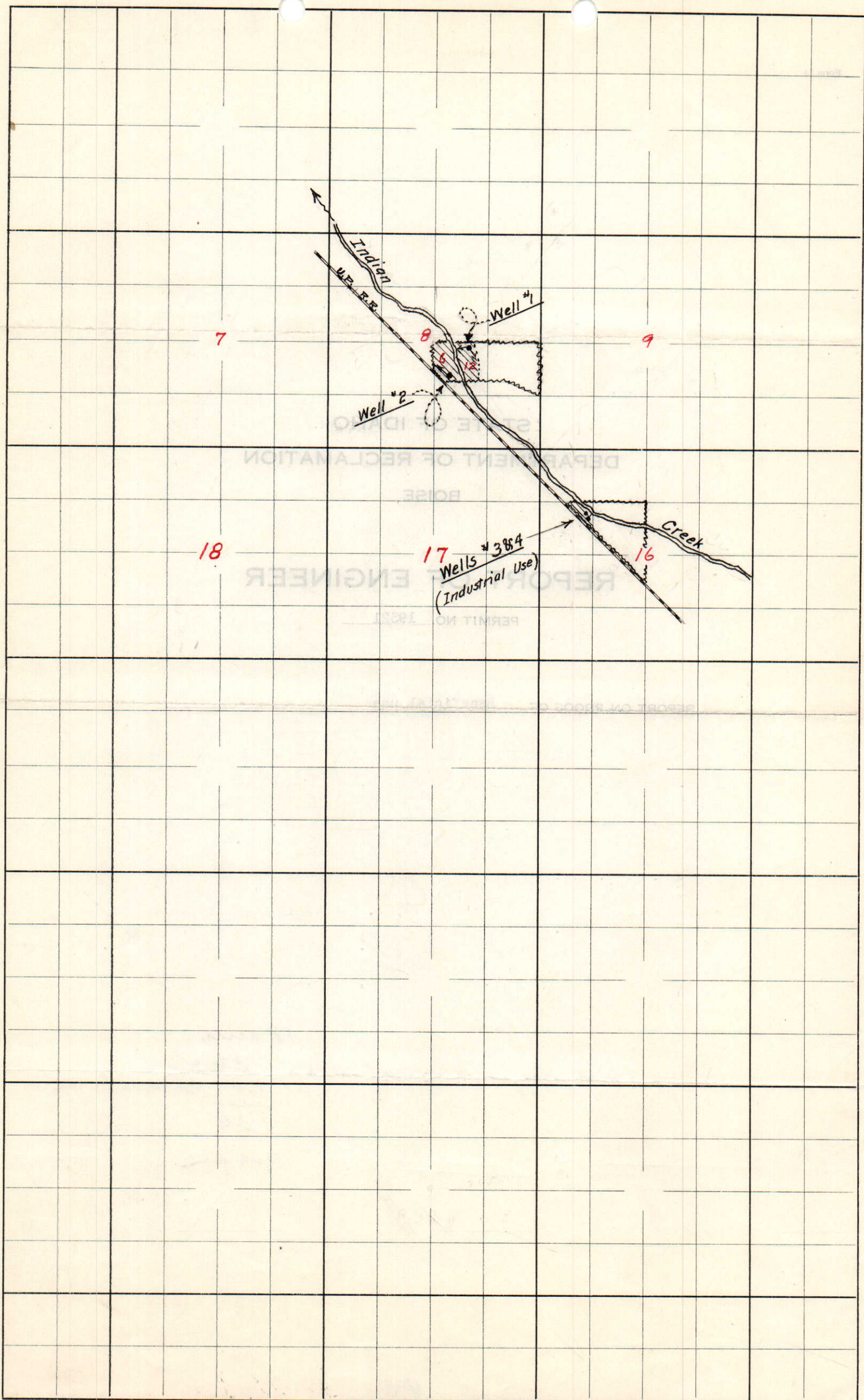


Sec 8 37-2 T.B.M.

(8)

(16)

Sec 16-37-2 T.B.M.



AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Canyon } ss.

J. Elbert Johnson, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Chief Clerk of the Canyon County News, a weekly newspaper published in the City of Nampa in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice of which the annexed is a printed copy was printed in said Canyon County News for a period of 4 successive weeks in the regular and entire issue of each weekly publication of said newspaper during the period and time of publication and was printed in the newspaper proper and not in a supplement.

4. That the notice was published in each and every issue, beginning with the issue of Thursday July 15 194 3 and ending with the issue of Thursday Aug. 5 194 3

J. Elbert Johnson
(managing editor or chief clerk)

Subscribed and sworn to before me this 6 day of

August 194 3
Earl E. Garritty
Notary Public for Idaho
Residing at Nampa, Idaho

NOTICE OF PROOF APPLICATION OF WATER

To Beneficial Use

Notice is hereby given that at 10 A. M. on the 11th day of August, 1943 at Nampa, County of Canyon, State of Idaho, before Earl E. Garritty, Notary Public, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Subterranean Flow in accordance with the terms and conditions of Permit No. 19321 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are H. H. Keim Company, Box 628, Nampa, Idaho.

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

The amount applied to beneficial use is 2.0 Cubic feet per second.

The place where said water is used (if not for irrigation, give full and accurate description of the lands irrigated) All of the S $\frac{1}{2}$ NW $\frac{1}{4}$, North and East of O. S. L. Ry., and all of NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ North and East of Railway in Section 16, Twp. 3N. Rge. 2W. B. M., together with other lands described in Permit No. 19321, containing 62.63 acres, situated in the SE $\frac{1}{4}$ Section 8, Twp. 3N., Rge. 2W., B. M.

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

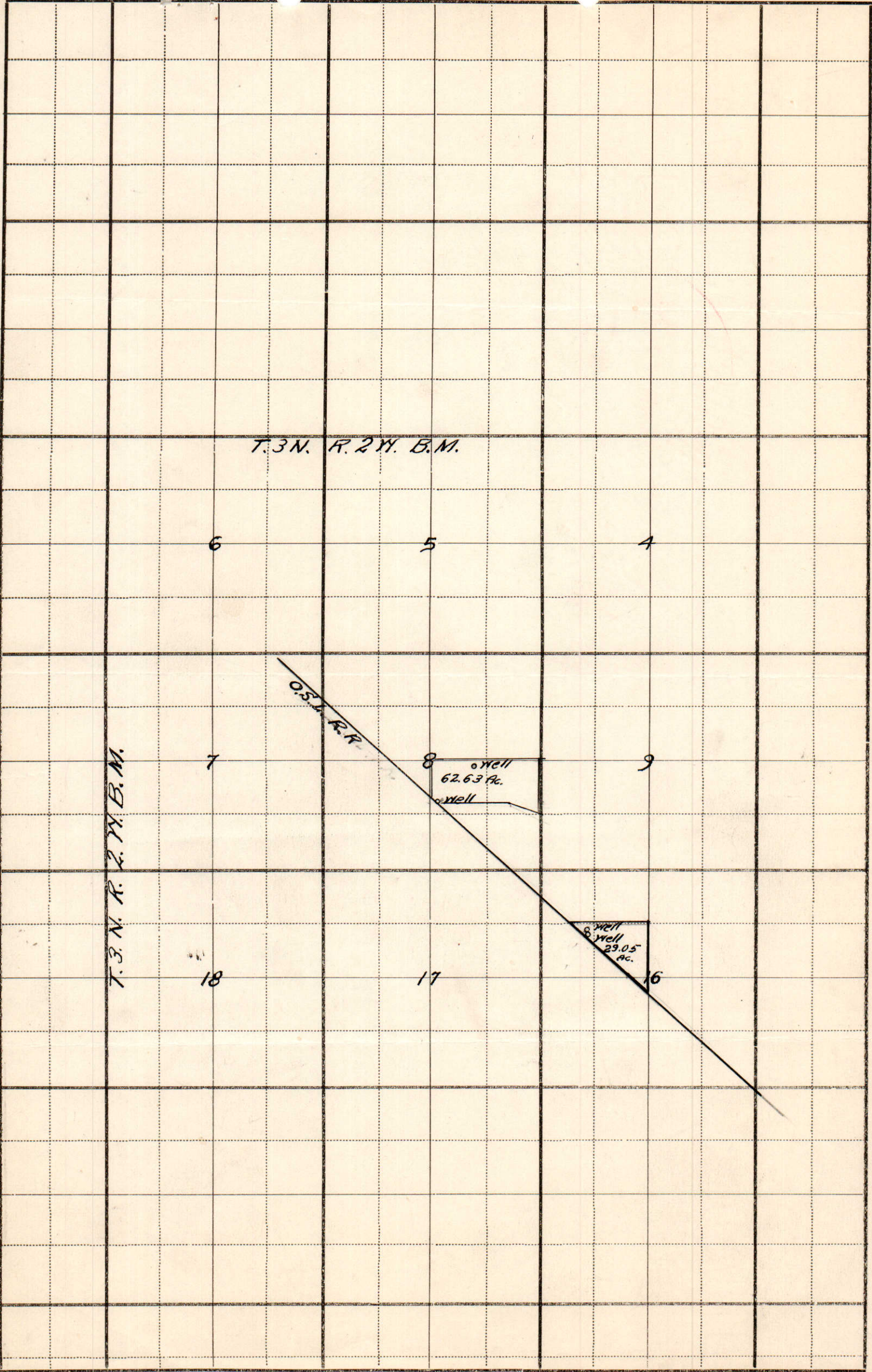
The right to take water from such works is based upon Permit No. 19321.

The source of supply from which such water is diverted is Subterranean.

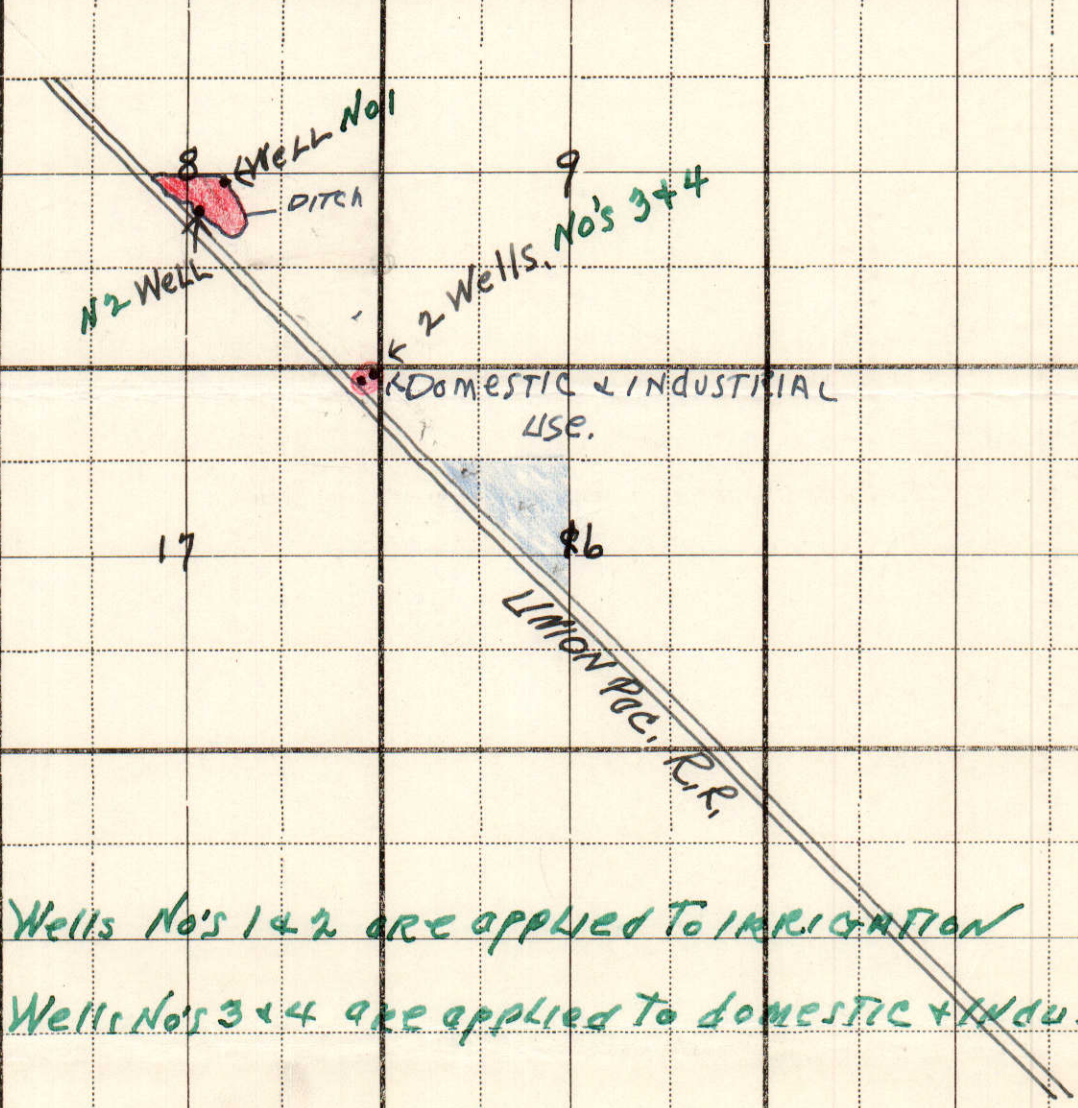
The date of priority which said user is prepared to establish is May 22, 1942.

JAMES SPOFFORD
State Reclamation Engineer
July 15-22-29, Aug. 5.

19321



Twp. 3 North - Range 2 West B.M.



Wells No's 1 & 2 are applied to IRRIGATION

Wells No's 3 & 4 are applied to DOMESTIC & INDUSTRIAL USES.

Permit Map No. 19321

As Approved

JUN 16 1942

E. V. BERG

Commissioner of Agriculture

State of Idaho
License and Certificate of Water Right

Water License No. 19321

Amount 1.36 second feet

Water District No.

Priority May 22, 1942

THIS IS TO CERTIFY that H. H. KEIM COMPANY
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 22, 1942; that Permit No. 19321
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Two (2) second feet, was issued thereunder on August 20, 1943, showing that said works
were completed on the 11th day of August, 1943; and that on the 11th
day of August, 1943,

H. H. KEIM COMPANY

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of four artesian
wells, a tributary of, for the purpose of irrigation, domestic and
industrial use, under Use Permit No. 19321 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
7 of Licenses at page 4365, on the 25th day of July, 1947;

The right hereby confirmed dates from May 22, 1947;

The Points of Diversion are located in the NW 1/4 SE 1/4 Sec. 8 (Wells Nos. 1 and 2) and in
the SW 1/4 1/4 NW 1/4 1/4, Sec. 16, Tp. 3 N., R. 2 W., B. M. (Nos. 3 and 4) Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed 0.36 cubic feet per second for irrigation, and 1.00 cubic foot per second for industrial
use.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	2 W.	8	NW 1/4 SE 1/4		18
Industrial use at 3 North.	use at Range 2 West,	H. H. Keim Co. meat packing plant in S 1/2 NW 1/4 Section 16, Township B.M.			

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
25th day of July, 1947.

MARK H. KULP
State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 14387Amount 0.26 second foot

Water District No. _____

Priority Oct. 30, 1919

THIS IS TO CERTIFY that BENDIX REIMER
 of Lowman, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated October 30, 1919; that Permit No. 14387
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on August 8, 1921, showing that said works
 were completed on the 19th day of July, 1921; and that on the 2nd
 day of November, 1922,
BENDIX REIMER

of Lowman, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Richards
Creek, a tributary of So. fork Payette River, for the purpose of irrigation and
domestic use, under Use Permit No. 14387 of the Commissioner 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
7 of Licenses at page 4366, on the 18th day of August, 1947;
 The right hereby confirmed dates from October 30, 1919;

The Point of Diversion is located
 in the NW 1/4 NE 1/4, Sec. 20, Twp. 9 N., R. 9 E., B. M. Boise 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 0.26 cubic feet per second.
to George A. Atkinson, of Boise, Idaho. Assignee
 Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	9 E.	17	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.5	0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	10.0	5
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	7.5	3
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0	5
			Total number of acres irrigated		

This license is issued as an amendment to License No. 14387, recorded on page 3255, Volume 6,
 of Licenses, and supersedes the original license, in the amount of 0.26 second feet.

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
18th day of August, 1947.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26791
Permit No. 19321
District No.

1. Name of Applicant: H. H. KEIM COMPANY
 Postoffice address: Box 628, Nampa County: Canyon State: Idaho
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation: November 1925, Boise, Idaho
 (b) Amount of capital stock: 50,000.00
 (c) Amount paid in: 27,000.00
 (d) Names and addresses of directors: H. H. Keim, Richard V. Keim, Stanley B. Keim, Wallace B. Keim, Wm. H. Keim, and S. B. Eshelman, all of Nampa, Idaho.
 II. The financial resources of the applicant are:
 (a) Cash on hand: 3,596.24
 (b) Treasury stock: 16,550.00
 (c) Bonds to be issued: none
 (d) Other resources: meat packing plant
2. Quantity of water claimed: 2.0 cubic feet per second.
3. Source of water supply: Artesian Wells which is a tributary of
Sec. 8; Wells 3 & 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17
4. Location of point of diversion: Wells 1 & 2 located in NW $\frac{1}{4}$ SE $\frac{1}{4}$ / feet distant from the
(see map)
corner of Section , T. 3 N , R. 2 W , B. M., and is the County of Canyon
of Section -----, T. -----, R. -----, B. M., County of -----
5. Water is to be used for: irrigation, domestic, and industrial.
 (Wells 1 & 2 are for irrigation, Wells 3 & 4 for domestic and industrial 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: \$
8. Kind of works: Artesian wells and distributing canals
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 1.5 feet; width at water line 2.0 feet; depth of water 1
feet; dimensions of flume:
Diameter of pipe various sizes. inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is 6 months years.
13. The time required for the complete application of the water to the proposed use is 1 additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? Mo. 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.

H. H. KEIM COMPANY

Applicant.

RICHARD V. KEIM /s/

By

Agent.

Date of first receipt at Department of Reclamation: May 22, 1942, 9:00 A. M.

Returned to applicant for correction: May 23, 1942

Corrected application received: June 19, 1942

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19321

Recorded in Book 70 Page 19321 Approved June 19, 1942

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 Aug. 20, 1942

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 Sept. 19, 1942

The whole of said work to be completed on or before Dec. 19, 1942

Beneficial use of water appropriated in accordance herewith, to be made on or before Dec. 19, 1943

Witness my hand this 19th day of June, 1942.

E. V. BERG

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We Chase A. Clark 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 have caused the Great Seal of the State of Idaho to be hereunto affixed, this 19th day of June 19 42

Countersigned:

STATE OF IDAHO

(SEAL

By

Geo. H. Curtis

Secretary of State.

By

Chase A. Clark

Governor.

The water from these wells is approximately two second feet. Is used for irrigating the heretofore described premises, and Remarks: for domestic and industrial use in connection with H. H. Keim Co. Meat Packing Plant.

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	
3 N	2 W	16	All of S½NW¼, North and East of O.S.L. Railway and all of NE¼NE¼SW¼, North and East of Railway.																29.05 acres.
3 N	2 W	8	Commencing at the Northeast corner of the SE¼ of Section 8, Township 3 N, Rge. 2 W., B. M. running thence west along the North line of the SE¼ 2650.5 feet to NW corner of SE¼, thence S along W line of said SE¼ 638.3 feet to a point 100 feet Northerly from the center line of the main track of the O.S.L.R.R.: thence run Southeasterly parallel to said center line 46°48' left 541.3 feet; thence Easterly 43°01' left 1513 feet; thence Southeasterly 21° 31' right 807.4 feet to a point on the East line of SE¼ 1319.6 feet south from Northeast corner of SE¼; thence North along said East line of SE¼ 1319.6 feet to place of beginning, containing 62.63 acres, more or less.																62.63 acres 91.68 total acres

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the Reinstatement of Permit No. 19321)
Under the Provisions of Section 41-311, Idaho Code Annotated)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 19321 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: December 19, 1942; and,

WHEREAS, On the 6th day of July, 1943, notice to show cause why said permit should not be cancelled, under the provisions of Section 41-311, Idaho Code Annotated, was duly served on the holder of said Permit; and,

WHEREAS, On the 8th day of July, 1943, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 19th day of August, 1943, depositions of the holder and two witnesses were received at the Department of Reclamation showing that said works of diversion were completed within the time required in the permit; and

WHEREAS, After examination of the said Depositions, the State Reclamation Engineer of the State of Idaho is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 19321, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 19321 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 20th day of August, 1943.

(SEAL)

JAMES SPOFFORD
State Reclamation Engineer

oooooooooooooooooooo

PERMIT NO. 19321
Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that H. H. KEIM COMPANY, of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 19321, issued upon Application No. 26791, bearing date of priority of May 22, 1942, authorizing the diversion of Two (2) second feet of the waters of artesian wells, County of Canyon, State of Idaho, for irrigation, industrial 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 Two (2) second feet of the waters of said artesian wells; that the points of diversion of said waters are located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Township 3 North, Range 2 West, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All of S $\frac{1}{2}$ NW $\frac{1}{4}$, and all of NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and East of Railway, in Section 16; and 62.63 acres, more or less, in Section 8, described by metes and bounds in permit; All in Township 3 North, Range 2 West, B. M.

Witness my hand this 20th day of August, A. B., 1943.

JAMES SPOFFORD
State Reclamation Engineer

Proof of completion of works made August 11, 1943
Certificate of Completion of Works issued August 20, 1943

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT

PERMIT NO. 19321

STATE OF IDAHO)
(ss.
County of Canyon)

Wallace B. Keim, Vice-President H. H. Keim Company, being first duly sworn, deposes and says: That his postoffice address is Nampa, Idaho. That he is the owner of and using a certain water right for 1.36 cubic feet per second of the water of artesian wells, County of Canyon, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 19321, issued by the Commissioner of Reclamation, dated June 19, 1942, bearing date of priority of May 22, 1942, for the purpose of irrigating the following described lands, situate, lying and being in Water District No... in the County of Canyon, and State of Idaho, to-wit: Property set out in Permit No. 19321, and is the person (or representative of the person or persons) to whom such right was so issued.

That said waters are now diverted from said stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Twp. 3 N., Range 2 W., B.M. and conducted to the above described lands through the artesian wells No. 3 and 4.

That affiant desires to change the point of diversion of said waters from the point above described to a point located in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 16, Twp. 3 N., Range 2 W., B.M., and thereafter conduct the same through artesian wells No. 3 and 4.

That his reasons for desiring to make such change are as follows: This change is being made to correct the description of point of diversion, making the proof conform with the examination of the field engineer.

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

WALLACE B. KEIM, Pres.
Affiant

Subscribed and sworn to before me this 21st day of December, 1943.
(SEAL)

Earl E. Garrity
Notary Public.

LICENSE ISSUED FOR 1.36 SEC. FT.

p-4365

April 25, 1988

Bob Harper
H. H. Keim Co.
P.O. Box 338
Nampa, ID 83651

Dear Mr. Harper:

A field examination to verify water use for Permit No. 63-9961 in the name of H. H. Keim Co. was conducted on July 3, 1986 (copy of permit enclosed).

Recently, during the review of that exam, questions came up as to the use of your other wells for the factory. The H. H. Keim Co. has two other water rights for wells used at the factory dating back to May 22, 1942, Water Right No. 63-2597 and April, 1946, for Claim to a Water Right No. 63-4936. Copies of these water rights are enclosed for your review, along with a copy of a page from the field exam conducted on Water Right No. 63-2597 which identifies the wells examined at that time.

The reason we are requesting information concerning which wells you are still using, and the uses they are applied to, is because in some cases duplicate filings have been made by water right holders who are not aware that other water rights are already on file with the Department. Sometimes a filing is made on a well that is being drilled to replace an existing well due to a depletion of water from that existing well. In these cases the Department does not require a new permit be filed as long as the replacement well and the existing well combined do not exceed the amount of water issued under the old water right. Water rights with older priority dates (date of first use) are more valuable to have in case of any regulation of water use. Later priority dates would be regulated first and early dates last. If all of your wells are covered under the older priority rights listed above, then Permit No. 63-9961 may not be needed. The Department is hesitant to issue a license for a permit which has older filings covering the same uses, unless it is actually an additional use over and above any of the other rights.

Please contact us at your earliest convenience as to which wells are still being used along with which water use each well has. The Department will not take any action, once this information is received, until we review these water rights with your company. If you have any questions concerning this letter, feel free to contact

me .

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j
Enclosures

WATER RIGHT NUMBER 63-2597

OWNER LAST NAME - H. H. KEIM CO.
ADDRESS LINE 1 -
ADDRESS LINE 2 -
ADDRESS LINE 3 -
CITY - NAMPA
STATE - ID ZIP CODE -
SOURCE - GROUNDWATER
STAGE - LICENSE
STATUS -
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -
PRIORITY - 05-22-1942 COUNTY - CANYON
TOTAL DIV. RATE - 1.3600 -CFS
DIVERSION POINT - NWSE 08 03N 02W LOT REDIV -
WATER DIST. -
DLE/CAREY ACT -
RIGHT BASIS -
FROM - TO -
FROM - TO -
FROM - TO -
USE - IRRIGATION
USE - INDUSTRIAL
USE - DOMESTIC
PLACE OF USE - TWN 03N RNG 02W SEC 08 TRACT NWSE LOT AC 18
PLACE OF USE - TWN 03N RNG 02W SEC 16 TRACT SWNW LOT AC
DATE -
TRACT SENW LOT AC
TOTAL ACRES 18
REMARKS - 2 P/D IN NWSE, S8 & SWNW, S16, T3N, R2W.
NON IRRIG USE - I/MEAT PACKING.
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE - FLD EXAM -
COND. OF APPROVAL -
DIVERSION MEANS -
PERMIT/DENIED -
PROTESTED -
HEARING -
OLD NO. - 19321

IDENT. NO. 63-2597

WATER RIGHT DATA ENTRY LOG

[illegible]

July 29, 1947

Re: Permit No. 19321

Mr. Earl E. Garritty
Shallwood Building
Nampa, Idaho

Dear Mr. Garritty:

At last we are able to proceed and issue a license to H. H. Keim Company under Permit No. 19321, since your letter of July 23rd, clarifies the matter as to the location of wells No. 3 and 4.

We enclose License and Certificate of water right issued under this permit, authorizing the diversion of 1.36 second feet of water from these four wells, being 36.1 of a second foot for irrigation and 1 second foot of industrial use, with priority of May 22, 1942.

We also enclose departmental receipt No. 18422, for the \$7.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS
Encls.

19321

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 16
NAMPA, IDAHO

July 23, 1947

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

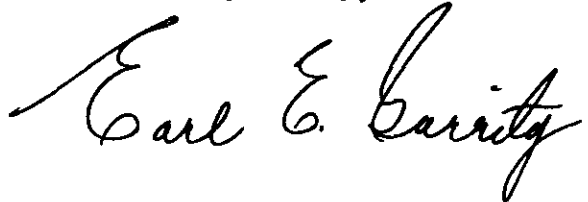
Re: H. H. Keim Co.

Dear Mrs. Anderson:

Your letter of April 17, 1944, has turned up in suspense files, and I can find no record where the matter was ever taken care of.

We are advised that Wells #s 3 and 4 are in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16. Kindly advise if another affidavit is necessary, or if the one on file can be amended.

Yours very truly,



EARL E. GARRITY

WH



19321

✓
April 17, 1944

Re: Permit No. 19321
H. H. Keim Co.

Mr. Earl E. Garrity
Smallwood Building
Nampa, Idaho

Dear Mr. Garrity:

Reference is made to some correspondence this office has had with you in regard to the above numbered permit, in the name of H. H. Keim Company, and especially relative to the location of two wells (Nos. 3 and 4).

These were originally described as being in the NE¹ NE¹ Section 17, Township 3 North, Range 2 West, B.M., but the affidavit for change in point of diversion describes them as being in the NE¹ NW¹ Section 16.

Inasmuch as our Field Engineer's report shows these wells as being in the SW¹ NW¹ of Section 16, your letter of January 17th stated that you would have the company's engineer make a recheck in order to get the exact location.

As soon as this matter is definitely ascertained, we can issue the license referred to in office letter of December 20, 1943.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

A

Chief Clerk

19321

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 18
NAMPA, IDAHO

January 17, 1944



Department of Reclamation
State of Idaho
Boise, Idaho

Attn: Jeanne L. Anderson
Re: Permit No. 19321 - H. H. Keim Co.

Dear Mrs. Anderson:

I haven't had an opportunity to check the wells on the Keim property; however, I will get the engineer to re-check and will let you know.

Thanking you for your kind efforts in this behalf, I am

Yours very truly,

A handwritten signature in cursive script that reads "Earl E. Garrity".

EARL E. GARRITY

REG:WG

19321

✓
January 3, 1944

Re: Permit No. 19321
H. H. Keim Co.

Mr. Earl L. Garrity
Smallwood Bldg.
Pampa, Idaho

Dear Mr. Garrity:

We acknowledge receipt of your letter of December 29, 1943, enclosing affidavit for change of point of diversion in connection with the above numbered permit, and a sketch map in connection therewith.

We wonder, however, if there is still not some mistake in the description of the location of these two wells.

The description of the plant of the H. H. Keim Co. as given in the permit, and also as given to Mr. Tolman, our Field Engineer, when he made the examination, is "That part of the SW₁ and NE₁SW₁ lying North and East of the Railway"; whereas the affidavit for change in point of diversion describes the wells as being in the NW₁ NW₁ of this section.

Please check into the matter farther, and advise if the affidavit should not be corrected to show that wells 3 and 4 are located in the SW₁ NW₁ instead of the NW₁ NW₁ of section 16.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

19321

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 18
NAMPA, IDAHO

December 29, 1943



Department of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

Re: Permit No. 19321
H. H. Keim Co.

Enclosed herewith you will find Affidavit
for Change of Point of Diversion of Water Right,
Form No. 0, and Keims' check for \$7.00, in accordance
with your letter of December 20th.

Yours very truly,

A handwritten signature in cursive script that reads "Earl E. Garrity".

EARL E. GARRITY

WH
Enc.

19321

Sec 8 377-27 B.M.

Sec 16-377-27 B.M.

Affidavit for Change of Point of Diversion of Water Right

Permit No. 19321

STATE OF IDAHO,

County of Canyon

ss.

H. H. Keim Co., Ltd.,
Wallace B. Keim, Vice President,

~~being first duly sworn, deposes and says: That his~~
being first duly sworn, deposes and says: That his
postoffice address is Nampa, Idaho. That he is the owner of and us-
ing a certain water right, for 1.36 cubic feet per second of the water of artesian wells
Canyon, County of Canyon, State of Idaho, obtained by virtue of Permit to ap-
propriate the public waters of the State of Idaho, No. 19321, issued by the Commissioner
of Reclamation, dated June 19, 1942, bearing date of priority of June 19, 1942
for the purpose of irrigating the following described lands, situate, lying and being in Water District
No. _____, in the County of Canyon and State of Idaho, to-wit: _____
Property set out in Permit #19321

and is the person (or representative of the person or persons) to whom such right was so issued, (or
has become the owner thereof in the following manner:)

That said waters are now diverted from said stream in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 17,
Twp. 3, Range 2 W, and conducted to the above described lands through the
artesian wells #3 & 4 ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to
a point located in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 16, Twp. 3, Range 2W, and
thereafter conduct same to the above described land through the artesian wells #3 & 4 ditch;
as per map above referred to;

That his reasons for desiring to make such change are as follows: This change is being made
to correct the description of point of diversion, making the proof
confirm with the examination of field engineer.

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

Wallace B. Keim, V. Pres.
Affiant.

Subscribed and sworn to before me this 21st day of December, 1943.

[Signature]

Notary Public

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant
should secure written consent of other owners or users to removal from its original carrier and
file such consent with this affidavit.

19321

✓
December 20, 1943

Re: Permit No. 19321
H. H. Keim Co.

Mr. Earl Garrity
Attorney at Law
Kampa, Idaho

Dear Mr. Garrity:

The report of our Field Engineer on examination for beneficial use under the above numbered permit, in the name of H. H. Keim Company, shows 18 acres irrigated, in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8 Township 3 North, Range 2 West; and approximately one second foot of water used for industrial purposes in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 17;

The statutory fee in this case will amount to \$7.00- being \$2.00 for the irrigated land, and \$5.00 for the industrial use. And upon receipt of this amount, a license will be issued for 1.36 second feet of subterranean water.

However, inasmuch as your proof, and also the examination by our Field Engineer, shows Wells 3 and 4 to be located in Section 16, instead of in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, as shown in your original permit, it will be necessary for you to have the enclosed affidavit for Change of Point of Diversion executed and returned to this Department.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19321

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19321

This proof is for Beneficial use

In Water District No.

1. Name of applicant H. H. Keim Company, Nampa, Idaho
2. Source of water supply: Four artesian wells
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8; and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17
T. 3 N. R. 2 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Four Artesian Wells,
Well #1 is 90ft. deep, cased to rock with 6 inch casing.
" #2 " 96 " " 96ft. with 6" casing.
" #3 " 225 " " cased to rock with 6 inch casing, and
" #4 " 90 " " " " " 4 " "
5. Water is used for: Irrigation, industrial and domestic purposes
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 for other than irriga-

tion): All S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 16, lying North and East of Railway

All NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, lying North & East of Railway

62.63 acres, more or less in Section 8, described as follows:

Commencing at the Northeast corner of the SE $\frac{1}{4}$ Section 8, running
thence West along the North line of the SE $\frac{1}{4}$ 2650.5 feet to NW corner
of SE $\frac{1}{4}$; thence South along West line of said SE $\frac{1}{4}$ 638.3 feet to a
point 100 feet northerly from the center line of the main track of
the U. S. L. R.R.; thence run Southeasterly parallel to said center
line 46°48' left 541.3 feet; thence Easterly 43°01' left 1513 feet;
thence Southeasterly 21°31' right 807.4 feet to a point on the East
line of SE $\frac{1}{4}$ 1319.6 feet south from Northeast corner of SE $\frac{1}{4}$; thence
North along said East line of SE $\frac{1}{4}$ 1319.6 feet to place of beginning.

All in Township 3 North, Range 2 West, B. M.

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

8. What large stream would the water here appropriated finally reach? None

Remarks Well No. 1 is equipped with pump and 2 H.P. motor

" " 2 " " " " " 10 H.P. "

" " 3 " " " " a 2 $\frac{1}{2}$ " gear type pump and motor.

" " 4 " " " " one inch intake centrifugal pump.

Approximate requirement for Industrial Use ; One Sec. Ft.

This examination was made on the 13th. day of October, 1943

(Signed)

Frederick J. Johnson

Examiner.

H. H. Keim Company, Nampa, Idaho
(Earl E. Garrity, Att'y.)

Permit No. 19321

Examination for Beneficial use

County Canyon

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a 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.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE,

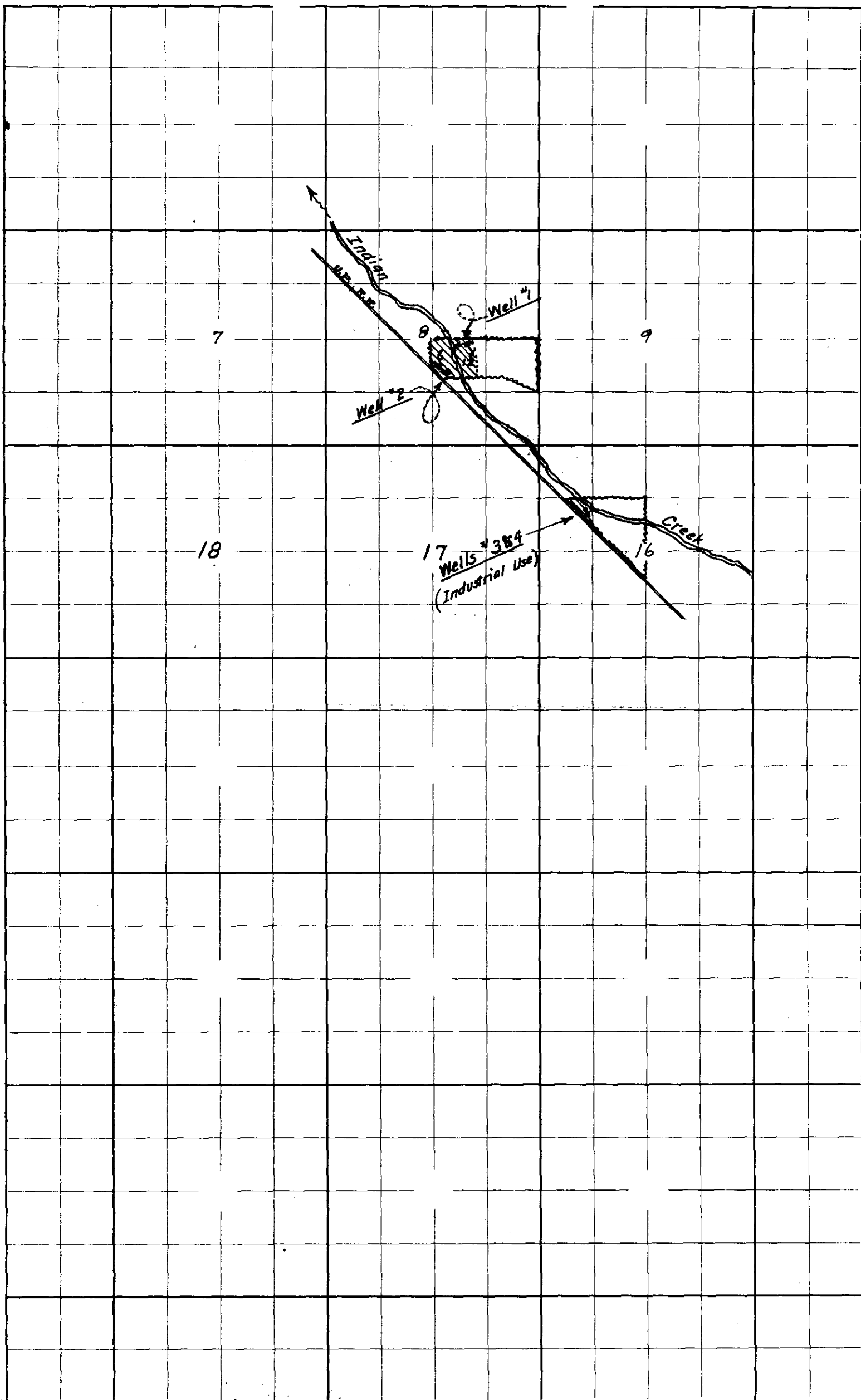
REPORT OF ENGINEER

PERMIT NO. 19321

REPORT ON PROOF OF Beneficial use

18 acres.
36 af
1.07 Industrial
1.36
7.05 fee

P.H.
R.H.



September 9, 1943

Re: Permit No. 19321

Mr. Earl E. Garrity
Attorney at Law
Smallwood Building
Nampa, Idaho

Dear Mr. Garrity:

We acknowledge receipt of your letter of the 8th inst., enclosing affidavit of publication from the Canyon County News, in connection with beneficial use proof under the above numbered permit, in the name of H. H. Kain Company.

We enclose Departmental Receipt No. 18354 for the \$5.00 fee paid in connection with completion of works proof on this permit, which was omitted from our former letter.

When we receive the report of our Field Engineer on examination for beneficial use, you will be notified in regard to fees on that final proof.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

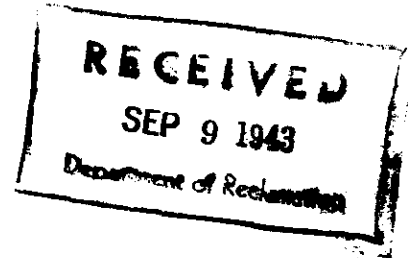
A
Encl.

Chief Clerk

19321

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 18
NAMPA, IDAHO

September 8, 1943



Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. 19321
H. H. Keim Co., Ltd.

Gentlemen:

Enclosed you will find Affidavit of
Publication in the matter of Notice of Proof of
Application of Water.

Yours very truly,

A handwritten signature in dark ink, reading "Earl E. Garrity". The signature is written in a cursive, flowing style.

EARL E. GARRITY

WH
Enc.

19321

State of Idaho }
County of Canyon } ss.

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

3. That the notice of which the annexed is a printed copy was printed in said Canyon County News for a period of 4 successive weeks in the regular and entire issue of each weekly publication of said newspaper during the period and time of publication and was printed in the newspaper proper and not in a supplement.

4. That the notice was published in each and every issue, beginning with the issue of Thursday July 15 1943 and ending with the issue of Thursday Aug. 5 1943

ay Aug. 5 1945
J. Elbert Johnson
(managing editor or chief clerk)

Subscribed and sworn to before me this 10 day of

August 1977

 Notary Public for Idaho
 Residing at Nampa, Idaho

The name of the canal or other work by which water is conveyed to such use is _____.

The right to take water from such works is based upon Section No. 19321.

The source of supply from which such water is diverted is _____.

The date of priority which has been claimed is _____.

State Registration Number _____

July 15-20-25, A.D. 1876.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement
of Permit No. 19321 Under the
Provisions of Section 5594, ~~Idaho~~
~~Compiled Statutes 41-311~~, I.C.A.

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 19321 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: December 19, 1942; and,

WHEREAS, On the 6th day of July, 1943 notice to show cause why said permit should not be canceled, under the provisions of Section 5594, 41-311 ~~Idaho Code Annotated~~
~~Compiled Statutes of Idaho~~; was duly served on the holder of said permit; and,

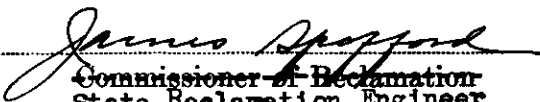
WHEREAS, On the 8th day of July, 1943 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 19th day of August, 1943 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of~~ ^{State Reclamation} ~~Reclamation~~ ^{Engineer} of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 19321, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 19321 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 20th day of August, 1943.


~~Commissioner of Reclamation~~
State Reclamation Engineer

By _____
Assistant

19321

✓
August 20, 1943

Re: Permit No. 19321
H. H., Keim Company

Mr. Earl E. Garrity
Attorney at Law
Smallwood Bldg.
Nampa, Idaho

Dear Mr. Garrity:

We acknowledge receipt of your letter of August 18th, with enclosures as stated.

In accordance with these proofs of completion of works, the permit has been reinstated, and we are enclosing Certificate of Completion of works herewith.

Before final action can be taken in the matter, the law requires that a field examination be made by an engineer from this department. We cannot say just when this examination can be made, since 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 or Mr. Keim at the time he makes the examination, so that arrangements may be made to show him over the grounds.

Meanwhile, we have to advise that we have not received the affidavit of publication from the Canyon County News- which is necessary to complete beneficial use proof. That newspaper was instructed to send this affidavit to H. H. Keim Company- and if they have not done so, please obtain same from them, and transmit to this Department.

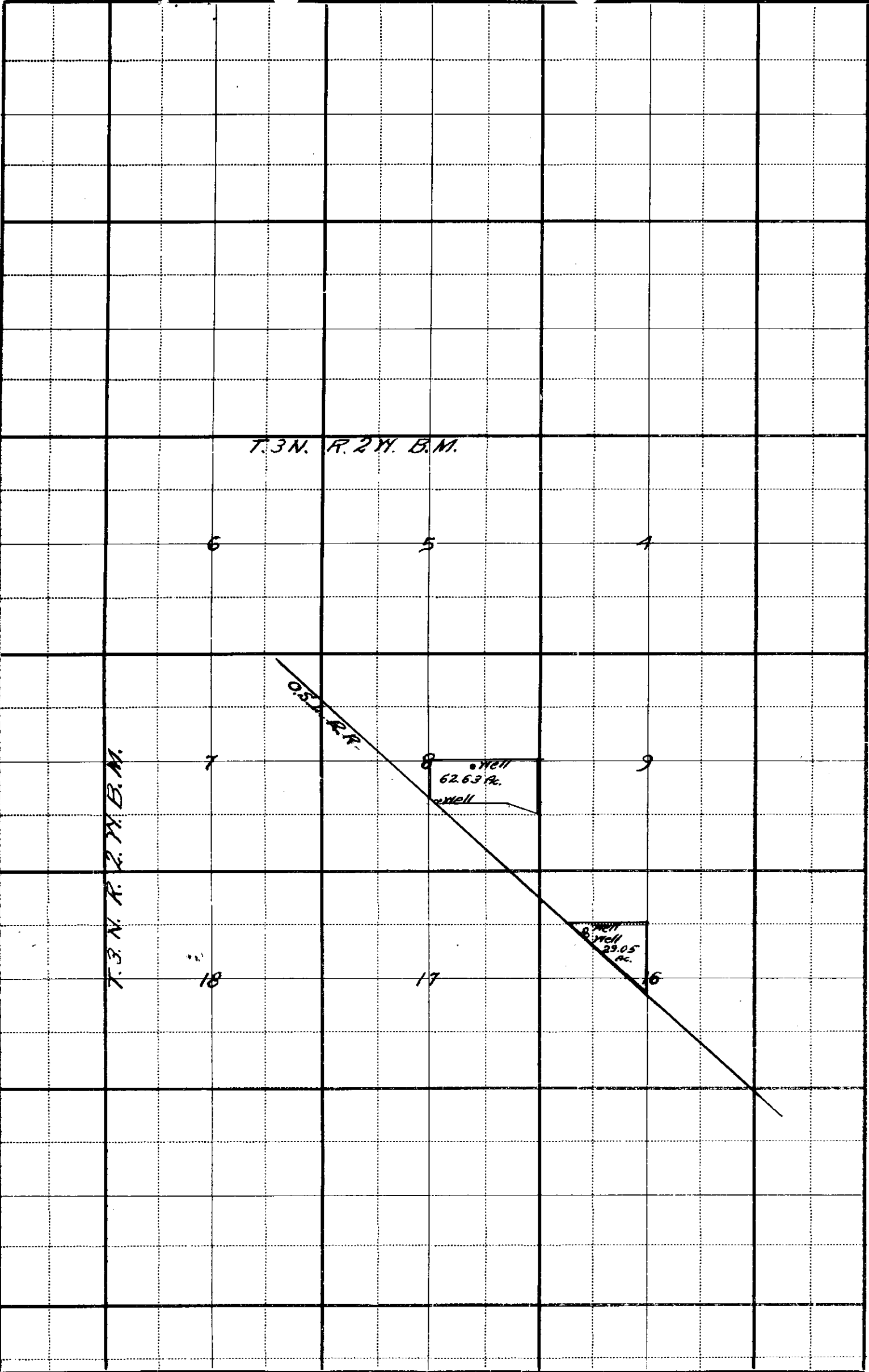
Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

A
Encl.

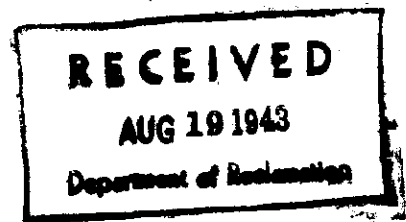
Chief Clerk

19321



EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 15
NAMPA, IDAHO

August 18, 1943



Department of Reclamation
State House
Boise, Idaho

Gentlemen:

In the matter of H. H. Keim Company, Ltd., Permit #19321, I am enclosing herewith two executed Form #14, Form #16, and 2 Form #17, together with Form #0, same being depositions of R. Gordon Yoder, John H. Griffiths and Stanley B. Keim, on behalf of the H. H. Keim Co., Ltd.

Proof of Publication of the Notice of Hearing apparently has been returned to you.

Will you kindly advise anything further to be done in the completion of this under the Reclamation's rules.

I am Thanking you for your efforts in this behalf,

Yours very truly,

A handwritten signature in cursive script that reads "Earl E. Garrity".

EARL E. GARRITY

EEG:WH
Enc.

19321

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19321

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. R. Gordon Yoder - 416 3rd Ave. So. - Bookkeeper
Nampa, Idaho

Ques. 2. Are you acquainted with H. H. Keim Co. Ltd., the holder of Permit No. 19321, authorizing the diversion of 2.0 second-feet of the waters of artesian wells, at Canyon County for irrigation, industrial and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes. Ten years.

Ques. 3. Have you read or heard read said Permit No. 19321, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. General farm land. 2.0 second feet (supplemental water) All of the S $\frac{1}{4}$ NW $\frac{1}{4}$, North and East of O.S.L. Ry., and all of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ North and East of Railway in Sec. 16, Twp. 3N., R2W, B.M. together with other lands in the SE $\frac{1}{4}$ of Sec. 8, T3N, R2W, B.M., particularly described in Permit #19321, containing 29.05 acres and 62.63 acres, more or less, respectively.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Artesian wells, open ditches, pipes for industrial use, 2.0 second feet in open ditches and pipe lines.

(Sign here.) R. Gordon Yoder

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, at my office in Nampa County of Canyon, State of Idaho, on this 11th day of August, A. D. 19 43

Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires 3/14/47

19321

(SEAL)

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19321

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. John H. Griffiths - 823 10th Avenue South - City Engineer -
Nampa, IdahoQues. 2. Are you acquainted with H. H. Keim Co., Ltd., the
holder of Permit No. 19321, authorizing the diversion of 2.0 second-feet of the
waters of artesian wells, at Canyon County
irrigation, industrial and domestic
for purposes? How long have you known him, and where does he reside?

Ans. Twenty years.

Ques. 3. Have you read or heard read said Permit No. 19321, and are you familiar
with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to
be irrigated under said permit? If so, describe same, state its character, and give your
estimate of the amount of water required for its profitable cultivation.Ans. Yes. General farm land. 2.0 second feet (supplemental water)
All of the S $\frac{1}{2}$ NW $\frac{1}{4}$, North and East of O.S.L.Ry., and all of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
North and East of Railway in Sec. 16, Twp. 3 N., R2W., B.M., together with
other lands in the SE $\frac{1}{4}$ of Sec. 8, T3N, R2W, BM., particularly described
in Permit #19321, containing 29.05 acres and 62.63 acres, more or less,
respectively.Ques. 5. Are the works of diversion fully completed and of sufficient capacity to con-
vey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of
their capacity.Ans. Artesian wells, open ditches, pipes for industrial use - 2.0
second feet in open ditches and pipe lines.

(Sign here.)

*John H. Griffiths*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, at my office in Nampa
County of Canyon, State of Idaho, on this 11th
day of August, A. D. 1945.*Paul E. Garity*
Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires 3/14/47

19321

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19321

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Stanley B. Keim - Box 628 - Secretary H. H. Keim Co. - Nampa, Ida.

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. H. H. Keim Company, Ltd. - Nampa, Idaho - Secretary.

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

Ans. 19321 - Priority Date - May 22, 1942

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

Ans. Artesian wells situate on premises - see plat

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. Artesian wells - at well. See plat herein. Open ditches and pipes.

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

Ans. irrigation, industrial and domestic. S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, T3N, R2W, B.M. and all of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N and E of O.S.L.Ry., containing 29.05 acres. Irrigation only - lands in the SE $\frac{1}{4}$ of Sec. 8, T3N, R2W, B.M., particularly described in Permit #19321, containing 62.63 acres.

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

Ans. Irrigation, domestic and industrial only - no power.

19321

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 3.0 second feet

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. I am Secretary of H. H. Keim Co., Ltd.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. All water has been constantly used since completion of the wells and works.

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 waters have been used excepting waters drawn under rights of the Pioneer Irrigation District.

(Sign) Stanley D. Keim

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Nampa, County of Canyon, State of Idaho, on this 11th day of August, A. D. 19 43

Carl L. Moody

My commission expires 3/14/47

Notary Public

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 19321

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. John H. Griffiths - 52 - 823 10th Avenue So. - City Engineer
Nampa, Idaho.

Ques. 2. Are you acquainted with H. H. Keim Co., Ltd., the holder of Permit No. 19321? How long have you known him and where does he reside?

Ans. Yes. Twenty years. Nampa, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19321, 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. artesian wells - at well. See plat herein. Open ditches and pipes.

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. 2.0 second feet

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

Ans. irrigation, industrial and domestic. S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, T3N, R2W, B.M. - and all of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N and E. of O.S.L. Ry., containing 29.05 acres. - Irrigation only - lands in the SE $\frac{1}{4}$ of Sec. 8, T3N, R2W, B.M. particularly described in Permit #19321, containing 62.63 acres

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

Ans. irrigation, domestic and industrial only - no power.

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

Ans. Sandy, volcanic ash. total of 3.0 second feet.

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

Ans. No.

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

Ans. June, 1941. Made personal inspection of the wells and industrial plants and farm lands.

(Signed) John H. Griffiths

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa, County of Canyon, State of Idaho, on this 11th day of August, A. D. 1943

Carl E. Monty
Notary Public.

My commission expires 3/14/47

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 19321

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. R. Gordon Yoder - 24 - 416 3rd Ave. So. - bookkeeper
Nampa, Idaho

Ques. 2. Are you acquainted with H. H. Keim Co., Ltd., the holder of Permit No. 19321? How long have you known him and where does he reside?

Ans. Yes. Ten Years. Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 19321, 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. Artesian wells - at well. See plat herein. Open ditches and
pipes.

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. 2.0 second feet.

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

Ans. irrigation, industrial and domestic. $S\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, T3N, R2W,
B.M. - and all of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N. and E. of O.S.L.Ry., containing
29.05 acres. Irrigation only - lands in the SE $\frac{1}{4}$ of Sec. 8, T3N, R2W,
B.M., particularly described in Permit #19321, containing 62.63 acres

19321

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

Ans. irrigation, domestic and industrial only - no power.

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

Ans. Sandy, volcanic ash. Total 3.0 second feet.

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

Ans. No.

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

Ans. Daily for past three years. Made special inspection. All being used.

(Signed) R. Gordon Yoder

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa, County of Canyon, State of Idaho, on this 11th day of August, A. D. 1943

Carl L. Parvity
Notary Public

My commission expires 3/14/47

August 9, 1943

Re: Permit No. 19321
H. H. Keim Company

Mr. Earl L. Garrity,
Attorney at Law
Smallwood Building
Nampa, Idaho

Dear Mr. Garrity:

We have received no reply to office letter addressed you on July 13th, in which we requested the deposition of a disinterested witness in connection with completion of works proof under the above numbered permit.

Perhaps you are waiting to get this at the same time the beneficial use proof is made- which you of course recall has been set for 10:00 o'clock, of August 11th, before you as Notary Public.

We handed you the necessary forms for these proofs when you were in the office, but in case you may have misplaced them, we are enclosing another set of these depositions for beneficial use proof; and are also enclosing another form to be used for the completion of works proof referred to in letter of July 13th,

All of these depositions, and also the affidavit of publication from the Canyon County News, should be transmitted to this office as soon as possible after the proofs have been taken.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19321

✓

July 13, 1943

Re: Permit No. 19321

Mr. Earl L. Garrity
Smallwood Bldg.
Nampa, Idaho

Dear Mr. Garrity:

We acknowledge receipt of your letter of July 10th, enclosing deposition of Stanley B. Keim as holder, and Wallace B. Keim as witness, in connection with completion of works proof under the above numbered permit, in the name of H. H. Keim Co.; also check for \$5.00 to pay the statutory fee.

Perhaps I did not make myself entirely clear the other day when you were in the office, because the requirement is for depositions of two disinterested witnesses. We are therefore enclosing another form of deposition to be executed by another witness, who should be a disinterested witness, and not one connected with the holding company.

Upon receipt of this additional deposition, the permit will be reinstated, and certificate of completion of works issued.

You are correct in your understanding about the publication, and the notice has been sent to the Canyon County News, with instructions to publish it once a week for four consecutive weeks prior to August 11th, the date set for beneficial use proof. The copy sent was for your own files.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

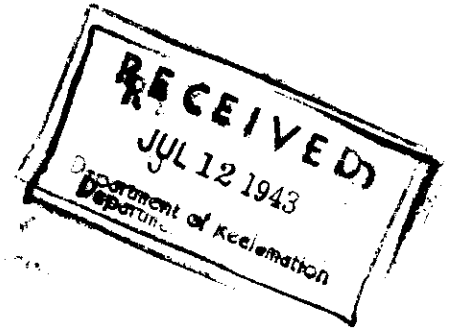
Chief Clerk

A
Encl.

19321

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 16
NAMPA, IDAHO

July 10, 1943



Department of Reclamation
State House
Boise, Idaho

Attn: Mrs. Anderson

Dear Mrs. Anderson:

I am enclosing herewith Deposition of Witness and Deposition of Holder in the matter of H. H. Keim Company water filing, together with their check in the sum of \$5.00.

It is my understanding that you take care of the publication from your office. If I am incorrect, kindly let me know and I will have the notice you sent me this morning taken to the publisher.

Thanking you for your efforts in this behalf,
I am

Yours very truly,


EARL E. GARRITY

EEG:WH
Enc.

19321

PERMIT NO. 19321

Proof of Completion of Works

DEPOSITION OF HOLDER



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

Ans. Stanley B. Keim - Nampa, Idaho - meat packer - Box 628

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. H.H. Keim Company, Ltd. - Nampa, Idaho - Secretary

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. #19321 -

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. irrigation, industrial and domestic, 29.05 acres, and 62.63 acres, more or less, respectively, of - All of the S¹/₄ NW¹/₄, N & E of O.S.L. Ry., and all of the NE¹/₄, NE¹/₄, SW¹/₄, N & E of Ry. in Sec. 16, T³N, R²W, B.M., together with other lands in the SE¹/₄ of Sec. 8, T³N, R²W, B.M., particularly described in Permit #19321.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans.

(Sign here) *Stanley B. Keim*
Secy -

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 _____,

County of *Canyon*, State of Idaho, on this *10* day of *July*, A. D. 19*43*

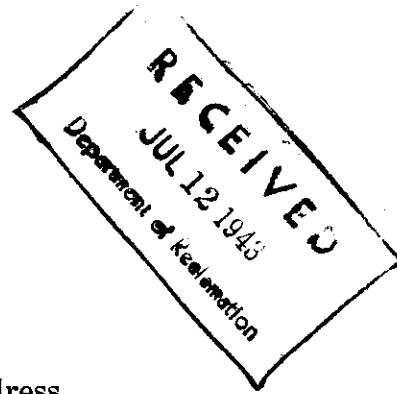
Paul J. Parvity
Notary Public.

My Commission expires *3/14/47*

19321

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19321



Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Wallace B. Keim - Nampa, Idaho - meat packer - Box 628

Ques. 2. Are you acquainted with H. H. Keim Company, Ltd., the holder of Permit No. 19321, authorizing the diversion of 2.0 second-feet of the waters of artesian wells, at Canyon County for irrigation, industrial and domestic purposes? How long have you known him, and where does he reside?

Ans. 25 years - at Nampa, Idaho (principal place of business)

Ques. 3. Have you read or heard read said Permit No. 19321, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. General farm land. 2.0 second feet (supplemental water) All of the S $\frac{1}{2}$ NW $\frac{1}{4}$, North and East of O.S.L. Ry., and all of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ North and East of Railway in Sec. 16, Twp. 3 N., R2W, BM, together with other lands in the SE $\frac{1}{4}$ of Sec. 8, T 3N, R2W, B.M., particularly described in Permit #19321, containing 29.05 acres and 62.63 acres more or less, respectively.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Artesian wells, open ditches, pipes for industrial use - 2.0 second feet in open ditches and pipe lines.

(Sign here.)

Wallace B. Keim

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, at my office in Nampa, Idaho, County of Canyon, State of Idaho, on this 10th day of July, A. D. 1943

Earl E. Garrity
EARL E. GARRITY, Notary Public

19321

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **July 8, 1943**

**Canyon County News
Nampa, Idaho**

Gentlemen:-

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 11, 1943** the date set for proof, the expense of the publication to be paid by the applicant, **H. H. Koin Company, Nampa, Idaho** to whom you should furnish proof of publication on or prior to date for proof.

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

Very truly yours,

JAMES SPOFFORD
~~Commissioner of Reclamation~~
State Reclamation Engineer

19321

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

Notice is hereby given that at.....¹⁰A. M. on the...^{11th} day of ~~August~~....., 19⁴³,
at.....**Nampa**....., County of.....**Canyon**....., State of Idaho, before
.....**Earl E. Garrity**.....**Notary Public**....., proof will be submitted of the
application to beneficial use of...**2.0**.....cubic feet per second of the waters of.....
. **Subterranean Flow**.....in accordance with the terms and conditions of Permit No. **19321**..
heretofore issued by the.....**Commissioner of Reclamation**.....of the State of Idaho.

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

.....**H.H. Keim Company, Box 628, Nampa, Idaho.**.....

The use to which said water has been applied is **Irrigation, Domestic and Industrial**

The amount applied to beneficial use is ...**2.0 Cubic feet per second.**.....

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) **All of the SW¹/₄, North and East of O.S.L.Ry, and all of NE¹/₄, NW¹/₄,
north and East of Railway in Sec.16, Twp. 3.N. Rge. 2.W. B.M., to ether
with other lands described in Permit #19321, containing 62.63 acres,
situated in the SE¹/₄ Section 8, Twp. 3 N., Rge. 2 W., B.M.**

The name of the canal or ditch or other works by which said water is conducted to such place
of use is**Private ditches and pipe lines.**.....

The right to take water from such works is based upon Permit No. **19321**.....

The source of supply from which such water is diverted is ...**Subterranean**.....

The date of priority which said user is prepared to establish is...**May 22, 1942**.....

JAMES SPOFFORD

.....
~~Commissioner of Reclamation~~
State Reclamation Engineer

19321

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 8 1943

(P. O.) Boise Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Canyon County News of ampa, Ida., published in the county in which the works are situated.

H. A. Keim Company,
By Earl E. Parvity
Atty for applicant.

(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.

19321

NOTICE OF APPEARANCE

To. Commissioner of Reclamation

Boise, Idaho

Dear Sir:

Receipt of notice that Permit No. 19321
is held for cancellation, under the provisions of Section
41-311 Idaho Code Annotated, is acknowledged.

I hereby enter an appearance and will offer proof
to show that the works required thereunder were fully completed
on the date proof of completion of works was due.

Dated at Boise Ida. this 8
day of July, 19 43.

H. W. Keim Company.
Applicant.

By Earl F. Hovrity
atty for Applicant.

19321

Form 3941
Rev.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1

H. H. Kewer

(Signature or name of addressee)

2

by S. B. Eschman

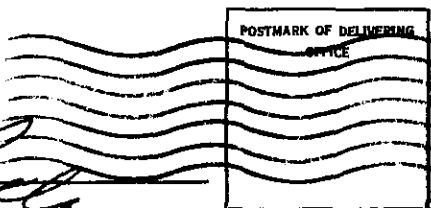
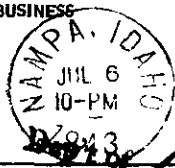
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery *6*, 19*4*

19321

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to _____
Street and Number,
or Post Office Box,

Reclamation
State of Idaho
(NAME OF SENDER) State House

REGISTERED ARTICLE

No. 87142

INSURED PARCEL

No. _____

19321

BOISE,

IDAHO.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

July 6

194³

Re: Permit No. 19321

To H. H. Keim Company
C/o Richard V. Keim
Box 628, Nampa, Idaho

State Reclamation Engineer

It appearing to the ~~Commissioner of Reclamation~~ that the terms and conditions of Permit No. 19321,

to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works December 19, 1942

you are hereby notified in compliance with Sec. 41-311, Idaho Code Annotated that said Permit No. 19321
is hereby held for cancellation.

State Reclamation Engineer

You are hereby required to show cause before the ~~Commissioner of Reclamation~~ on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 19321 claims the use of Two (2) cubic feet per second of the waters of artesian wells, with point of diversion located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Twp. 3 N., Range 2 W., B.M. and was approved June 19, 1942

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

6th day of July, 194³

James G. Spafford

Commissioner of Reclamation.
State Reclamation Engineer

19321

By _____ Assistant.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 20, 1942

H. H. Keim Company
Box 623
Nampa, Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. ~~10321~~ you are required to complete your diversion works on or before ~~December 19, 1942~~. 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,

E. V. BERG

Commissioner of Reclamation.

1932-1

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19321

Date June 25, 1942

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 on the fourth page.

H. H. Keim Co.
Nampa, Idaho
R#18244, \$5.25.

I. V. BERG
Commissioner of Reclamation,

19321

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 15
NAMPA, IDAHO

June 18, 1942.

State of Idaho
Department of Reclamation
Boise, Idaho

RECEIVED

JUN 19 1942

Department of Reclamation

Gentlemen: Atten: Roy W. Thompson

I have your letter of May 23 returning Application #2671 of the H. H. Keim Company for appropriation of artesian water.

The description of the property was put on out at the plant, and taken from what I supposed to be their records, and upon reading the description I don't wonder that you were bewildered.

We have amended and corrected the application by deleting the erroneous description and writing in the correct one. On the map, which is approximately correct, I have shaded in the places and land upon which the water is to be applied.

I am enclosing also 25¢ to complete the filing fee.

Thanking you for your efforts in this behalf, I am

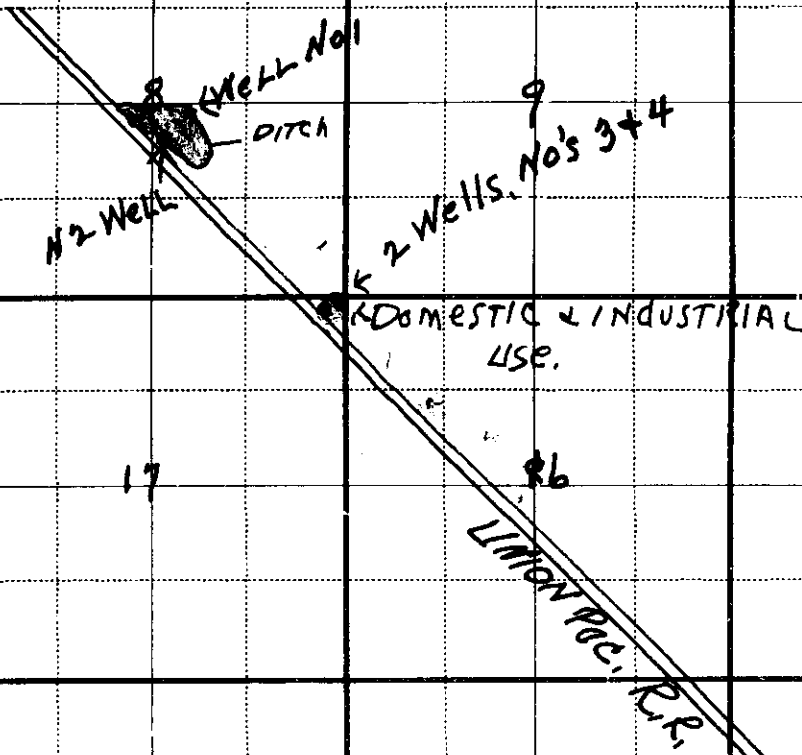
Yours very truly,

Earl E. Garrity
EARL E. GARRITY

REG:b

19321

Twp. 3 North - Range 2 West B.M.



Wells No's 1 & 2 ARE APPLIED TO IRRIGATION
Wells No's 3 & 4 ARE APPLIED TO DOMESTIC & INDUSTRIAL USES.

Revised Map No. 19321
AS APPROVED
JUN 16 1942
E. A. BERG

May 23, 1942

Mr. Earl E. Garrity
Attorney at Law
Smallwood Building
Nampa, Idaho

Dear Mr. Garrity:

We are returning to you the enclosed application for water permit for minor corrections.

Your check for filing fees is twenty-five cents short. Your check should have been for \$5.25 based on \$5.00 for the first second foot and twenty-five cents additional for each additional second foot.

Answer question No. 4 by showing the various well locations in terms of legal land description and not by referring location to enclosed sketch map. Answer question No. 7.

Under question No. 14, we are unable to figure out the correct place of use. From your legal land description your description as given in meets and bounds for Section 8, is incorrect. Please correct same and also by coloring or by cross-hatching show land description or place of use on your sketch map.

We have placed your application on file. However, corrections will be necessary before we can proceed with your filing.

Very truly yours,

E. V. BERG
Commissioner of Reclamation

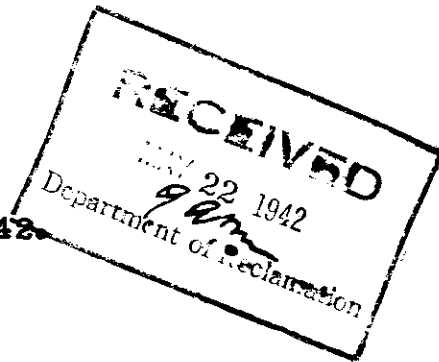
By: ROY W. THOMPSON
Deputy Commissioner

19321

BWT:djb
Encl.-1

EARL E. GARRITY
ATTORNEY AT LAW
SMALLWOOD BLDG. - PHONE NAMPA 16
NAMPA, IDAHO

May 21, 1942



Commissioner of Reclamation
State of Idaho
Boise, Idaho

Gentlemen: Atten: Mr. Thompson

I am enclosing herewith application for permit to appropriate public waters by the H. H. Keim Company, together with plat showing the location of artesian wells, and the application of the water therefrom.

If additional data is required, I will thank you for advising me.

I am enclosing also check for \$5.00 filing fee, which I understand is the correct amount.

Yours very truly,


EARL E. GARRITY

EEG:b
Enc.

19321

NOTICE OF WATER APPLICATION

To Beneficial Use

Notice is hereby given that at 10 A. M. on the 11th day of August, 1943 at Nampa, County of Canyon, State of Idaho, before Earl E. Garrity, Notary Public, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Subterranean Flow in accordance with the terms and conditions of Permit No. 19321 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are H. H. Keim Company, Box 628, Nampa, Idaho.

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

The amount applied to beneficial use is 2.0 Cubic feet per second.

The place where said water is used (if not for irrigation, give full and accurate description of the lands irrigated) All of the S $\frac{1}{2}$ NW $\frac{1}{4}$, North and East of O. S. L. Ry., and all of NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ North and East of Railway in Section 16, Twp. 3N. Rge. 2W B. M., together with other lands described in Permit No. 19321, containing 62.63 acres, situated in the SE $\frac{1}{4}$ Section 8, Twp. 3N., Rge. 2W., B. M.

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

The right to take water from such works is based upon Permit No. 19321.

The source of supply from which such water is diverted is Subterranean.

The date of priority which said user is prepared to establish is May 22, 1942.

JAMES SPOFFORD

State Reclamation Engineer

July 15-22-29, Aug. 5.

Canyon Co. News
July 15