M.

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

Nicholson Wells

The right to take water from such works is based upon Permit No. 20480

The source of supply from which such water is diverted is Underground waters

The date of priority which said user is prepared to establish is March 2, 1948

MARK R. KULP

State Reclamation Engineer.

20480

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Department of Reclamation

(Date) April 22, 1957

101 Warm Springs Ave.

Address

Boise, Idaho

City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Parna Review of Parnay Idaho Canyon published in the county in which the works are situated.

Carl E. Nicholson

By Edwin Snow

Box 515 Boise Idaho

(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

20480

Edwin Snow
Lawyer
Boise, Idaho

RECEIVED
APR 23 1957
Department of Reclamation

April 22, 1957.

Hon. Mark Kulp,
State Reclamation Engineer,
Capitol Bldg.,
Boise, Idaho.

Re: Permit 20480 --
Carl E. Nicholson --
Proof of Beneficial Use

Dear Sir:

Enclosed herewith please find:

Notice for publication -- in duplicate;

Form No. 11: Authorization to publish.

My recollection is that there is a weekly newspaper published at Parma, in Canyon County. If you know of no reason to the contrary, please publish the notice in that paper and fill in the blank accordingly.

Until license is issued on this permit, please address communications to Mr. Nicholson in my care, Box 515, Boise.

Thanking you, I am

Very truly yours,

Edwin Snow

Edwin Snow

S-W

20480

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

RE: Permit No. 20480

Boise, Idaho

Mr. Carl E. Nicholson
101 Warm Springs Ave.
Boise, Idaho

April 1, 1957

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 20480. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 7, 1957, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

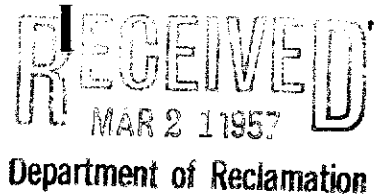
MARK R. KULP

State Reclamation Engineer

NOTE:-

Forms and a copy of this Notice sent to:-
Edwin Snow
Box 515
Boise, Idaho

20480



IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON.

CARL E. NICHOLSON and	)	
BLANCHE NICHOLSON,	)	
husband and wife,	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	<u>DECREE</u>
REYNOLDS IRRIGATION DISTRICT,	)	
a quasi-public corporation of	)	
Owyhee County, Idaho; and	)	
	)	
ELLEN T. SPROAT,	)	
	)	
Defendants.	)	

THIS CAUSE came regularly on for hearing and disposition before the Court without a jury, on the 11th day of June, 1956; Edwin Snow and Homer E. Martin, of Boise, Idaho, appearing as attorneys for plaintiffs; Maurice H. Greene and David Doane, of Boise, Idaho, appearing as attorneys for the defendant Reynolds Irrigation District; and Laurel E. Elam, of Boise, Idaho, appearing as attorney for the defendant Ellen T. Sproat.

The parties presented to the Court a stipulation in writing, signed by their respective attorneys of record, thereunto duly authorized, which stipulation had been duly filed herein; and wherein were set out and agreed upon the ultimate facts with respect to the beneficial use of the waters involved in the suit by the respective parties hereto, and also the amount and the date of priority of the water right to which each party was entitled based upon its said use; and the Court having examined and approved the said stipulation. And the parties having also presented to the

Court this decree based upon such stipulation, upon which decree is endorsed the written consent and approval of the attorneys of record for the respective parties;

NOW, THEREFORE, in conformity with said stipulation and said consent, and all the parties having waived Findings of Fact and Conclusions of Law in connection with such decree, it is hereby ORDERED, ADJUDGED and DECREED as follows:

I.

The water supply, the rights to the use of which are hereby adjudicated, consists of the waters flowing in the drain ditch from which all the parties hereto divert their water; and the waters flowing in said drain and its branches, whether said waters are derived from surface waste, or percolation, into the drain, or from any existing wells, including the well of plaintiffs, the wells of the defendant Reynolds Irrigation District, and a well known as the "Simpson Well", situated at the head of one branch of the main drain ditch from which the parties hereto divert their water, constitute a common and interdependent source of supply; and the withdrawal of water from said main drain, or any of its said contributing sources of supply, depletes the water rights and supply of each of the parties hereto.

II.

The defendant Ellen T. Sproat is hereby decreed the right to the use of the following amounts of the waters of the drains and wells involved in this suit:

- (a) 120 miners inches of said waters during the month of April of each irrigation season;
- (b) 140 miners inches of said waters during the months of May and June of each irrigation season;

- (c) 175 miners inches at all times after July 1st of each irrigation season;

The priority of all of said defendant's rights dates from April 1, 1947.

Said water is decreed for irrigation, livestock, and domestic uses upon said defendant's lands, to-wit:

The $W\frac{1}{2}$ of the $SW\frac{1}{4}$, Section 9;
Lots 1, 2, 3, and 4;
The $SE\frac{1}{4}$ $SE\frac{1}{4}$, and the $NW\frac{1}{4}$ $SE\frac{1}{4}$, of Section 8;
All in Twp. 1 S., R. 2, W.B.M.

The point of diversion of said water is, as it has been for a long time heretofore, at a point in Section 10, Twp. 1 S., R. 2, W. B. M., where an irrigation ditch belonging to said defendant and to plaintiffs has its heading in said drain.

III.

The plaintiffs, Carl E. Nicholson and Blanche Nicholson, husband and wife, are hereby decreed the right to the use of the following amounts of the waters of the drains and wells involved in this suit:

- (a) 390 miners inches during the month of April of each irrigation season;
- (b) 420 miners inches of said waters during the months of May and June of each irrigation season;
- (c) 475 miners inches of water at all times after July 1st of each irrigation season.

The priority of all of said plaintiffs' rights dates from April 1, 1948.

Said water is decreed for irrigation, livestock, and domestic uses upon said plaintiffs' lands, to-wit:

$E\frac{1}{2}$ $SE\frac{1}{4}$, Section 4; $N\frac{1}{2}$ $NE\frac{1}{4}$, $E\frac{1}{2}$ $NW\frac{1}{4}$, $SW\frac{1}{4}$ $NE\frac{1}{4}$, Section 9; $NE\frac{1}{4}$ $SE\frac{1}{4}$, Section 10;
Township 1 South, Range 2, W. B. M.

Also:

Lots 8 and 9, Section 22;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25;
Lots 2, 3 and 4; S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26;
Lot 4, Section 27;
Lots 5 and 6, Section 35;
Lots 5, 6 and 7, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36;
All in Township 1 North, Range 3, W. B. M.

The point of diversion of said water is, as it has been for a long time heretofore, at a point located in Section 10, Twp. 1 S., R. 2, W. B. M., where an irrigation ditch belonging to plaintiffs and to said defendant Ellen T. Sproat has its heading in said drain.

IV.

The defendant Reynolds Irrigation District is hereby decreed the right to the use of 1300 miners inches of the waters of the drains and wells involved in this suit, with priority dating from April 1, 1950. Said water is decreed for irrigation, livestock and domestic uses upon the lands embraced in the boundaries of said defendant Reynolds Irrigation District, in Owyhee County, Idaho, located and being in Sections 11, 12 and 13, Twp. 1 South, Range 3, West Boise Meridian, and in Sections 6, 17, 18, 19, 20, 21, 28 and 29 in Twp. 1 South, Range 2 West Boise Meridian.

The point of diversion of said water is, as it for a long time heretofore has been, at a point in Section 10, Twp. 1 S., R. 2, W. B. M., where an irrigation ditch belonging to said defendant has its heading in said drain.

V.

All the said lands of each of the parties hereto upon which water for irrigation is herein allotted are arid lands requiring irrigation; and the amount of water herein

allotted to each party for use upon such lands is required and necessary for the proper growing of crops thereon, in addition to any water used from any other source, including Snake River, Reynolds Creek in Owyhee County, Idaho, and Warm Springs Creek in Canyon County, Idaho.

VI.

A miners inch of water as that term is herein used shall be deemed equivalent to one-fiftieth of a cubic foot per second; and the water herein allotted shall be measured at, or as nearly as practicable at, the head of the ditch whereby it is diverted by the party to whom its use is allotted herein.

In and near the head of the main drain from which plaintiffs and the defendant Ellen T. Sproat divert their water, said last named parties shall maintain a suitable and accurate measuring device whereby the water diverted for their use may be measured. The plaintiffs shall bear two-thirds of the expense of maintaining such measuring device and the defendant Ellen T. Sproat one-third thereof.

At the place where the defendant Reynolds Irrigation District diverts its water from the drain, a headgate and, if desirable or necessary, an accurate and suitable measuring device shall be installed by said defendant district at its expense in the drain so as to permit a constant flow of water down the drain to the point where plaintiffs and the defendant Ellen T. Sproat divert their water. The purpose of the above provision is to avoid fluctuations in the water supply available to plaintiffs and to Ellen T. Sproat at the head of their ditch just above mentioned; the said device or devices to be so installed, and the operation thereon, shall be as prescribed by the State Reclamation Engineer of the State of

Idaho and satisfactory to him.

VII.

The enforcement of this decree is hereby committed in the first instance, pending the creation, as provided by law, of a Water District comprising the sources of supply of the water rights herein decreed, to the State Reclamation Engineer of Idaho. He is hereby appointed the Commissioner of this Court, for that purpose, to serve without compensation during the remainder of the 1956 irrigation season, he having consented so to do. Said State Reclamation Engineer is hereby directed during such period to regulate and distribute the waters of said drain in accordance with the terms of this decree, and thereafter to supervise such distribution by the Water Master as provided by law.

VIII.

Each of the parties hereto and their respective servants, attorneys, employees, and successors in interest, are hereby enjoined and restrained from any and all use of the waters constituting the source of supply here involved, except to the extent and for the purposes herein provided.

IX.

Each of the parties herein shall bear his own costs.

Dated: June 11, 1956.

Gilbert Norris
District Judge

We hereby consent to the foregoing decree:

Edwin Snow
Homer E. Martin by Snow
Attorneys for Plaintiffs

Maurice H. Greene
David Doane
Attorneys for Defendant
Reynolds Irrigation Dist.

Laurel E. Slam
Attorney for Defendant
Ellen T. Sproat

June 18, 1953

RE: Permit No. 20480

Mr. Edwin Snow
Box 515
Boise, Idaho

Dear Mr. Snow:

We enclose Certificate of Completion of Works issued on Permit No. 20480 in the name of Carl E. Nicholson, for the diversion of 6.4 second feet of water from wells located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Township 1 South, Range 2 West, B.M., for the irrigation of land as described therein.

We also enclose departmental receipt No. 25974 for the \$5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20480

SUPPLEMENTAL ANSWER TO QUESTION "EIGHTH"

Twp. 1 S., R. 2,
W.B.M.

Section 4:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
Section 9:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
Section 10:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "

Twp. 1 N., R. 3,
W.B.M.

Section 22:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "	Lot 7
	Lot 8	9.85 "	
	Lot 9	37.20 "	
Section 25:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 "	
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "	
Section 26:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "	
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "	
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	(lot) 30 acres	Lot 2
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres	
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "	
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "	
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "	Lot 3
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10 "	
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	20 "	Lot 4
Section 27:	Lot 4	20 "	
Section 35:	Lot 5	10 "	
	Lot 6	25 "	
Section 36:	Lot 5	31 "	
	Lot 6	14 "	
	Lot 7	37 "	

1,004.65 acres

SUPPLEMENTAL ANSWER TO "NINTH":

(a) In the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 73 feet, from which well has been obtained a flow of water by artesian pressure in the amount of 350 to 400 miners inches. The water from this well is conveyed in a channel to a drain ditch located upon the same 40 acre subdivision. The drain extends in a southerly direction a distance of about 1,000 feet, and then runs in a westerly direction about a quarter of a mile to a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., where it is diverted into a canal jointly owned by the holder of the permit and Ellen T. Sproat (commonly known as the "Sproat Ditch"). Through this canal and other distributing canals and laterals leading therefrom (including in part sprinkling systems) the water may be conveyed to the lands set out in the amended list of lands which is a part of the water permit.

(b) In the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 2, W. B. M., a well has been sunk to a depth of about 90 feet, which flows by artesian pressure between 45 and 50 miners inches; equipped with a centrifugal pump driven by a diesel engine, a flow of 125 miners inches was obtained in a test conducted on June 3, 1953. From this well a short ditch has been build to provide a conduit for the water from this well to a drain ditch traversing this 40 acre subdivision. By means of a flume the water is by-passed across the canal of Reynolds Irrigation District; thence by a short ditch the water is conducted to the main drain ditch located in said subdivision below an obstruction in such drain caused by a diversion dam of the Reynolds Irrigation District. From the main drain the water is diverted at the head of the Sproat ditch above described and conveyed to the place of intended use in the same manner as set out in the above subdivision (a) of this answer.

Permit No. 20480

STATE OF IDAHO
Department of ReclamationRECEIVED
JUN 9 1953
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of ADA

ss.

Carl E. Nicholson, 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. 20480, and that his postoffice address is Boise

State of Idaho

Second: That the name of the stream which said water is to be directed is underground

waters in Sections 3 and 10, Twp. 1 S. R. 2, W.B.M.

Third: That the point of diversion of said water is SW 1/4 SE 1/4, said Sec. 3--

4 second feet, NW 1/4 NE 1/4, said Sec. 10--2.4 second feet--both in T.1 S. R. 2, W.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 7, 1953

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: Wells and ditches
(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) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 12 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: See supplemental answer attached hereto.

Ninth: Remarks: That See supplemental answer "Ninth" attached hereto.

Carl E. Nicholson
(Sign Here)Subscribed and sworn to before me this 6th day of June, 1953

My commission expires March 6, 1955

Homer E. Martin
Notary Public.

20480

May 25, 1953

RE: Permit No. 20480

Mr. Edwin Snow
Box 515
Boise, Idaho

Dear Mr. Snow:

We return Mr. Carl E. Nicholson's application for amendment to the land list in Permit No. 20480 which has been approved by the State Reclamation Engineer, and recorded in this Department.

We have also placed on file Mr. Nicholson's application to amend the permit by reducing the amount of water to 6.4 second feet.

Very truly yours,

MARK R. KULE
State Reclamation Engineer
By

Chief Clerk

A:op
Enc.

20480

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20480.

Comes now CARL E. NICHOLSON, the record holder of Permit No. 20480, to appropriate the public waters of the State of Idaho, and requests that the list of lands to be irrigated as described in said permit be changed to read as follows:

<u>Twp. 1 S., R. 2,</u> <u>W.B.M.</u>			
	Section 4:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	Section 9:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
	Section 10:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
<u>Twp. 1 N., R. 3,</u> <u>W.B.M.</u>			
	Section 22:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
		Lot 8	9.83 "
		Lot 9	37.20 "
	Section 25:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
	Section 26:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	(lot) 30 acres
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	10 "
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	20 "
	Section 27:	Lot 4	20 "
	Section 35:	Lot 5	10 "
		Lot 6	25 "
	Section 36:	Lot 5	31 "
		Lot 6	14 "
		Lot 7	37 "
		1,004.03 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 21 day of May, 1953.

Carl E. Nicholson

By Edwin Snow
Attorney and Agent

20480

Edwin Snow
Lawyer
Boise, Idaho

May 21, 1953.

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

RECEIVED
MAY 22 1953

Department of Reclamation

Dear Sir:

Permit No. 20480
Carl E. Nicholson

Herewith enclosed is application to
amend the above permit with respect to the
lists of lands to be irrigated by the water
appropriator.

Very truly yours,

Edwin Snow

S-W

Edwin Snow

20480

Edwin Snow

Lawyer

Boise, Idaho

May 20, 1953.

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

Dear Sir:

Water Permit 20480--
Carl E. Nicholson

This is to inform you that the
amount of water claimed under the above
permit is hereby reduced to 6.4 second feet,
with points of diversion as follows:

Well on SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 3,
Twp. 1 S., R. 2, W.B.M.--4 second feet;

Well on NW $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 10,
Twp. 1 S., R. 2, W.B.M. --2.4 second feet.

Very truly yours,

CARL E. NICHOLSON

By Edwin Snow
Attorney and Agent

S-W

RECEIVED
MAY 21 1953
Department of Reclamation

20480

May 18, 1953

RE: Permits Nos. 20480 and 20893

Mr. Edwin Snow
Box 515
Boise, Idaho

Dear Mr. Snow:

We enclose two copies of Permits Nos. 20480 and 20893, one of each of which has been certified.

The fee for making and certifying these copies is \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R25935

20480

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

April 1, 1953

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Carl E. Nicholson
C/o Edwin Snow
Box 515
Boise, Idaho

Boise, Idaho,

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 20480.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before June 7, 1953. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20480

January 27, 1950

Re: Permits Nos. 20072 & 20480

Mr. Clark E. Nicholson
1410 Washington St.
Boise, Idaho

Dear Mr. Nicholson:

We enclose Assignments of Mr. Isaacs' interest
in Permits Nos. 20072 and 20480 to you, which have been
duly recorded in this Department.

We also enclose Departmental Receipt No. 22040
for the \$1.00 recording fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20480

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. 20480 to Carl E. Nicholson of Boise, Idaho.

K. D. Isaacs
Permit holder

Minnie A. Isaacs
Wife of Permit holder

State of Idaho)
) ss
County of Ada)

On this 24th day of January, 1950, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared K. D. Isaacs and Minnie A. Isaacs, his wife, 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.

(SEAL)

LELA D. PAINTER
Notary Public, residing at Boise, Idaho

My commission expires 9/25/53

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 2:00 P.M. January 24, 1950.

MARK R. KULP
State Reclamation Engineer

20480

✓
October 30, 1948

Re: Permit No. 20480

Mr. Edwin Snow
P. O. Box 515
Boise, Idaho

Dear Mr. Snow:

We enclose three copies of Permit No. 20480
in the name of Nicholson & Isaacs, one of which is
certified.

The fee for these amounts to \$3.50, being
\$1.00 each and \$.50 for the certification.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

R-20986

20480

October 23, 1948

Re: Permit No. 20480

Mr. Edwin Snow
Box 815
Boise, Idaho

Dear Mr. Snow:

We enclose approval of the State Reclamation Engineer of the application of Nicholson and Isaacs to include the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, Township 1 South, Range 2 East., S.M., to the land description in Permit No. 20480, which has been approved by the State Reclamation Engineer.

Very truly yours,

MARK R. KEMP
State Reclamation Engineer
By

Chief Clerk

A/gt
Enc.

20480

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20480.

Comes now Nicholson and Isaacs, a co-partnership, and represents to the State Reclamation Engineer of the State of Idaho.

That it is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20480, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: To add to said list of lands the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, Township 1 S., Range 2 W. B.M. - 40 acres, making a total of 560 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 22 day of October, 1948.

/s/ Nicholson & Isaacs
By Edwin Snow, Attorney and Agent

Date of receipt at Office of Department of Reclamation - October 22, 1948.

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. 20480. 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.

/s/ MARK R. KULP
State Reclamation Engineer

20480

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20480

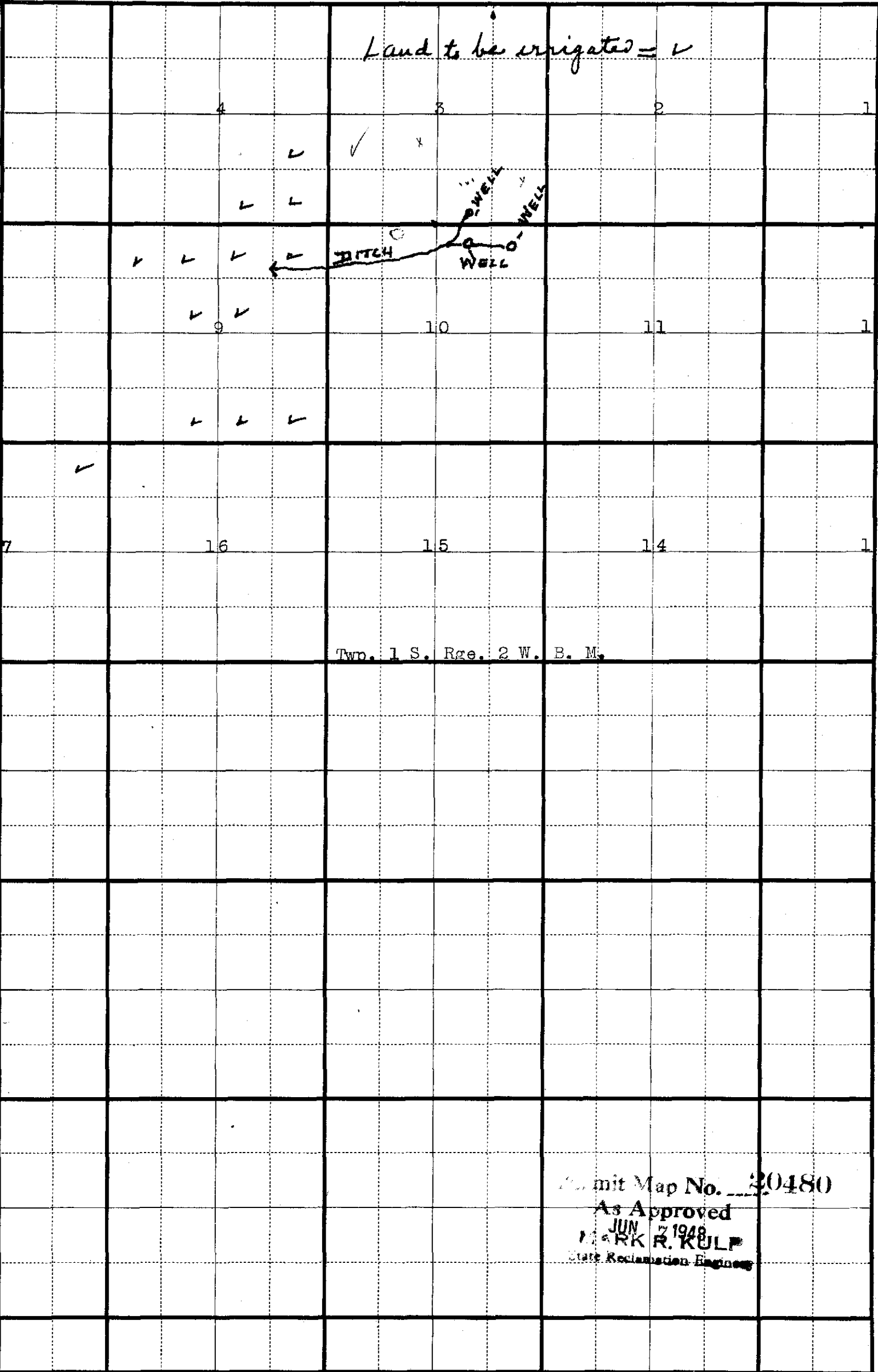
Date June 10, 1948

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

MARK R. KULP
State Reclamation Engineer

Nicholson & Isaacs
c/o Edwin Snow
Box 515
Boise, Idaho

20480



(Form No. 1)

Address all communications to

Edwin Snow

P. O. Box 515, Boise, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 27946

Permit No. 20480

District No.

1. Name of applicant: NICHOLSON & ISAACS, A Co-partnership

Post office address Boise County Ada State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: Ten (10) cubic feet per second

3. Source of water supply: Underground water in Sections 3 & 10, Twp. 1 South, Range 2 West, B.M.
which is tributary of No other stream so far as known

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

5. Water is to be used for: Irrigation

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: \$ 1,500.00

8. Kind of works: Wells and ditches

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

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

10. Size of headgate: Width None feet; Height feet.

11. Ditch: Width at bottom 6 feet; Width at water line 10 feet; Depth of water 2 1/2 feet;

Dimensions of flume ; Diameter of pipe inches;

Length of conduit miles. Average grade per mile feet.

20480

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: _____

Remarks: The points of diversion are as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, Twp. 1 South, Range 2 West - 4 second feet

NE $\frac{1}{4}$ NE $\frac{1}{4}$ " 10 " " " " " " - 2 " "

NW $\frac{1}{4}$ NE $\frac{1}{4}$ " 10 " " " " " " - 4 " "

Wells are to be driven in each of the 40-acre subdivisions listed above, to divert the quantity of water as shown. From these wells ditches are to be constructed to convey the water to the lands to be irrigated.

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

NICHOLSON & ISAACS

Applicant.

By Edwin Snow, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

County of _____ } ss.

On this _____ day of _____, 195____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____

Notary Public.

20480

Approval of State Reclamation Engineer

The number of this permit is 20480
Recorded in Book 73 Page 20480 Approved June 7, 1948
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 before
Work to begin on or before August 7, 1948, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.
One-fifth of the work above specified to be completed on or before December 7, 1950
The whole of said work to be completed on or before June 7, 1953
Beneficial use of water appropriated in accordance herewith, to be made on or before June 7, 1957
Witness my hand this 7th day of June, 19548
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 7th day of June, 19548
Countersigned: STATE OF IDAHO
By J. D. "CY" PRICE Secretary of State. By C. A. ROBINS Governor.

No. <u>20480</u>	PERMIT	Date of first receipt at office of State Reclamation Engineer	
		<u>11:00 A.M. March 2, 1948</u>	
		Returned to applicant for correction	
		<u>April 1, 1948</u>	
		Corrected application received	
		<u>May 28, 1948</u>	
		Fees, \$	
		FILING FEES FOR USE PERMIT:	
		For the first Sec. Ft.	\$5.00
		For each additional Sec. Ft. or Fraction	
		Thereof	.25

✓
May 24, 1948

Re: Application No. 27946

Mr. Edwin Snow
P. O. Box #515
Boise, Idaho

Dear Mr. Snow:

We remind you that the above numbered application in the name of Nicholson and Isaacs should be returned not later than June 1, 1948, in accordance with letter returning same to you for completion on April 1, 1948.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

20480

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, April 1, 1948

Application No. 27946
Nicholson & Isaacs

Mr. Edwin Snow
P. O. Box # 515
Boise, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

Answer questions 11 and 14

Furnish sketch maps.

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly,

MARK L. KULP

STATE RECLAMATION ENGINEER.

By _____

Chief Clerk

Encl: App. 27946

Receipt # 20415

20480