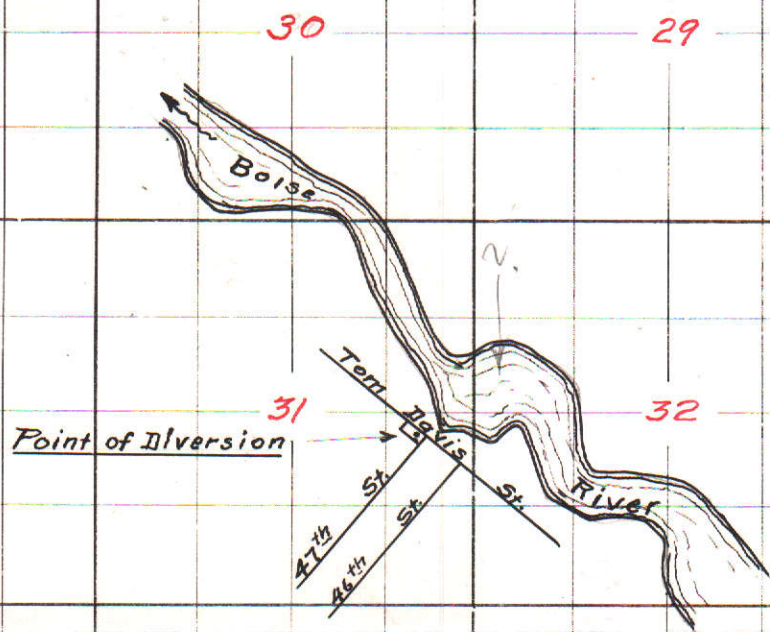




PROOF OF PUBLICATION

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

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

That the annexed notice was published in said newspaper once each and every week for four consecutive weeks, the first publication being on the last day of July, 1948, and the last publication being on the 22nd day of July, 1948;

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

Lloyd Tupling
Principal Clerk.

Subscribed and sworn to before me this 27th day

of July, 1948.

Robert L. Gorkin
Notary Public.

(SEAL)

My commission expires May 10, 1952

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

Notice is hereby given that at 11:00 A.M. on the 28th day of July, 1948, at Boise, County of Ada, State of Idaho, before Randall Wallis, Notary Public, proof will be submitted of the application to beneficial use of 0.02 cubic feet per second of the waters of a well (subterranean) in accordance with the terms and conditions of Permit No. 20474 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 Ilona Shmel, Route 8, Boise, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 0.02 second feet.

The place where said water is used is Lot 17, Block 25, Fairview Acres Subdivision No. 3.

The name of the canal or ditch or other works by which said water is conducted to such place of use is None.

The right to take water from such works is based upon Permit No. 20474.

The source of supply from which such water is diverted is a well.

The date of priority which said user is prepared to establish is May 17, 1948.

MARK R. CULP,
State Reclamation Engineer.
(152-14-First July 1.
Last July 22, 1948. 10-2)

20474

147

State of Idaho
License and Certificate of Water Right

Water License No. 20474

Amount 0.02 second feet

Water District No.

Priority May 17, 1948

THIS IS TO CERTIFY that MRS. ILONA SHIMEL
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 17, 1948, that Permit No. 20474
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.02 second feet, was issued thereunder on June 26, 1948, showing that said works
were completed on the 24th day of June, 1948; and that on the 28th
day of July, 1948.

MRS. ILONA SHIMEL
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
a well, a tributary of _____, for the purpose of irrigation and
domestic use, under Use Permit No. 20474 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4477, on the 4th day of April, 1949;
The right hereby confirmed dates from May 17, 1948.

The Point of Diversion is located in Lot 17 Block 25 Fairview Acres Subdivision No. 3,
in the NE 1/4 SE 1/4, Sec. 31, Tp. 4-N., R. 2-E., B.M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lot 17, Block 25, Fairview Acres Subdivision No. 3, B.M. Ada County Sec. 31, Tp. 4-N., R. 2-E.		

The right to the use of the water allowed hereby is subject to the provisions of the laws of Idaho relating to the use of water, and to the provisions of the laws of the State of Idaho relating to the use of water.

WITNESS the seal and signature of the State Reclamation Engineer of Idaho, on this _____ day of _____, 1948.

(302)

63 3696

N^o 20474
63 - 2696

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

APPLICATION No. 28116
PERMIT No. 20174
DISTRICT No.

1. Name of Applicant: ILONA SHIMEL

Postoffice address: P. O. Box 1721, 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: 0.02 cubic feet per second.

3. Source of water supply: Subterranean flow (well) which is a tributary of

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

corner of Section , T. , R. , B.M., and is in the Lot 17, Block 25, Fairview Acres Subdivision # 3,

in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 , T. 4 N. , R. 2 E , B.M., County of Ada

5. Water is to be used for Domestic and irrigation purposes.

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

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

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

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

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

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

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

7. Estimated cost of works: \$ 400.00

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

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

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is No 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: Portion of water right appurtenant to tract, supposed to be one inch per acre.

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ILONA SHIMEL

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 10:30 A. M. May 17, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20474

Recorded in Book 73 Page 20474 Approved May 28, 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 _____ Completed _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before -

The whole of said work to be completed on or before August 28, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before August 28, 1948

WITNESS My hand this 28th day of May, 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 28th
day of May, 1948.
STATE OF IDAHO

STATE OF IDAHO

Countersigned:

(SEAL)

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

By C. A. ROBINS Governor.

REMARKS:

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	
4 N.	2 E.	31	1 Lot 17, Block 25, Fairview Acres Subdivision No. 3, Adjacent to Boise PERMIT NO. 20474 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that ILONA SHIMEL of Boise, County of Ada, and State of Idaho, the holder of Permit No. 20474, issued upon Application No. 28116 bearing date of priority of May 17, 1948, authorizing the diversion of 0.02 second feet of the waters of a well (subterranean) County of Ada, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.02 second feet of the waters of said well; that the point of diversion of said waters is in Lot 17, Block 25, Fairview Acres Subdivision No. 3, located in the NE¼ SE¼ Section 31, Township 4 North, Range 2 East, E.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 17, Block 25 Fairview Acres Subdivision No. 3; Witness my hand this 28th day of June, A. D. 1948. MARY R. KULP State Reclamation Engineer Proof of Completion of Works made June 24, 1948 Certificate of Completion of Works issued June 28, 1948. 0.02 SEC. FT. p.4477																

WATER RIGHT NUMBER 63-2696

OWNER LAST NAME - SHIMEL / FIRST NAME - ILONA / ORIG OWNER -
ADDRESS LINE 1 - RT. 8 / ADDRESS LINE 2 -
ADDRESS LINE 3 - / CITY - BOISE / STATE - ID ZIP CODE - 83702 /
SOURCE - GROUNDWATER / TRIBUTARY OF -
STAGE - LICENSE / STATUS - / PRIORITY - 05-17-1948 / COUNTY - ADA / TOTAL DIV. RATE - .0200 -CFS
TOTAL DIV. VOLUME - .00 AFA / TRFR/AMEND - / WATER DIST. - / DLE/CAREY ACT - / RIGHT BASIS -
DIVERSION POINT - NESE 31 04N 02E LOT / REDIV - / 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - / TO - / USE - IRRIGATION / USE DIV. RATE - .0200 CFS / USE DIV. VOLUME - .00 AFA
FROM - / TO - / USE - DOMESTIC / USE DIV. RATE - .0000 CFS / USE DIV. VOLUME - .00 AFA
USE - IRRIGATION / PLACE OF USE - TWN 04N RNG 02E SEC 31 TRACT NESE LOT AC
DECREE NAME - / DATE - / TOTAL ACRES 0
REMARKS - P/D & P/U L17, BLK25, FAIRVIEW AC. SUBD. #3.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - / PERMIT/DENIED - / PROTESTED - / HEARING - / OLD NO. - 20474 /
PROOF MADE - / FLD EXAM - / COND. OF APPROVAL -
DIVERSION MEANS -

VERIFIED JDC

WATER RIGHT NUMBER 63-2696

WATER RIGHTS EDIT REPORT

08/23/79

PAGE 185

ACT
ION

N OWNER LAST NAME - SHIMEL

FIRST NAME - ILONA

N CITY - BOISE STATE - ID

N SOURCE - GROUNDWATER

N STAGE - LICENSE

PRIORITY - 05-17-1948 COUNTY - ADA

TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - NESE 31 04N 02E

N USE - IRRIGATION

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

N USE - IRRIGATION PLACE OF USE - TWN 04N RNG 02E SEC 31 TRACT NESE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N REMARKS - P/D & P/U L17, BLK25, FAIRVIEW AC. SUBD. #3.

OLD NO. - 20474

3/79

IDENT. NO. 63-2696

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20474 1 03-2696
 Old No. New No.

Record

1. Original Owner: Hona Shirel

Present Owner: _____

2. Address:

3. City: Boise State: ID Zip: _____

4. A. Source of Water: gw

B. Tributary of: _____

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

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

C. Priority Date: 5-17-1948

D. County: 01

E. Total Diversion Rate: .02

F. Total Diversion Volume:

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

H. Water District:

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

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

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE SE</u>	<u>31</u>	<u>4N</u>	<u>2E</u>		

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

from _____ to _____ for A purposes. Amount .02
 (cfs or AC-FT/yr.)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

11/82079

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/D & P/U LOT 17, Blk 25, Fairview Acres Subd. #3.
B.
C.
D.
E.

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

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 20474

F. Proof Made (P or blank):

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

H. Conditions of Approval:

14. Diversion Means (brief narrative):

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20474

This proof is for Beneficial use

In Water District No.

1. Name of applicant Mrs. Ilona Shimel, Route 8, Boise, Idaho

2. Source of water supply: Subterranean (well)

Acres Subdivision # 3

3. Location of point of diversion: Is in the Lot 17, Block 25, Fairview / of Section

T. R. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: A drilled well 58 feet

deep, cased with 44 feet of 4 inch casing (through clay);

This diversion irrigates "one commercial acre" by means of a one horse power

Fairbanks-Morse pump-motor, and a 1½ inch pipe leading to lawn, and thence by hose

to points of use.

5. Water is used for: Irrigation and domestic

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

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

Lot 17, Block 25, Fairview Acres Subdivision No. 3- Boise, Idaho

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

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

Remarks: "This installation delivers 1550 gallons per hour"

This examination was made on the 7th. day of October, 1948

(Signed)

A. J. Holman
Examiner.

20474

82
Mrs. Ilona Shimel
Route 8, Boise, Idaho

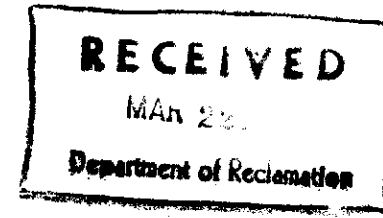
Permit No. 20474

Examination for Beneficial use

County Ada

INSTRUCTIONS TO EXAMINERS

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



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

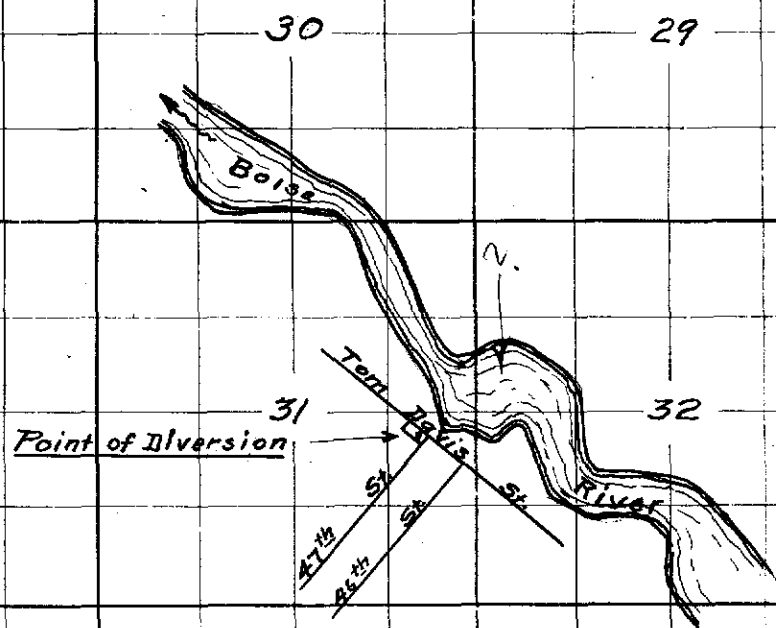
REPORT OF ENGINEER

PERMIT NO. 20474

REPORT ON PROOF OF Beneficial use

*02/25/74
SMA*

app 11/20/74



NOTICE FOR PUBLICATION

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 11:00 A. M. on the 28th day of July 1948, at Boise, County of Ada, State of Idaho, before Randall Wallis, Notary Public, proof will be submitted of the application to beneficial use of 0.02 cubic feet per second of the waters of a well (subterranean) in accordance with the terms and conditions of Permit No. 20474 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 Ilona Shimel, Route 8, Boise, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 0.02 second feet.

The place where said water is used is Lot 17, Block 25, Fairview Acres Subdivision No. 3:

The name of the canal or ditch or other works by which said water is conducted to such place of use is None.

The right to take water from such works is based upon Permit No. 20474.

The source of supply from which such water is diverted is a well.

The date of priority which said user is prepared to establish is May 17, 1948.

MARK R. CULP,

State Reclamation Engineer.

4152--t4--First July 1.

Last July 22, 1948.

July 1-1948

April 11, 1949

Re: Permit No. 20474

Mrs. Ilona Shimel
Route 8
Boise, Idaho

Dear Mrs. Shimel:

We enclose License and Certificate of
Water Right issued under your Permit No. 20474,
for the diversion of 0.02 second ~~last~~ of water
from a well in Lot 17, Block 25, Fairview Acres
Subdivision No. 3, with priority of May 17, 1948
for irrigation and domestic use at the same place.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Enc.

20474

✓
March 22, 1949

Re: Permit No. 20474

Mrs. Ilona Shimel
Route 8
Boise, Idaho

Dear Mrs. Shimel:

We now have on file the report of our
Field Engineer on examination for Beneficial Use
under your Permit No. 20474.

Therefore, upon receipt of the statu-
tory fee of \$5.00, a license will be issued for
one (1) inch (or .02 of a second foot) of water
from a well in Lot 17, Block 25, Fairview Acres
Subdivision #3.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

20474

PROOF OF PUBLICATION

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

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

That the annexed notice was published in said newspaper once each and every week for four consecutive weeks, the first publication being on the first day of July, 1948, and the last publication being on the 22nd day of July, 1948;

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

Lloyd Tupling
Principal Clerk.

Subscribed and sworn to before me this 27th day

of July, 1948.

(SEAL)

Albert L. Smith
Notary Public.

My commission expires May 10, 1952

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

Notice is hereby given that at 11:00 A.M. on the 23rd day of July, 1948, at Boise, County of Ada, State of Idaho, before Randall Wallis, Notary Public, proof will be submitted of the application to beneficial use of 0.02 cubic feet per second of the waters of a well (subterranean) in accordance with the terms and conditions of Permit No. 20474 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 Ilona Shimek, Route 8, Boise, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 0.02 second feet.

The place where said water is used is Lot 17, Block 25, Fairview Acres Subdivision No. 8.

The name of the canal or ditch or other works by which said water is conducted to each place of use is None.

The right to take water from such works is based upon Permit No. 20474.

The source of supply from which such water is diverted is a well.

The date of priority which said user is prepared to establish is May 17, 1948.

MARK H. CHILDS,
State Reclamation Engineer.
4152-t4-First July 1.
Last July 22, 1948. 10-2

20474

✓
August 3, 1948

Re: Permit No. 20474

Mrs. Ilona Shinael
R. R. #8
Boise, Idaho

Dear Mrs. Shinael:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Idaho Statewide, all submitted in proof of beneficial use under your Permit No. 20474.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20474

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20474

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. Margaret Baird, age 36; Residence, R. R. # 8, Boise, Idaho; Occupation, housewife.

Ques. 2. Are you acquainted with Ilena Shinel, the holder of Permit No. 20474? How long have you known him and where does he reside?

Ans. Yes. I have known her since November, 1947.

Ques. 3. Have you read or heard read said Permit No. 20474, 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. Subterranean waters from a well, to be diverted in Lot 17, Blk. 25, Fairview Acres Subdivision No. 3 located in NE 1/4 Sec. 31, T. 4 N., R. 2 E. S. 1 E., in Ada County, Idaho, the waters to be conveyed through pipes and hoses.

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

Ans. At least .02 second feet. Have seen the water conveyed under 40 lbs. pressure through a 3/4 inch hose.

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. To be used for irrigation and domestic purposes upon said Lot 17, Blk. 25 Fairview Acres Subdivision No. 3 in Ada County, Idaho, consisting of approximately 2/3 of an acre. Lands are cultivated and are now raising various vegetable and berry crops.

20474

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

Ans. _____

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

Ans. **The character of the land was very arid and dry. At least one inch to the acre.**

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

Ans. **None, whatsoever.**

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. **At least since May 17, 1948, I have seen Ilona Shmel diverting water through a well and pressure system under 40 lbs. pressure through a 3/4 inch hose to irrigate approximately 2/3 of an acre of garden and berry crops and use said water for domestic purposes.**

(Signed)

Margaret Baird

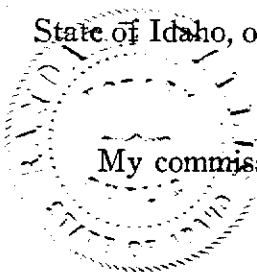
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in **Boise**, County of **Ada**,

State of Idaho, on this **28th** day of **July**, A. D. 19 **48**.

My commission expires

6/23/50

Randall Wallis
Notary Public.



20474

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20474

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. Martha Munson, age 31; Residence, R. R. # 8, Boise, Idaho; Occupation, housewife.

Ques. 2. Are you acquainted with Ilona Shimel, the holder of Permit No. 20474? How long have you known him and where does he reside?

Ans. Yes. I have known her since November, 1946.

Ques. 3. Have you read or heard read said Permit No. 20474, 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. Subterranean waters from a well, to be diverted in Lot 17, Blk. 25, Fairview Acres Subdivision No. 3 located in NE 1/4 SE 1/4 Sec. 31, T. 4 N., R. 2 E. B. M., in Ada County, Idaho, the waters to be conveyed through pipes and hoses.

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

Ans. At least .02 second feet. Have seen the water conveyed under 40 lbs. pressure through a 3/4 inch hose.

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. To be used for irrigation and domestic purposes upon said Lot 17, Blk. 25 Fairview Acres Subdivision No. 3 in Ada County, Idaho, consisting of approximately 2/3 of an acre. Lands are cultivated and are now raising various vegetable and berry crops.

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

Ans. _____

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

Ans. **The character of the land was very arid and dry. At least one inch to the acre.**

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

Ans. **None, whatsoever.**

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. **At least since May 17, 1948, I have seen Ilona Shimel diverting water through a well and pressure system under 40 lbs. pressure through a 3/4 inch hose to irrigate approximately 2/3 of an acre of garden and berry crops and use said water for domestic purposes.**

(Signed) Martha Munson

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 28th day of July, A. D. 1948.

Randall M. Walker

Notary Public.

My commission expires 6/25/50

20474

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20474

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ilona Shimel, R. R. # 8, Boise, Idaho. Occupation, housewife.

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. 20474, dated May 17, 1948. Date of priority May 17, 1948.

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

Ans. Subterranean waters from a well, to be diverted in Lot 17, Blk. 25, Fairview Acres Subdivision No. 3 located in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T. 4 N., R. 2 E. B. M. in Ada County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. a 58 ft. well with pressure pumping system capable of diverting in excess of .02 second feet of water, said water to be conveyed through pipes and hoses.

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. To be used for irrigation and domestic purposes upon said Lot 17, Blk. 25 Fairview Acres Subdivision No. 3 in Ada County, Idaho, consisting of approximately $\frac{2}{3}$ of an acre. Lands are cultivated and are now raising various vegetable and berry crops.

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

Ans.

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Kant

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. .02 second feet of water.

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

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

Ans. May 17, 1948, by use of pumping system from a well and through pipes and hoses in the amount of at least .02 second feet, all of said water being used for domestic purposes and for irrigation of vegetable and berry crops on said Lot 17, Blk. 25, Fairview Acres Subdivision No. 3 in Ada County, Idaho.

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. In 1946 and 1947 some water was made available to this land by Fairview Water Company which now refuses to deliver water to the Undersigned. Water formerly appurtenant to this land has been reserved and excepted by the owners when sold to the Undersigned and said water company now refuses to deliver water to the applicant who is the present owner of said land.

(Sign) Olona Shime

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 28th day of July, A. D. 19 48.

Randall Wallis
Notary Public for Idaho

My commission expires 6/25/50

20474

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 19, 1948

Re: Permit No. 20474
Ilona Shmel

Mr. Randall Wallis
Notary Public
Idaho Building
Boise, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20474.....

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On July 23, 1948....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Boise, Idaho..... before Randall Wallis, Notary Public.....

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

.....
MARK R. KULP
Commissioner of Reclamation
~~Assistant Commissioner~~
State Reclamation Engineer

20474

June 28, 1948

Re: Permit No. 20474

Mrs. Ilona Shinnel
Route #8
Boise, Idaho

Dear Mrs. Shinnel:

We enclose Certificate of Completion of Work issued under your Permit No. 20474, for the diversion of 0.02 second feet of water from a well located on Lot 17, Block 25, Fairview Acres Subdivision No. 3, for irrigation and domestic use in the same lot.

We have sent to Statewide notice of beneficial use proof to be made under this permit on July 28, 1948, at 11:00 A.M. before Randall Wallis, Notary Public.

About ten days prior to the date set for proof we shall send Randall Wallis, Notary Public, the necessary forms of deposition consisting of one for yourself and one for each of two witnesses so that he may have them in ample time for the proof.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

20474

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

Notice is hereby given that at 11:00 A. M. on the 28th day of July,
1948 at Boise, County of Ada, State of
Idaho, before Randall Wallis, Notary Public, proof will be sub-
mitted of the application to beneficial use of 0.02 cubic feet per second
of the waters of a well (subterranean) in accordance with the
terms and conditions of Permit No. 20474 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 Ilona Shmel, Route 8, Boise, Idaho

The use to which said water has been applied is Irrigation and domestic

The amount applied to beneficial use is 0.02 second feet

The place where said water is used (~~the location of the place where said water is used~~)
Lot 17, Block 25, Fairview
Acrea Subdivision No. 3;

The name of the canal or ditch or other works by which said water is
conducted to such place of use is None

The right to take water from such works is based upon Permit No. 20474

The source of supply from which such water is diverted is a well

The date of priority which said user is prepared to establish is May 17, 1948

MARK R. KULP
STATE RECLAMATION ENGINEER

20474

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20474

Date: June 28, 1948

Statewide Newspapers
911 Jefferson St.
Boise, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 28, 1948** the date set for proof, the expense of the publication to be paid by the applicant, **Mrs. Klona Shmel, Route 8, 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

20474

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

June 24, 1948

(P. O.)

Boise, Idaho

STATE RECLAMATION ENGINEER
TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

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

Statewide

of

, published in

the county in which the works are situated.

Elona Shinnel

(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.

20474

Permit No. 20474

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Ilona Shimel, 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. 20474, and that his postoffice address is ^{her} Rt. 3, Boise.

State of Idaho

Second: That the name of the stream ^{FROM} which said water is to be ^{DIVERTED} directed is a well

Third: That the point of diversion of said water is in Lot 17, Block 25 Fairview Acres Subdivision, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 4 N., Range 2 E., B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 28, 1948, 19.

Fifth: That the use for which said water is intended is domestic and 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: Well, pump and pressure system
(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
(State whether ditch, flume or pipe)

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 0.02 second feet of water.

Eighth: That water appropriated under said permit is available for one acres of land described as follows: Lot 17, Block 25, Fairview Acres Subdivision # 3, located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 4 North, Range 2 E., B. M.

Ninth: Remarks: That

Ilona Shimel
(Sign Here)

Subscribed and sworn to before me this 24th day of JUNE, 1948

My commission expires FEB. 16, 1949

Hilton W. Lister
Boise, Ida Notary Public.

20474

P.M.T.

June 3, 1948

Ilona Shinsel
P.O. Box 1721
Boise, Idaho

Dear Madam:

We enclose Permit No. 20474 and direct your attention to the limitations and conditions of same as given on the fourth page under approval of State Reclamation Engineer.

Since your application states that the works are completed, we have allowed three months or until August 23, 1948, to make the two statutory proofs necessary to complete the water right. These proofs, however, may be made at any time prior to that date.

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

The final or beneficial use proof requires publication once a week in a county newspaper for four consecutive weeks prior to the date set for making proof. Notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set you should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

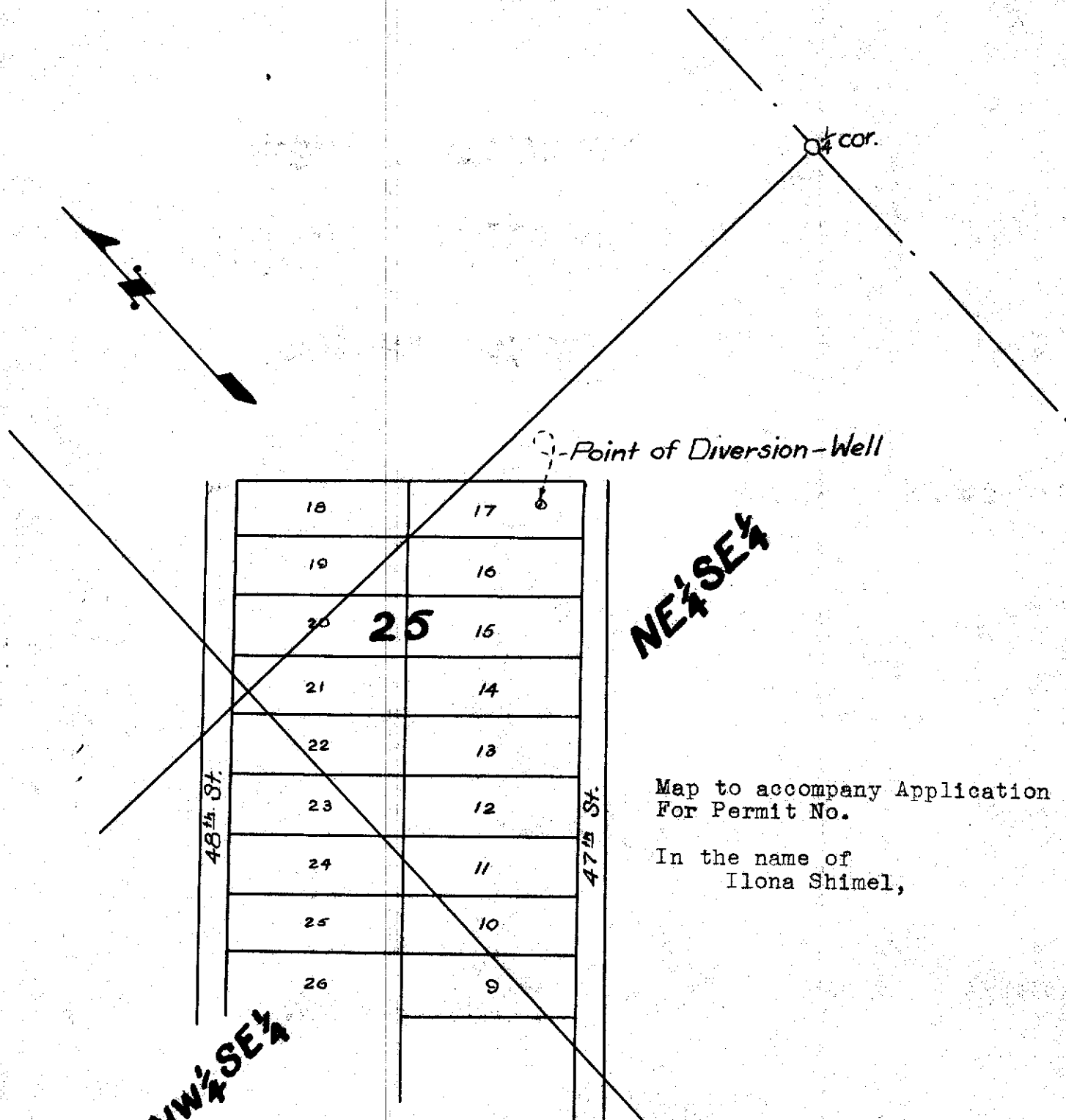
Chief Clerk

A/dm
Enc.

20474

FAIRVIEW ACRES SUBDIVISION No. 3

Block-25 Sec. 31 Twp. 4N. R. 2E. B.M.



Map to accompany Application
For Permit No.

In the name of
Ilona Shimel,

Permit Map No. 20474

As Approved

MAY 28 1948
MARK R. KULP
State Reclamation Engineer

20474