

NOTICE FOR PUBLICATION

NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 17th day of July, 1948, at Boise, County of Ada, State of Idaho, before Claudia Drake, Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of Alexander Creek in accordance with the terms and conditions of Permit No. 19509 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 J. B. Taylor, 103 Jefferson Street, Boise, Idaho.

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

The amount applied to beneficial use is 1.5 cubic feet per second.

The place where said water is used SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 9, Twp. 5 North, Range 8 East, B. M.

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

The right to take water from such works is based upon Permit No. 19509.

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

The date of priority which said user is prepared to establish is May 27, 1944.

MARK R. KULP

State Reclamation Engineer
First Publication June 24, 1948.
Last Publication July 15, 1948.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Robert M. Cooley do solemnly swear that I am the foreman, the publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

four consecutive weeks, the first publication having been made on the 24 day

of June, 1948, and the

last publication having been made on the 15

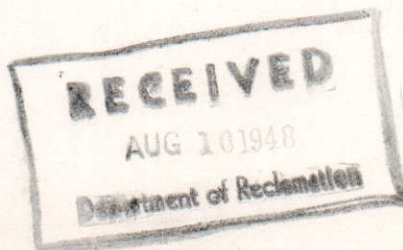
day of July, 1948; every number of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS (formerly Mountain Home Republican) has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Subscribed and sworn to me this 20th

day of July, 1948

Grubbs
Notary Public



19509



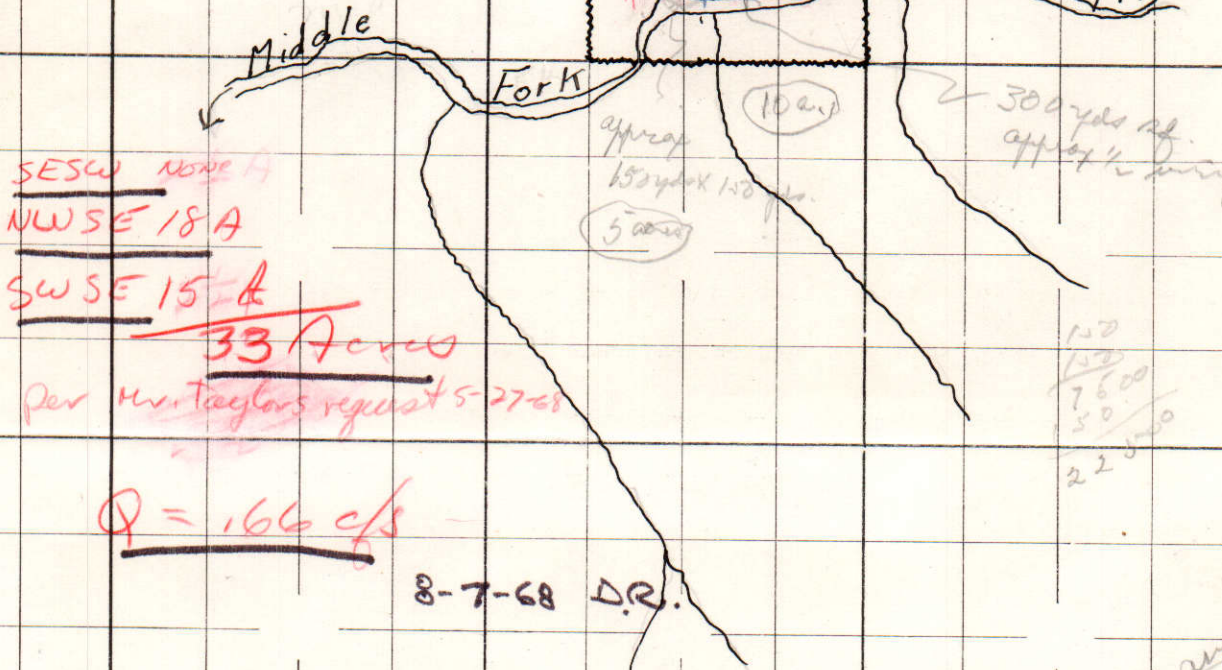
Twp 5N. R. 8E.

P.D. #1 = approx. 300 yds above road.
" #2 = " 200 " " "

Area irrigated = $SW\frac{1}{4} SE\frac{1}{4} = 12\frac{1}{2} Q.$
 $SE\frac{1}{4} SW\frac{1}{4} = 24\frac{1}{2} A$
15 acres.

18 acres would be
the max. that could be added.
or a total of 33 acres.

approx. 8 acres of dry alfalfa



SESW 18A
NWSE 18A

SWSE 15A
33 Acres

per Mr. Taylor's request 5-27-68

Q = 166 cfs

8-7-68 D.R.

300
90000 sq yds
45000 sq yds
22500
67500

150
150
7500
50
22500

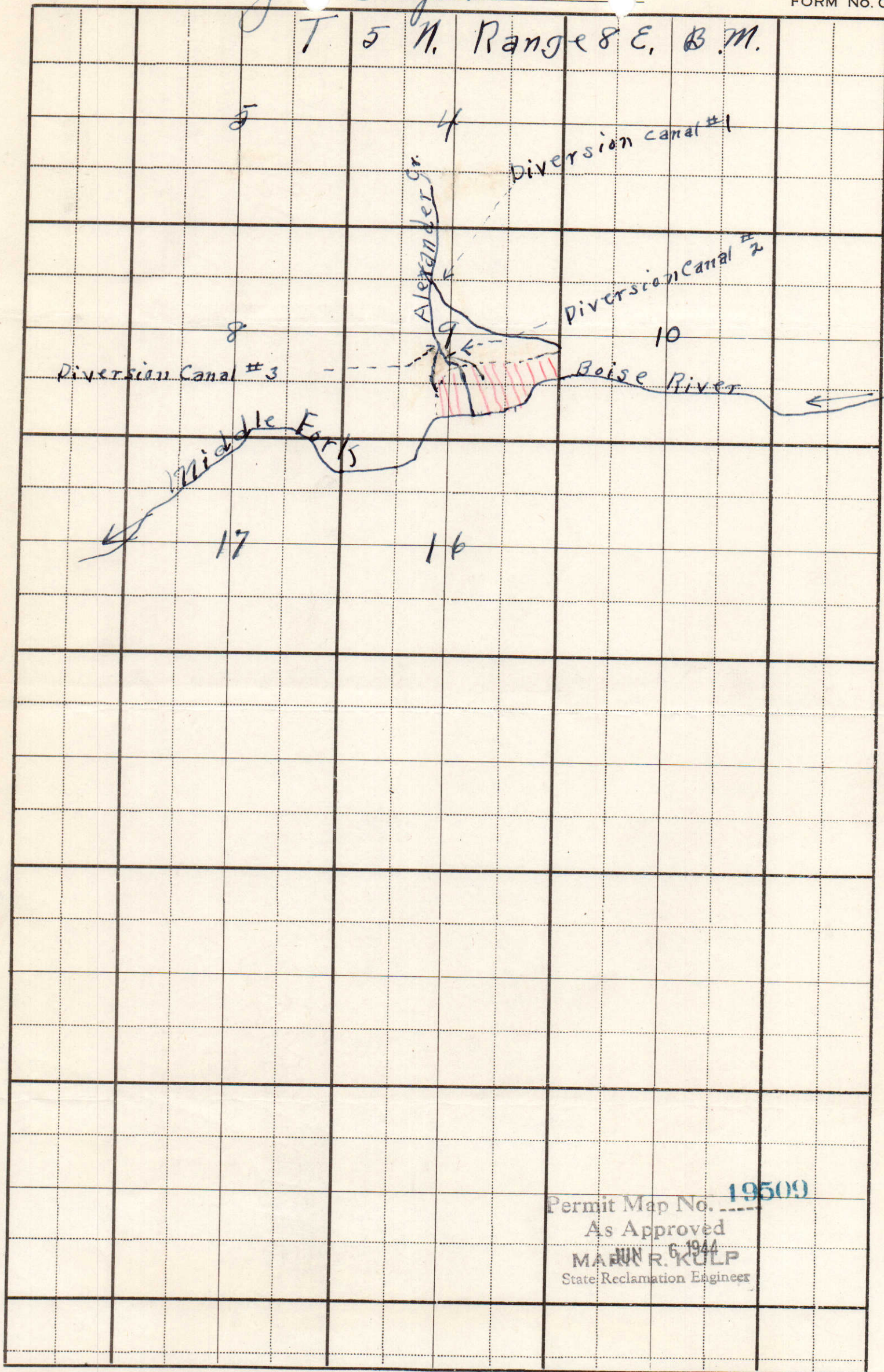
4840
14 acres
67500
4840
19100
19360

LIC THREE PD'S AS STATED ON FACE
OF EXAM REPORT

9-16-68 D2

J. B. Taylor

T 5 N. Range 8 E, B.M.



Permit Map No. 19509
As Approved
MAY 6 1944
MARION R. KULP
State Reclamation Engineer

Note:

The last two points of diversion have been plotted in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T5N, R8E in order to coordinate with the location of Alexander Creek, as shown on the U. S. G. S. quad sheet.

Dick Link

6/6/77

State of Idaho
Department of Water Administration
AMENDED
LICENSE OF WATER RIGHT

License of Water Right No. 63-2613 Priority 7-4-46 Amount 0.66 cfs

THIS IS TO CERTIFY, that Donald Jensen
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-2613 issued pursuant to Application for Permit dated May 25, 1944,
and has submitted proof to the Department of Water Administration on July 15, 1948,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.66 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Alexander Creek
tributary of Middle Fk. of Boise River, is hereby confirmed in the following amounts:
Amount 0.66 cfs for Irrigation from Apr. 1 to Nov. 1 (both dates inclusive)
Amount .57 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.66 cfs of water be diverted at
any one time, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 5N, R. 8E, B.M.;
and 2 points within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 5N, R. 8E, B.M.
in the county of Elmore; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 99 acre feet per year or _____
3.0 acre feet per acre, and .57 AF/A for domestic use.

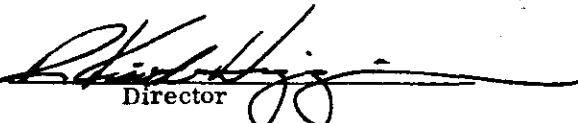
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	8 E	9													18	15			33

Total number of acres irrigated 33

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16th day of
July, 1971.


Director

63 2613

WATER LICENSE

Water License No. 19509 or 63-2613 Priority July 4, 1946 Amount 0.66 c.f.s.
(late proof)

THIS IS TO CERTIFY, that J. B. TAYLOR

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 25, 1944; that Permit 19509 or 63-2613 was issued pursuant to said application; that the proposed works were completed on or about 1948, with a storage/or carrying capacity of 0.66 c.f.s., said works consisting of ditches; and that on July 15, 1948, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1.74 acre feet per season, with a maximum rate of diversion of 0.66 cubic feet per second of the waters of Alexander Creek, tributary of Middle Fork of Boise River, for the purpose of irrigation from April 1st to November 1st; and for domestic from January 1 to December 31st; and for from to ; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NE 1/4 NW 1/4, Sec. 9, T. 5 N., R. 8 E., B.M., and other additional points 2 points in the NE 1/4 SW 1/4 Sec. 9, T. 5 N., R. 8 E., B.M., in the County of Elmore; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1.74 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	8 E	9														18	15		33

Total number of acres irrigated 33

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

16th day of September, 19 68.

Jack A. Barnett
Deputy State Reclamation Engineer

63 2613



2013

Water License No. 19509^{or}

63-2613

STATE OF IDAHO
office of the
DEPARTMENT OF RECLAMATION

Dept of Water Admin.

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

No. 19509

63-2613

Application No. 27016
Permit No. 19509
District No.

1. Name of Applicant: J. B. TAYLOR

Postoffice address: 718 N. 20th St., 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: 75 miner's inches or 1.5 cubic feet per second.

3. Source of water supply: Alexander Creek which is a tributary of Middle Fork of Boise River

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 Elmore

5. Water is to be used for Irrigation and domestic use

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: \$ 750.00

8. Kind of works: Three (3) Canals with diversions

9. Height of dam None feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width Two(2) feet; height One(1) Foot, Six (6) INCHES feet;

11. Ditch: Width at bottom Two (2) feet; width at water line Two(2) feet; depth of water 10 inches -feet;
dimensions of flume:

Diameter of pipe inches; length of conduit One (1) miles.

Average grade per mile 3/10 per hundred feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

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

15. (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 waters of the State of Idaho as herein set forth.

J. B. TAYLOR

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 4:50 P. M. May 25, 1944

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19509

Recorded in Book 70 Page 19509 Approved June 6, 1944

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 6, 1944** 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 6, 1944

The whole of said work to be completed on or before June 6, 1945

Beneficial use of water appropriated in accordance herewith, to be made on or before June 6, 1946

Witness my hand this 6th day of June, 1944

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLESEN, Governor of the State of Idaho,
and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th
day of June, 1944 STATE OF IDAHO

STATE OF IDAHO

Countersigned:

(SEAL)

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLESEN

Governor

Remarks: Diversion No. 1-1340 feet distant North from the $\frac{1}{4}$ corner Section 9, Twp. 5 N., Range 8 E., B.M., in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, Twp. 5 N., Range 8 E., B.M.

(Continued below)

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
5 N.	8 E.	9											4	22	15	24	8	73	
REMARKS (Continued)			Diversion No. 2- 1100 feet distant South from the ¹ / ₄ corner of Section 9, Twp. 5 N., Range 8 E., B.M., in the NE ¹ / ₄ SW ¹ / ₄ Section 9, Twp. 5 N., Range 8 E., B.M.																
			Diversion No. 3- 850 feet distant South from the ¹ / ₄ corner of Section 9, Twp. 5 N., Range 8 E., B.M., in the NE ¹ / ₄ SW ¹ / ₄ Section 9, Twp. 5 N., Range 8 E., B.M.																
			All diversions in the County of Elmore.																
			APPROVAL OF STATE RECLAMATION ENGINEER																
			I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19509, to July 15, 1946.																
			Witness my hand this 9th day of May, 1945.																
			MARK R. KULP State Reclamation Engineer																
			APPROVAL OF STATE RECLAMATION ENGINEER																
			I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19509, to July 15, 1947.																
			Witness my hand this 23rd day of July, 1946.																
			MARK R. KULP State Reclamation Engineer																

PERMIT NO. 19509
Certificate of Completion of Works

To All Whom it may Concern:

This is to certify that J. B. TAYLOR, of Boise, County of Ada, and State of Idaho, the holder of Permit No. 19509, issued upon Application No. 27016, bearing date of priority of May 25, 1944, authorizing the diversion of 1.5 second feet of the water of Alexander Creek, a tributary of the Middle Fork of the Boise River, County of Elmore, 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 1.5 second feet of the waters of Alexander Creek; that the points of diversion of said waters are located as follows: No. 1- 1340 ft. North from the 1/4 corner Section 9, Twp. 5 N., Range 8 E., B.M., and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ said section; No. 2- 1100 ft. South from the 1/4 corner Section 9, Twp. 5 N., Range 8 E., B.M., and in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ said section; No. 3- 850 ft. South from the 1/4 corner Section 9, Twp. 5 N., Range 8 E., B.M., and in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ said section; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 9, Twp. 5 N., Range 8 E., B.M.

Witness my hand this 16th day of July, A. D. 1947.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made July 15, 1947

Certificate of completion of works issued July 16, 1947

WATER RIGHT NUMBER 63-2613 ✓

OWNER LAST NAME - TAYLOR ✓

FIRST NAME - J. B. ✓

ORIG OWNER - 0 ✓

OWNER LAST NAME - JENSEN ✓

FIRST NAME - DONALD

ORIG OWNER -

ADDRESS LINE 1 - 7570 STRADFORD ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83706

SOURCE - ALEXANDER CREEK

TRIBUTARY OF - BOISE RIVER, MIDDLE FORK

STAGE - LICENSE

STATUS -

PRIORITY - 07-04-1946 COUNTY - ELMORE

TOTAL DIV. RATE -

.6600 -CFS

TOTAL DIV. VOLUME - 99.00 AFA TRFR/AMEND -

WATER DIST. - 63 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENW 09 05N 08E LOT REDIV -

272.0 312.0 114.0 13.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.7

NWSE 09 05N 08E LOT REDIV -

272.0 312.0 114.0 13.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.2

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - .6600 CFS USE DIV. VOLUME - 99.00 AFA

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .5700 CFS USE DIV. VOLUME - .57 AFA

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 08E SEC 09 TRACT NWSE LOT AC 18 TRACT SWSE LOT AC 15

DECREE NAME -

DATE -

TOTAL ACRES 33

REMARKS - 2 P/D IN NWSE, S9, T5N, R8E. ✓

LIC. INCORRECTLY DESCRIBES P/D & P/U NWSE AS NESW. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 19509

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

WATER RIGHT NUMBER 63-2613

WATER RIGHTS EDIT REPORT

08/23/79

PAGE 97

ACT
ION

N OWNER LAST NAME - TAYLOR
N OWNER LAST NAME - JENSEN

FIRST NAME - J. B.
FIRST NAME - DONALD

ORIG OWNER - 0

N
N SOURCE - ALEXANDER CREEK
N STAGE - LICENSE

CITY - BOISE STATE - ID
TRIBUTARY OF - BOISE RIVER, MIDDLE FORK
PRIORITY - 07-04-1946 COUNTY - ELMORE
WATER DIST. - 63

TOTAL DIV. RATE - .6600CFS

N DIVERSION POINT - NENW 09 05N 08E
N FROM - 04-01 TO - 11-01 USE - IRRIGATION
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - IRRIGATION

NWSE 09 05N 08E
USE DIV. RATE - .6600CFS
USE DIV. RATE - .5700CFS

USE DIV. VOLUME - 99.00 AFA
USE DIV. VOLUME - .57 AFA
AC 18 TRACT SWSE AC 15

N REMARKS - 2 P/D IN NWSE, S9, T5N, R8E.
N LIC. INCORRECTLY DESCRIBES P/D & P/U NWSE AS NESW.

OLD NO. - 19509

IDENT. NO. 43-2613

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 19509 163-2613
Old No. New No.

Record

1. Original Owner: J. B. TaylorPresent Owner: Donald Jensen

2. Address:

3. City: Boise State: ID Zip:4. A. Source of Water: Alexander Creek
B. Tributary of: Boise River, middle fork5. 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: 7-4-1946D. County: 39E. Total Diversion Rate: .66

F. Total Diversion Volume:

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

H. Water District: 63

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>NENW</u>	<u>9</u>	<u>5N</u>	<u>8E</u>		
	<u>NWSE</u>	<u>9</u>	<u>5N</u>	<u>8E</u>		

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

from	<u>4-1</u>	to	<u>11-1</u>	for	<u>A</u>	purposes.	Amount	<u>.66/99</u>
							(cfs or AC-Ft/yr)	
from	<u>1-1</u>	to	<u>12-31</u>	for	<u>D</u>	purposes.	Amount	<u>.57/57</u>
from		to		for		purposes.	Amount	
from		to		for		purposes.	Amount	
from		to		for		purposes.	Amount	
from		to		for		purposes.	Amount	
from		to		for		purposes.	Amount	

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. 2 PIRs in NWSE, S 9, T5N, R8E
B. NWSE incorrectly listed in loc. as NE SW.
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: 19509

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

RE: Water Permit No. 63-2613

July 10, 1975

*Rec'd
#1078*

Co-Tem, Inc.
ATTN: Jerry Whitehead
P. O. Box 5598
Boise, Idaho 83705

Dear Jerry:

In checking through our records I find that your company still owes us \$3.25 for copies received by your people last December 20, 1973. However, you might be wise to check through your books and see if this is an over-sight. Please advise or remit the proper amount.

Very truly yours,

(Mrs.) ELEANOR J. WOODS
Records Supervisor

BJW:e

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 20, 1973

Re: Permit No. 63-2613

Co-Tem, Inc.
Attn: Jerry Whitehead
P. O. Box 5598
Boise, Idaho 83705

Dear Mr. Whitehead:

Enclosed please find the copies you requested yesterday for the above referenced permit.

The fee for these copies is \$3.25 which you may remit to this office at your earliest convenience.

If you need further assistance, please feel free to contact this office.

Sincerely,

Robert W. Hamilton

Robert W. Hamilton
Water Rights

RWH/TA
Enclosures

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

July 16, 1971

Re: License No. 63-2613 - Donald Jensen

Donald W. Jensen
7570 Stradford
Boise, Idaho 83706

Dear Mr. Jensen:

Please find enclosed the above referenced license.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

63 2613

Sept. 27, 1972

Water Administration Dept.
State House
Annex 2
Boise, Idaho 83707

RECEIVED

SEP 23 1972

Department of Water Administration

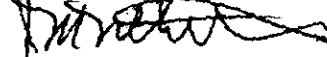
Attention: Mr. Claine Barren:

Dear Mr. Barren:

Regarding water permit reference #63-2613 as per our conversation of today I am enclosing a copy of our warranty deed and the Assignment of water License and Hunting and Guiding Rights on the property we recently purchased. Would you please file them with the proper people to show we own the land and the water license?

Yours very truly,

Gerald M. Whitehead



P.O. Box 5598
Boise, Idaho 83705

63 2613

ASSIGNMENT OF WATER LICENSE AND HUNTING AND GUIDING RIGHTS

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned DONALD W. JENSEN and RITA E. JENSEN, husband and wife, hereinafter referred to as Assignors, for valuable consideration received, do hereby set over, transfer and assign unto JERALD M. WHITEHEAD and KAREN K. WHITEHEAD, husband and wife, and DEAN CORNIA and LONA J. CORNIA, husband and wife, hereinafter referred to as Assignees, all of the right, title and interest of the Assignors in and to that certain State of Idaho Water License No. 19509 or 63-2613, covering 0.66 C.F.S. of the waters of Alexander Creek, tributary of the Middle Fork of the Boise River in Elmore County, Idaho, it being acknowledged that the Assignors have conveyed to the Assignees the real property entitled to be irrigated under such water license.

Assignors herein further assign all hunting and guiding rights owned by Assignors with regard to Homestead Entry Survey #143 in Township 5N, Range 8E, Boise Meridian, in Elmore County, Idaho, and all hunting and guiding rights appertenant to Homestead Entry Survey #143.

STATE OF IDAHO,)
: ss.
County of Ada.)

Donald W. Jensen
DONALD W. JENSEN

Rita E. Jensen
RITA E. JENSEN

On this 19 day of July, 1971, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD W. JENSEN and RITA E. JENSEN, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Robert E. Baker
Notary Public for Idaho
Residing at Boise, Idaho

63 2613

WARRANTY DEED

For Value Received

DONALD W. JENSEN and RITA E. JENSEN, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto

JERALD M. WHITEHEAD and KAREN K. WHITEHEAD, husband and wife, and
DEAN CORNIA and LONA J. CORNIA, husband and wife,

the grantee s, the following described premises, in Elmore County Idaho, to-wit:

Homestead Entry Survey #143, embracing a portion of T5N, R8E,
Boise Meridian, Elmore County, Idaho, more particularly described
as follows, to-wit:

Tract of land beginning at Corner No. 1, from which the standard
Quarter corner of Section 33, T6N, R8E, B.M., bears North 9°52'
West 156.69 chains distant; thence North 75°40' East 28.27 chains
to corner No. 2; thence South 56°50' East 7.43 chains to corner
No. 3, a point on the right bank of the Middle Fork of the Boise
River as said river was located at time of the original survey;
thence along meander line of the right bank of said river down-
stream, South 34°30' West 3.50 chains, South 45° West 4.20 chains,
North 83°30' West 4 chains, South 86°45' West 13.70 chains, North
88°15' West 11.00 chains to corner No. 4; thence North 0°50' West
2.85 chains distant to corner No. 1, the Real Point of Beginning.

SAVE AND EXCEPT the following described tract: All of that land
in Homestead Entry #143 located in Elmore County, Idaho, lying
North of the forest service road & West of a line beginning at an
iron stake on the North side of the forest service road & 9' East
of the Alexander Creek Culvert; thence running in a northerly direc-
tion 135' on the East side of Alexander Creek; thence crossing Alex-
ander Creek on a NW angle to iron stake 34' distant; thence North
on West side of Alexander Creek to the North line of Homestead Entry 143.

Together with all water and water rights, ditch and ditch rights ap-
pertaining thereto, including all right, title and interest in that
certain Water Permit #30523 issued by the Idaho Dept. of Reclamation on
June 5, 1963.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s that they are the owners in fee simple of said premises; that they are free
from all incumbrances

except 1971 taxes and two Deeds of Trust in favor of Utah Mortgage
Loan Corporation, Instruments No. 142869 and No. 144411

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 19, 1971

Donald W. Jensen
Rita E. Jensen

STATE OF IDAHO, COUNTY OF Ada

On this 19th day of July, 1971,
before me, a notary public in and for said State, personally
appeared

DONALD W. JENSEN and RITA E.
JENSEN, husband and wife,

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Robert E. Baker
Notary Public

Residing at Boise, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of *Warranty title*

at 36 minutes past 1:00 o'clock P.M.
this 22 day of July, 1971, in my office, and duly recorded in Book
of Deeds at page 143

W. H. Truel
Ex-Officio Recorder

By *R. G. Gabel* Deputy

Fees \$ 1.00
Mail to: *Baker & Ward*
Box 2832 Boise, Idaho

INSTRUMENT NO.

146748

Corner #1 - $N 9^{\circ} 52' W - 156.$ - to
Stand 1/4 Cor Sec. 33 T6N R8E

Corner #1 - ^{NW Cor.} $N 75^{\circ} 40' E$ 7.1 Alexander Cr.

9.9 Wagon Road - 12.5 Ditch

14.12 ditch : 17.1 same ditch 18.2 ~~same ditch~~

20.74 same ditch

28.0 Wagon Road

28.27 Corner #2

$S 56^{\circ} 50' E$ 7.43 Corner #3
meander Cor.

Three Meander

$S 34^{\circ} 1/2' W - 3.5$

$S 45^{\circ} W - 4.2$

$N 83^{\circ} 1/2' W - 4.0$

$S 86^{\circ} 3/4' W - 13.7$

$N 88^{\circ} 1/4' W - 3.3$ Mouth Alexander Cr.

11.0 Cor #4

$N 0^{\circ} 50' 00 - 2.85$ Corn #1

21.09 Acres. Survey completed
Aug 15, 1913

12 acres in
Cult.

63 2613

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

April 30, 1971

Re: Permit No. 63-2613



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Donald W. Jensen
7570 Stradford
Boise, Idaho 83706

Dear Mr. Jensen:

It has been called to our attention that the Water License issued for Permit No. 63-2613 contains an error in the acre feet figure. We understand that you have the original license and if you would please return the original license to this office, we will make the necessary changes and promptly return it to you.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

63 2613

63 2613

MEMBER



*Symbol of Outstanding
Salesmanship*

19509
63-2613

JIM TAYLOR
FLEET AND RETAIL

63 2613

LARRY BARNES CHEVROLET
2800 FAIRVIEW AVE., BOISE, IDAHO
BUS.: BOISE 344-5871 • RES.: BOISE 343-6824

September 16, 1968

Re: Permit No. 63-2613 or 19509

J. B. Taylor
601 Capitol Blvd.
Boise, Idaho

*Returned +
sent c/o Long Borne
Chenault Co
Boise.*

Dear Mr. Taylor:

Enclosed herewith is your Water License on the above
numbered permit.

Also enclosed is departmental receipt No. 2058 in the
amount of \$8.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

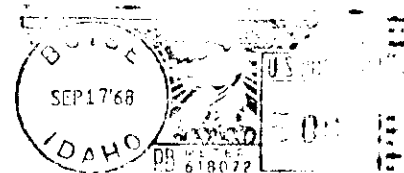
19509
63-2613

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

RECEIVED

SEP 19 1968

Department of Reclamation



Mr. J. B. Taylor ☐ Moved, left no address
601 Capitol Blvd. ☒ No such number
Boise, Idaho ☐ Moved, not forwardable
☒ Addressee unknown

625-4.

63-2613

19509

2

ER

✓
November 16, 1951

RE: Permit No. 19509

Mr. J. B. Taylor
601 Capitol Blvd.
Boise, Idaho

Dear Mr. Taylor:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 19509.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 33 inches or .66 second foot of water from Alexander Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

14509

✓
September 27, 1948

Re: Permit No. 19509

Mr. J. B. Taylor
103 Jefferson Street
Boise, Idaho

Dear Mr. Taylor:

We have placed on file your depositions in proof of beneficial use under Permit No. 19509, together with the affidavit of publication in the Mountain Home News.

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 application 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 someone on the premises at the time he makes the examination in order that he may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

19509

✓
August 12, 1948

Re: Permit No. 19509

Mr. J. B. Taylor
601 Capitol Boulevard
Boise, Idaho

Dear Mr. Taylor:

A check of the depositions of yourself and two witnesses submitted in proof of beneficial use under your Permit No. 19509 shows a discrepancy between the land description in the Permit and the land as described in the proofs.

The land described in the Permit is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 9 and it is so advertised in the publication notice.

Possibly the description in the proofs is intended to cover the same land but it is not very plain.

Please advise if the water has been applied to any other land than that described in the Permit and notice as above.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

19509

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 17th day of July, 1948, at Boise, County of Ada, State of Idaho, before Claudia Drake, Notary Public, proof will be submitted of the application to beneficial use of 1 1/2 cubic feet per second of the waters of Alexander Creek in accordance with the terms and conditions of Permit No. 15866 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 J. B. Taylor, 100 Jefferson Street, Boise, Idaho.

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

The amount wanted to beneficial use is 1 1/2 cubic feet per second.

The place where said water is used SE 1/4 SW 1/4 and SE 1/4 Section 9, Twp. 5 North, Range 3 East, B. M.

The name of the canal or ditch or other works by which said water is conveyed is Alexander Creek.

The date of priority from such works is June 24, 1948.

The source of supply from which such water is obtained is Alexander Creek.

The date of priority which said use is proposed to establish is May 21, 1948.

MADE AT BOISE
State Reclamation Engineer
First Publication June 24, 1948.
Last Publication July 15, 1948.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Robert M. Cooley, do solemnly swear that I am the foreman, the publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

four consecutive weeks, the first publication having been made on the 24 day

of June, 1948, and the

last publication having been made on the 15

day of July, 1948; every number of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

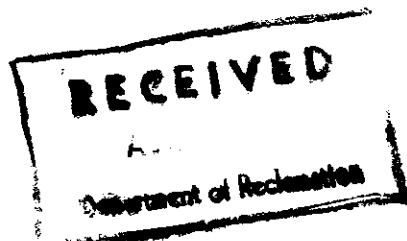
And I further swear that the said MOUNTAIN HOME NEWS (formerly Mountain Home Republican) has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Robert M. Cooley

Subscribed and sworn to me this 20th

day of July, 1948

Grubbs
Notary Public



19509

August 6, 1948

Re: Permit No. 19509

Mountain Home Republican
Mountain Home, Idaho

Gentlemen:

Mr. J. B. Taylor tells us that he has not yet received the affidavit of publication in connection with notice of proof of beneficial use under Permit No. 19509 which was sent you on June 21 and which we understand was published from June 21 to July 15, 1948, inclusive.

This affidavit is a necessary part of his proof and may we ask that you kindly send him same together with statement of publication costs.

Thanking you, we are

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

CC: Mr. J. B. Taylor

19509

Duc

MEMO

Date: September 9, 1968

Re: Permit No. 19509

On September 2, 1968, Mr. Taylor visited the Department of Reclamation and submitted a check for \$8.00 for the licensing fees for the above referenced permit. A fee letter had originally been written, requesting the \$8.00 for licensing fees, so an additional letter was not written at this time.

Even though the fee letter of November 16, 1951 was marked VOID, the Department decided to use the letter and not write a new fee letter for the following reasons:

1. At the time the original exam was made, it appeared that Mr. Taylor was not irrigating the full 33 acres and that only 15 acres had been applied to beneficial use. Therefore, the letter was marked void and another fee letter was to be written.
2. Due to an error by the Department, the field examination was filed and no action was taken for over a ten year period.
3. When the Department's error was realized, Mr. Taylor had apparently applied the additional acreage to beneficial use.
4. Since the Department was at error, they gave Mr. Taylor the additional acreage and decided to license the permit for the original amount as stated in the fee letter of November 16, 1951.

19509
63-2613

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19509

This proof is for Beneficial use

In Water District No.

1. Name of applicant J. B. Taylor, 601 Capitol Blvd. (or 103 Jefferson St.,) Boise, Idaho

2. Source of water supply: Alexander Creek

One

3. Location of point of diversion: / Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and t20 in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9

T. 5 N. R. 8 E. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same. Two ditches lead from the stream as shown on map. One is for the west side of stream and other for the east. Creek has lots of fall and all that is necessary to get water is a small diversion. Ditches are approx. 12" w. in the bottom. There is a tank and filter unit that takes water from one ditch and delivers it to a faucet in the yard. Hay, garden, and berries constitute the crops at present. There is approx. 15 acres under irrig. at present. Parts of a high ditch coming in over the saddle still exist that watered an add. 8 to 10 acres. But in places it is entirely gone due to the erosion on the steep hillside. This has been used as a dude ranch and the base for pack strings.

5. Water is used for: Irrigation and domestic purposes yes

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):

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 9, Township 5 North, Range 8 East, B. M.

NE = 22

NW = 15

SW = 24

SE = 8

73

See map

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

8. What large stream would the water here appropriated finally reach? Mid. Rk. Boise

Remarks: Most of place is quite steep and gravelly

West 4 Ac sold to Harold E. Nuna. water without water right. Area H.E.S. = 210.9 Ac. - Survey 2-15-13 shows 12 Ac cult.

RT.

Check Forest Service to find if other land is leased before any license is issued.

Forest Service contacted 8-7-58 - Replied old water claim -
Growth indicated as above. DR Allow 73 acres .66 Efs.

This examination was made on the 4 th day of August, 19 51

(Signed)

E. M. Humphrey

Examiner.

19509

63-2612

NOTE 32029 DOES NOT INTERFERE WITH THIS PERMIT DR 7-16-68

37 0157

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.

J. B. Taylor
601 Capitol Blvd., Boise

Permit No. 18509

Examination for Beneficial use

County Elmore

9
571-8E

Q = 1.5 cfs.
L = Alexander Cr.

Trig. & dom.

PD^{II} = 1340' N. Fr. 1/4 cor.

S. 9-54-88. in

NE NW A. 9-54-88.

2 = 100' S. Fr. 1/4 cor. S 9-54-88
in NE, SW, S. 9

3 = 850' S. Fr. 1/4 cor. S 9-54-88
in NE, SW, S 9.

See in S. 9

RECEIVED
NOV 15 1951
Department of Reclamation

78

121 W JEFFERSON

NOTE 32029

.08 (ACRES BROUGHT
FROM J.B. TAYLOR)

DOES NOT INTERFERE
WITH THIS PERMIT

DR

9-16-68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19509

REPORT ON PROOF OF Beneficial use

.66 cfs
mark

off 1.5 cfs

15 area
2-40's

19509
63-2613

↑ N.

Twp 5N. R. 8E.

P.D. #1 = approx 300 yds above road.
" #2 = " 200 " " "

approx. 8 acres of dry alfalfa

Area irrigated = SW $\frac{1}{4}$, SE $\frac{1}{4}$ = 12 $\frac{1}{2}$ a.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ = 2 $\frac{1}{2}$ a.
15 acres.

18 acres would be
the max. that could be added.
or a total of 33 acres.

P.D. #1
P.D. #2
House

Boise River

Middle Fork

SESW NW $\frac{1}{4}$
NWSE 18A

SWSE 15A

33 Acres

Mr. Taylor's request 5-27-68

approx
15:44 x 120 ft
5000

300 yds rd.
off 4 $\frac{1}{2}$ wing

4500
2250
67500

Q = .166 c/s

8-7-68 D.R.

4840
14 area
67500
4840
19100
19360

LIC THREE PD'S AS STATED ON FACE
OF EXAM REPORT

9-16-68 D2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19509

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. B. Taylor, 103 Jefferson St., Boise, Idaho
Car Dealer - Farmer

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

Ans. _____

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

Ans. 19509 - Approved June 6, 1944 - July 15, 1948

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

Ans. Alexander Creek - Div. #1 - 1340 ft. north from the 1/4 cor. of sec. 9 T. 5 N. R. 8 E. in the NW 1/4 Sec. 9 - Div. #2 - 720 ft. south from the 1/4 cor. of sec. 9. - Div. #3 510 ft. south from 1/4 cor. of Sec. 9 - all in twp 5 N, R 8 E all in the county of Elmore.

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. Three canals with three headgates 2 ft. in width - 1 ft. 6 in. in depth. Total length of canal is one mile 310 feet.

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.

Water used for irrigation and domestic use

4 acres in SE 1/4 of SW 1/4, 22 acres in NE 1/4 of SE 1/4, 15 acres in NW 1/4 of SE 1/4, 24 acres in SW 1/4 of SE 1/4 and 8 acres in SE 1/4 of SE 1/4 all in section 9 TWP 5 N R. 8 E. This land is all in cultivation, is in alfalfa, clover and pasture and is cross-fenced and has several buildings located upon it.

Ans. Domestic purposes.

19509

1948

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 75 Miners inches.

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

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

Ans. For irrigation through the season of 1948 on the entire tract.
Better than half of the acreage was irrigated in 1947 and this water
has been used for domestic purposes on this place since the Spring
of 1945.

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. No other water used.

(Sign)

J B Taylor

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 15th day of July, A. D. 1948.

Claudia Drake

My commission expires

October 1949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19509

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. Marvin O. Allen, Age 35, Route # 4, Boise, Idaho

Parts Manager

Ques. 2. Are you acquainted with J. B. Taylor, the holder of Permit No. 19509? How long have you known him and where does he reside?

Ans. Three years, - 103 W. Jefferson, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 19509, 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. Alexander Creek in Elmore County. Three points of diversion with three canals to cover the acreage described in the permit.

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. Two and one half second feet - One and one half second feet.

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.

Water used for irrigation and domestic use

4 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$, 22 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$, 15 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$, 24 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 8 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ all in section 9 TWP 5 N R. 8 EBM. This land is all in cultivation, is in alfalfa, clover and pasture and is cross-fenced and has several buildings located upon it.

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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. Water has been used on this place for domestic purposes since 1945.

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 of the land that has been irrigated is good black loam and it requires approximately one inch of water per acre for irrigation.

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

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. The water was used for irrigation on the entire tract during the season of 1948 starting in April 1948.

(Signed) Marvin O. Allen

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 15th day of July, A. D. 19 48

My commission expires October 1949

Claudia Drake

Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19509

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. Pascal J. DeBlasio - Age 25 - 921 No. 6th St., Boise, Idaho
Sales Manager

Ques. 2. Are you acquainted with J. B. Taylor, the holder of Permit No. 19509? How long have you known him and where does he reside?

Ans. 5 years - 103 W. Jefferson, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 19509, 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. Alexander Creek in Elmore County. Three points of diversion
with three canals to cover the acreage described in the permit.

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. Two and one half second feet - One and one half second feet.

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.

Water used for irrigation and domestic use

4 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$, 22 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$, 15 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$, 24 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 8 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ all in section 9 TWP 5 N R. 8 EBM. This land is all in cultivation, is in alfalfa, clover and pasture and is cross-fenced and has several buildings located upon it.

19509

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

Ans. Water has been used on this place for domestic purposes since 1945.

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 of the land that has been irrigated is good black loam and it requires approximately one inch of water per acre for irrigation.

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

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. The water was used for irrigation on the entire tract during the season of 1948 starting in April 1948.

(Signed) Pascal J. DeBlasio

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 15th day of July, A. D. 19 48

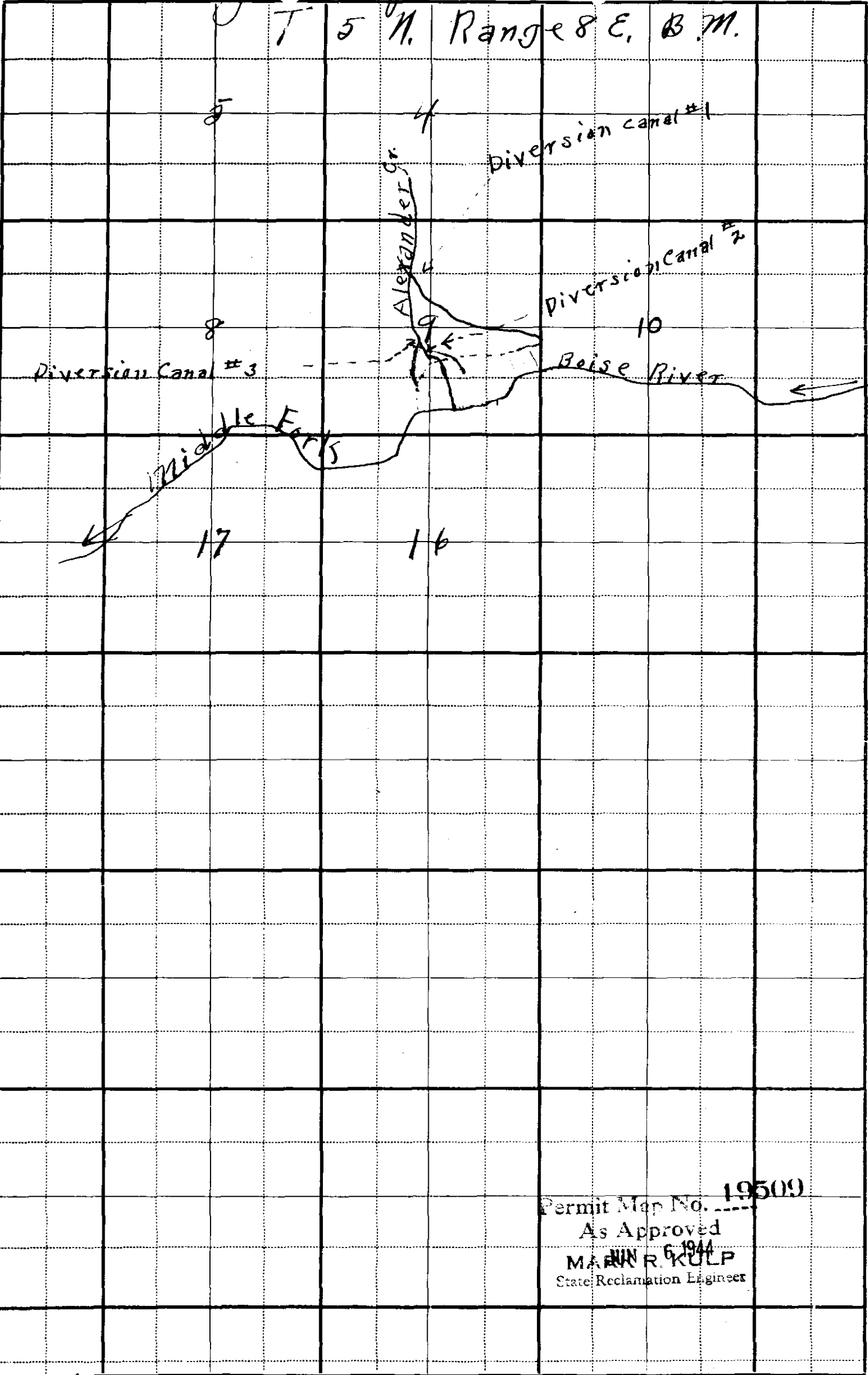
Claudia Greke

Notary Public.

My commission expires October 1949

G. B. Taylor

T 5 N. Range 8 E. B. M.



Permit Map No. 19509
As Approved
MANN R. KULP
State Reclamation Engineer

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 7, 1948

Re: Permit No. 19509
J. B. Taylor

Claudia Drake
Notary Public
C/o Idaho Car Co.
601 Capitol Blvd. Boise, Idaho

DEAR ~~SIR~~: Madam:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19509.....

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 17, 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 Claudia Drake, 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.
State Reclamation Engineer

19509

✓

June 22, 1948

Re: Permit No. 19509

Mr. J. B. Taylor
103 Jefferson St.,
Boise, Idaho

Dear Mr. Taylor:

We have amended your notice of beneficial use proof to be made under your Permit No. 19509, in accordance with our telephone conversation of yesterday, and have set the date for making such proof at 10:00 A.M., July 17, 1948.

A copy of the notice has been sent to the Mountain Home Republican with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

Please advise us as to the address of the Notary Public, Claudia Drake, so that we may send her the necessary forms of deposition to be used in making these proofs.

About ten days prior to the date set for proof we shall send Claudia Drake, Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses so that she 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

19509

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19509

Date: June 21, 1948

Mountain Home Republican

Mountain Home, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 17, 1948** the date set for proof, the expense of the publication to be paid by the applicant, **J. B. Taylor, 103 Jefferson St. 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. KUIP

State Reclamation Engineer
By

Chief Clerk

19509

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

Notice is hereby given that at 10:00 A. M. on the 17th day of July, 1948,
at Boise, County of Ada, State of Idaho, before
Gladia Drake, Notary Public, proof will be submitted of the
application to beneficial use of 1.5 cubic feet per second of the waters of Alexander
Creek in accordance with the terms and conditions of Permit No. 19509
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.....

J. B. Taylor, 103 Jefferson Street, Boise, Idaho

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

The amount applied to beneficial use is 1.5 cubic feet per second.

The place where said water is used (if ~~for irrigation, give full and accurate description of the~~
~~lands irrigated.~~ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 9, Twp. 5 North, Range 8 East, B. M.

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

The right to take water from such works is based upon Permit No. 19509

The source of supply from which such water is diverted is Alexander Creek

The date of priority which said user is prepared to establish is May 27, 1944

MARK R. KULP

State Reclamation Engineer.

19509

✓

June 5, 1948

Re: Permit No. 19509

Mr. J. B. Taylor
103 Jefferson St.,
Boise, Idaho

Dear Mr. Taylor:

We acknowledge receipt of the notice of beneficial use proof to be made under your Permit No. 19509 on July 10, 1948.

However, it is not necessary to go into so much detail as to the small tracts to be irrigated; all that is required is the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 5 N., Range 8 E. B.M. This will save something in the cost of publication and with your permission we shall change the notice accordingly.

We also note that you have included mining as one of the uses to which the water has been applied, but the permit only describes irrigation and domestic use.

Your priority date will be the date your application was filed in this Department, which is May 25, 1944.

If you will call us up upon receipt of this letter authorizing us to do so we shall change the notice in conformity with the above suggestions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

19509

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 2, 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
Mountain Home Paper of Mountain Home, Idaho, published in
the county in which the works are situated.

J B Taylor

(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.

19509

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

Notice is hereby given that at 10:00 A. M. on the 10th day of July, 19 48
at Boise, County of Ada, State of Idaho, before
Claudia Drake - (Notary Public), proof will be submitted of the
application to beneficial use of 1-1/2 cubic feet per second of the waters of Alexander
Creek in accordance with the terms and conditions of Permit No. 19509
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
J. B. Taylor - 103 Jefferson Street - Boise, Idaho

The use to which said water has been applied is Irrigation, Mining & Domestic use.

The amount applied to beneficial use is 1-1/2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) N.W. 1/4 of S.E. 1/4 of S.E. 1/4 - 5 acres. N. 1/2 of S.W.
1/4 of S.E. 1/4 - 10 acres. 6 acres in S. 1/2 of S.W. 1/4 of S.E. 1/4.
4 acres in N.E. 1/4 of S.E. 1/4 of S.W. 1/4. 5 acres in S.E. corner of
N.E. 1/4 of S.W. 1/4. S. 1/2 of N.W. 1/4 of S.E. 1/4. - 10 acres. 14
acres in southern part of N.E. 1/4 of S.E. 1/4 all in the S.E. 1/4 of Sec. 9
T. 5 N. Range 8 E. B. M. - Total 54 acres.

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

The right to take water from such works is based upon Permit No. 19509

The source of supply from which such water is diverted is Alexander Creek

The date of priority which said user is prepared to establish is July 10, 1948

SE SW - SE 4

State Reclamation Engineer.

19509

IDAHO CAR COMPANY
MACK - DEALERS - NASH
USED CARS BOUGHT AND SOLD
801 CAPITOL BLVD.
BOISE, IDAHO



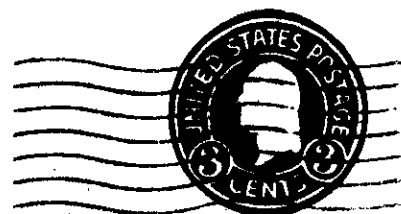
62561

State of Idaho
Bureau of Reclamation
Boise, Idaho

After 5 days, return to
DEPARTMENT OF RECLAMATION,
State House,
BOISE, IDAHO.

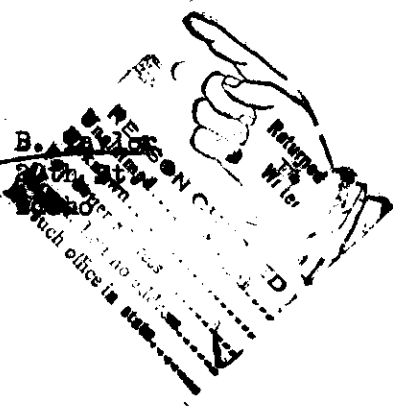
19509

re mailed
916-727



19509

Mr. J. B. ...
718 N. ...
Boise, ...



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

May 3, 1948

Mr. J. B. Taylor
718 N. 20th St.
Boise, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19509. 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 July 15, 1948, 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

19509

July 17, 1947

Re: Permit No. 19509

Mr. J. B. Taylor
916 N. 27th Street
Boise, Idaho

Dear Mr. Taylor:

We enclose Certificate of Completion of Works issued under Permit No. 19509, for the diversion of 1.5 second feet of water from Alexander Creek with priority of May 25, 1944, for irrigation and domestic use on 75 acres in the SE¹, SW¹, SE¹ Section 9, Township 5 North, Range 8 East, T. 5 N.

We also enclose departmental receipt No. 20058 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS
Encls.

19509

Permit No. 19509STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada } SS.J B Taylor

, 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. 19509, and that his postoffice address is 916 N. 27th Boise Idaho
State of IdahoSecond: That the name of the stream from which said water is to be directed is Alexander CreekThird: That the point of diversion of said water is No. 1-1340 ft. N. from 1/4 cor. Sec 9 Twp 5 N. R 8 E B M. No. 2-1100 ft. S. 1/4 cor. sec 9. Twp. 5 N. R 8 E B M. No. 3-550 ft. S. of 1/4 cor. sec 9 Twp. 5 N. R. 8 E B M. all diversions in Blaine County.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 15, 1947Fifth: That the use for which said water is intended is Irrigation, domestic use & miningSixth: 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: 3 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 3 Width 2 feet, height 2 feet.(d) Conduit 3 ditches width at bottom 2 1/2 feet, width at water line 3 1/2

(State whether ditch, flume or pipe)

feet, depth of water 1 feet; diameter of pipe 3 in. per 100 ft inches, average grade per mile is.....feet. Length of conduit is 1 1/2 miles.Seventh: That said works are capable of conducting to the place of intended use 2 second feet of water.Eighth: That water appropriated under said permit is available for 75 acres of land described as follows: 5 1/2 NW 1/4 and S 1/2 NE 1/4 and N 1/2 SW 1/4 and of the SE 1/4 Sec 9 and the NW 1/4 of SE 1/4 of SE 1/4 sec 9. and 5 acres in the NE 1/4 of S 1/4 of SW 1/4 Sec 9. all in T. 5 N R. 8 E B M.

Ninth: Remarks: That.....

J B Taylor

(Sign here)

Subscribed and sworn to before me this 15 day of July, 1947My commission expires Feb. 16, 1949William W. Lister
Notary Public

19509

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. J. S. Taylor
718 N. 20th Street
Boise, Idaho

Boise, Idaho May 1, 1947

Dear Sir:-

Under the terms of your permit No. 19509 you are required to complete your diversion works on or before July 15, 1947. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

19509

July 24, 1946

Re: Permit No. 19509

Mr. J. B. Taylor
718 N. 20th Street
Boise, Idaho

Dear Mr. Taylor:

We enclose herewith the approval of the
State Reclamation Engineer for extension
of time for completion of works under the
above numbered permit, to July 15, 1947.

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

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19509

Permit No.

Application for Extension of Time FOR COMPLETION OF WORKS

J. B. Taylor, of Boise

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

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 19509

Under the terms and conditions of said permit, construction work thereunder was required to be completed by July 15, 1946

That he has heretofore performed the following work described under said permit:
3/4 mile of canal

costing \$1350.00

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

Unable to secure labor

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the completion of works under said permit to July 15, 1947

Subscribed and sworn to before me this 22nd day of July, 1946

J. B. Taylor

Claudia Drake

Notary Public

My commission expires October 10, 1949

Date of receipt at office of Department of Reclamation

July 23, 1946

APPROVAL OF ~~Commissioner of Reclamation~~
State Reclamation Engineer

I, Mark R. Kulp

Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 19509 to

July 15, 1947

Witness my hand this 23rd day of July

1946

19509

Mark R. Kulp
State Reclamation Engineer

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. J. B. Taylor
718 No. 20th Street
Boise, Idaho

Boise, Idaho **May 1, 1946**

Dear Sir:-

Under the terms of your permit No. 19509 you are required to complete your diversion works on or before July 15, 1946. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

19509

Charles C. Gossett

May 9, 1945

Re: Permit No. 19509

Mr. J. B. Taylor
No. 2323 Ellis Ave,
Boise, Idaho

Dear Mr. Taylor:

We enclose herewith approval of the State
Reclamation Engineer of your application
for extension of time for completion of
works under the above numbered permit to
July 15, 1946.

This should be attached to your original
permit, of which it is a part.

Very truly yours,

MARK A. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19509

Permit No. 19509

Application for Extension of Time
FOR COMPLETION OF WORKS

J. B. Taylor, of 2323 Ellis, Boise, Idaho

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

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 19509

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by June 6, 1945

That he has heretofore performed the following work described under said permit

Completed approximately 40% of canals described in said permit.

costing \$450.00

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

Because of inability to secure labor necessary to complete the work
as described in the permit.

State Reclamation Engineer

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to July 15, 1946

Subscribed and sworn to before me this 8th day of May, 1945

My commission expires My Commission Expires June 3, 1943

Notary Public.

Date of receipt at office of Department of Reclamation 9:00am May 9-1945

STATE RECLAMATION ENGINEER

APPROVAL OF COMMISSIONER OF RECLAMATION
State Reclamation Engineer

1. Mark R. Kulp

Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 19509 to

July 15, 1946

Witness my hand this 9th day of May, 1945

19509 Mark R. Kulp
State Reclamation Engineer

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. J. B. Taylor
718 E. 20th Street
Boise, Idaho

Boise, Idaho

April 3, 1945

Dear Sir:-

Under the terms of your permit No. ~~19509~~-----you are required to complete your diversion works on or before ~~June 6, 1945~~----- I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP
State Reclamation Engineer

19509

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 13509

Date June 8, 1944

Dear Sir:

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

MARK R. KULP
State Reclamation Engineer

J. B. Taylor
718 No. 20th St.
Boise, Idaho
Enc. Receipt # 18579

~~Commissioner of Reclamation.~~

19509

Verage unique in permit

4 ac. $SE\frac{1}{4}SW\frac{1}{4}$, 22 ac. $NE\frac{1}{4}SE$, 15 ac. $NWSE$
24 ac. $SWSE$, 8 ac. $SESE$.

Land description not plain in proof

Witness should show exact points of
division

Land description wrong in all deposition

J. M. T.

19509

The Supreme Court decided against the State on both contentions and stated:

"We would, however, be less than frank if we failed to recognize this project as a part of a comprehensive flood control program for the Mississippi itself. . . . It is, of course, true that the extent to which this project will alleviate flood conditions in the lower Mississippi is somewhat conjectural . . . Such matters raise not constitutional issues but questions of policy They are therefore questions for the Congress not the courts "

By this decision it is apparent that any act of the Federal Government may be justified and upheld as coming within the scope of its power to regulate commerce regardless of the actual motive, purpose or effect; that the power of Congress acting within the scope of the Commerce Clause of the Constitution is absolute and the Courts will not interfere.

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

Notice is hereby given that at 10:00 A. M. on the 17th day of July, 1948, at Boise, County of Ada, State of Idaho, before Claudia Drake, Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of Alexander Creek in accordance with the terms and conditions of Permit No. 19509 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 J. B. Taylor, 103 Jefferson Street, Boise, Idaho.

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

The amount applied to beneficial use is 1.5 cubic feet per second.

The place where said water is used SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 9, Twp. 5 North, Range 8 East, B. M.

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

The right to take water from such works is based upon Permit No. 19509.

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

The date of priority which said user is prepared to establish is May 27, 1944.

MARK R. KULP

State Reclamation Engineer

First Publication June 24, 1948

Last Publication July 15, 1948