State of Idaho

License and Certificate of Water Right

Water License No. 16943 Amount - 0.8 sec.ft.

Water District No. Priority - 9-12-1928

THIS IS TO CERTIFY that David K. Egbert ,

of Murtaugh, Idaho , made application for a permit to appropriate the public waters of the State of Idaho, dated September 12 , 1928 ; that Permit No. 16943 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on July 19 , 1929 , showing that said works were completed on the 11th day of July , 1929 ; and that on the 25th day of September , 1930 ,

David K. Egbert ,

of Murtaugh , State of Idaho , made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Glen Coulee, , a tributary of Murtaugh Lake , for the purpose of irrigation and domestic use , under Use Permit No. 16943 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3651 , on the 27th day of January , 1931 ;

The right hereby confirmed dates from September 12 , 1928 ;

The Point of Diversion is located in the NE ¼ NW ¼, Sec. 16 , Tp. 11 S. , R. 20 E. , B. M. Twin Falls 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 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	20 E	17	$NE\frac{1}{4}SE\frac{1}{4}$	20	20
		16	$NW\frac{1}{4}SW\frac{1}{4}$	20	20
					Total 40

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 Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of January , 1931.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

15 2173

State of Idaho

License and Certificate of Water Right

Water License No. 15720 Amount 0.2 sec.ft.

Water District No. Priority 8-31-1926

THIS IS TO CERTIFY that V. B. McKeeth ,

of Glenns Ferry, Idaho , made application for a permit to appropriate the public waters of the State of Idaho, dated March 21 , 19 23 ; that Permit No. 15720 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.2 second feet, was issued thereunder on September 29 , 19 24 , showing that said works were completed on the 15th day of September , 19 30 ; and that on the 9th day of September , 19 30 ,

V. B. McKeeth ,

of Glenns Ferry , State of Idaho , made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed stream , a tributary of Snake River , for the purpose of irrigation and domestic , under Use Permit No. 15720 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3652 , on the 24th day of March , 19 31 ;

The right hereby confirmed dates from August 31 , 19 26 ;

The Point of Diversion is located in the SW ¼ NW ¼, Sec. 27 , Tp. 5 S. , R. 10 E. , B. M. Owyhee 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 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S	10 E.	21	$SE\frac{1}{4}SE\frac{1}{4}$	10	12

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 Commissioner of Reclamation, affixed at Boise, Idaho, this 24th day of March , 19 31.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

№ 16943

45-2173

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

Application No. 23923
Permit No. 16943
District No.

1. Name of Applicant: David K. Egbert.

Postoffice address: Murtaugh, County: Twin Falls, 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: eight tenths (.8) cubic feet per second.

3. Source of water supply: an unnamed stream locally known as Glenn Coulee, / which is a tributary of no stream.

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

corner of Section , T. , R. , B. M., and is in the NE¼ of NW¼

of Section 16 , T. 11 S., R. 20 E., B. M., County of Twin Falls, Idaho.

5. Water is to be used for: Irrigation and Domestic uses.

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: $ 100.00.

8. Kind of works: Dam and Ditch.

9. Height of dam three feet; length of dam at top 100 feet; length of dam at bottom 100 feet; material used in dam: Earth.

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

11. Ditch: Width at bottom three feet; width at water line five feet; depth of water one feet; dimensions of flume

Diameter of pipe inches; length of conduit three-fourths miles.

Average grade per mile five feet.

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

13. The time required for the complete application of the water to the proposed use is one 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.

David K. Egbert *Applicant.*

By S. T. Hamilton *Agent.*

Date of first receipt at Department of Reclamation: 9 A.M., July 30, 1928.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16943.
Recorded in Book 61, Page 16943, Approved August 2, 1928.
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 October 1, 1928, 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 February 2, 1929.
The whole of said work to be completed on or before August 2, 1929.
Beneficial use of water appropriated in accordance herewith, to be made on or before August 2, 1930.

Witness my hand this 2nd day of August, 1928.

GEO. N. CARTER
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 S.	20 E.	17													40				40

The diversion which is described as a dam is practically a 'lower bank' ditch constructed for the purpose of turning the stream to the point where a ditch is constructed.

Permit No. 16943
CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that David K. Egbert, of Murtaugh, County of Twin Falls, and State of Idaho, the holder of Permit No. 16943, issued upon Application No. 23923 bearing date of priority of July 30, 1928, authorizing the diversion of .8 second feet of the waters of an unnamed stream, locally known as Glenn Coulee, County of Twin Falls, 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 .8 second feet of the waters of said unnamed stream, that the point of diversion of said waters is in the NE¼NW¼, Sec. 16, Twp. 11 S., Range 20 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 40 acres in the NE¼SE¼, Sec. 17, Twp. 11 S., Range 20 E., B.M. Also some in W½, Sec. 16, Twp. 11 S., Range 20 E., B.M.

Witness my hand this 19th day of July, A.D. 1929.

GEO. N. CARTER
Commissioner of Reclamation

By Myron Swendsen
Assistant

Proof of completion made July 11, 1929.
Certificate issued July 19, 1929.

LICENSE ISSUED FOR 0 S SEC. FT.
Pg. 3651 - Lic. Bk. 7

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 16943

Comes now DAVID K. EGBERT, and represents to the Commissioner of Reclamation of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 16943, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

About 20 acres in NE¼ SE¼, Sec. 17, T. 11 S., R. 20 E.
About 20 acres in NW¼ SW¼, Sec. 16, T. 11 S., R. 20 E.
About 20 acres in NE¼ SW¼, Sec. 16, T. 11 S., R. 20 E.
About 20 acres in SE¼ SW¼, Sec. 16, T. 11 S., R. 20 E.
About 10 acres in SW¼ NW¼, Sec. 16, T. 11 S., R. 20 E., making a total of about 90 acres.

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

Signed at Murtaugh, this 11th day of Aug., 1930.

DAVID K. EGBERT

Date of receipt at Office of Department of Reclamation AUG. 13, 1930.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, Geo. N. Carter, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 16943. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

GEO. N. CARTER
Commissioner of Reclamation.

WATER RIGHT NUMBER 45-2173

OWNER LAST NAME - EGBERT FIRST NAME - DAVID K. ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - MURTAUGH STATE - ID ZIP CODE - 83344
SOURCE - GLEN COULEE TRIBUTARY OF - MURTAUGH LAKE
STAGE - LICENSE STATUS - PRIORITY - 09-12-1928 COUNTY - TWIN FALLS TOTAL DIV. RATE - .8000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NENW 16 11S 20E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - TO - USE - IRRIGATION USE DIV. RATE - .8000 CFS USE DIV. VOLUME - .00 AFA
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 11S RNG 20E SEC 16 TRACT NWSW LOT AC 20
USE - IRRIGATION PLACE OF USE - TWN 11S RNG 20E SEC 17 TRACT NESE LOT AC 20
DECREE NAME - DATE - TOTAL ACRES 40
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 16943
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

VERIFIED DBT

3/79

IDENT. NO. 45-2173

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

Initials	Date	Item
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
SP	5-22-79	Keypunched by State Office

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 16943 / 45-2173
Old No. New No.

Record

1. Original Owner: David K. Egbert

   Present Owner:

2. Address:
3. City: Murtaugh State: Id Zip:
4. A. Source of Water: Glen Coulee
   B. Tributary of: Murtaugh Lake
5. A. Stage (A,P,L,D,S,J): L
   B. Status (D,L,R,C,A,I,F - leave blank if valid):
   C. Priority Date: 9-12-1928
   D. County: 83
   E. Total Diversion Rate: .8
   F. Total Diversion Volume:
   G. Transfer/Amendment (P,T of A or blank):
   H. Water District:
   I. DLE/Carey Act (D,C or blank):
   J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	NENW	16	11S	20E		

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

from ____ to ____ for A purposes. Amount .8 (cfs or ~~AC-FT/yr~~)

from ____ to ____ for D purposes. Amount ____

from ____ to ____ for ____ purposes. Amount ____

from ____ to ____ for ____ purposes. Amount ____

from ____ to ____ for ____ purposes. Amount ____

from ____ to ____ for ____ purposes. Amount ____

from ____ to ____ for ____ purposes. Amount ____

8. Use Code: A

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	20E	17													20				20
		16										20							20
																			40

9. A. Decree Name:

   B. Decree Date:

10. Remarks: A.
    B.
    C.
    D.
    E.

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

12. Other Rights for Same Use:

13. A. Proof Due Date:

    B. Date Permit Approved or Denied:

    C. Protested Date:

    D. Hearing Date:

    E. Old Number: 16943

    F. Proof Made (P or blank):

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

    H. Conditions of Approval: _____

    _____

14. Diversion Means (brief narrative):

Ch 5-10-79

January 27, 1931.

Re: Permit No. 16943

David K. Egbert
Murtaugh, Idaho

Dear Sir:-

Enclosed you will find water license issued under the above numbered permit, with receipts for fees paid.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By_____
Chief Clerk.

Encl.

16943

Burleigh
Fresno
Jan. 25 11 31
-ico 2 carbon
Com. Reclamation
Dr Sir
Yours of Jan 19 to hand
And noted And am inclosing the
$2.00 herewith in pay fee on the
S½ NW¼ of SW¼ Sec 16 - 11 - 20 as
And may thanks for prompt
reply &c
Respy
David McEgbert

16943

January 19, 1931

Re: Permit No. 16943

MR. DAVID K. EGBERT
Murtaugh
I d a h o

Dear Sir:

Reference is had to your letter of January 13, which was in response to notice from this office that the license fee upon your Permit No. 16943, to appropriate the waters of an unnamed stream, would be $8.00.

You desire to pay $2.00 and have this water made appurtenant to the

NE¼ SE¼ of Section 17,

thus omitting the three forties in the Southwest quarter of Section 16, which you say are already provided with a good and sufficient water right.

If you wish to have water made appurtenant to the

NE¼ SE¼ of Section 17

only, this can be done, but not more than twenty inches of water can be licensed. The laws provide that license shall not issue at a greater rate than one miner's inch per acre. Therefore, if you paid only the $2.00 fee for the one forty in Section 17, you would get a license for only four tenths of a second foot (twenty miner's inches) because the field engineer's report shows only twenty acres under cultivation in the said forty.

By your proof you are entitled to license for eight tenths of a second foot (forty miner's inches), provided you show forty acres actually under cultivation and irrigation from this permit. You could do this by paying on the forty in Section 17

16943

and either of the two forties in the North half of the Southwest quarter of Section 16 -- total amount $4.00 -- and thereby receive a license for the full amount of the permit, namely, forty miner's inches, being appurtenant to only the two forties which you designate and which would be described in the license.

Yours very truly,

Commissioner of Reclamation

GNC/eq

16943

January 19, 1931

MR. HENRY REES,
Secretary, Milner
Low Lift Irrig. Dist.,
Milner, Idaho.

Dear Sir:

There is enclosed herewith copy of the Order Granting License to David K. Egbert upon his proof of beneficial use of water under Permit No. 16943.

You will recall our discussion of the Milner Low Lift Irrigation District protest some time ago, the advance information I gave you at that time as to how the protest would be handled, and that in all probability a license would issue.

The other matter which we discussed, namely, a release of some $9,000.00 of Milner Low Lift Irrigation District bonds, held in escrow by the Twin Falls Bank and Trust Company, is still in abeyance. I was unable to secure from the former State Treasurer, Byron Defenbach, any record as to the actual certification or otherwise of these bonds. Now that a new Treasurer has come into office, I presume it will be some little time before we can secure the desired information from him.

I am wondering how really important or urgent this matter is to the district. If you think it desirable or necessary, I can write a letter to the Twin Falls Bank and Trust Company, setting out the facts that the Bond Commission Act is repealed and questioning my authority to advise in the matter one way or the other.

Yours very truly,

Commissioner of Reclamation

GNC/eq

16943

Burley Idaho

Jan 13 '07

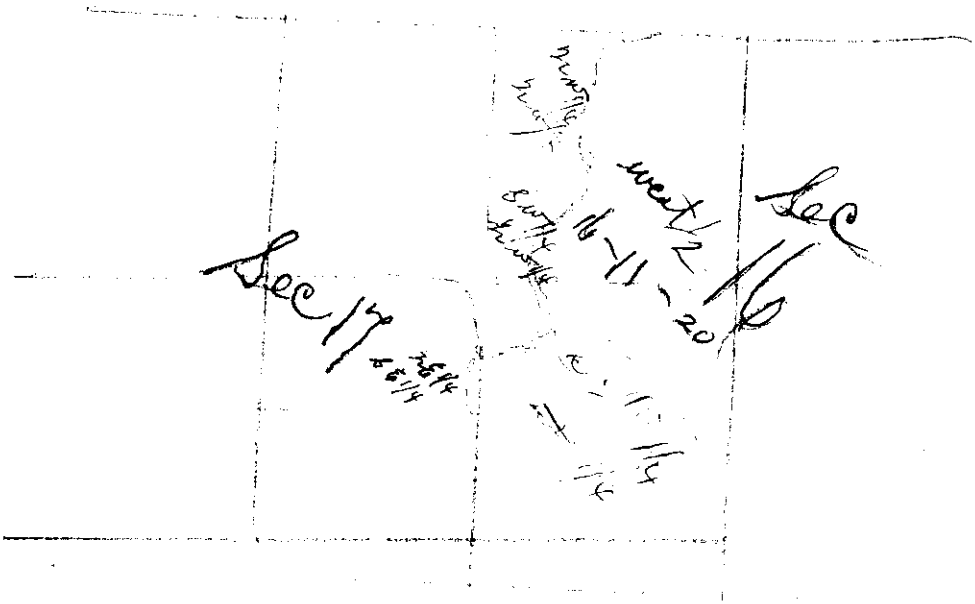
Com Reclamation

Boise

Sir. Referring to my permit 16943 for public water, as amended, reads about 20ac in NE¼ SE¼ 2-17-11-20 B.M. And same limit in other 40ac in 16-11-20. I wish to explain that this water was applied for the reclamation of the land in Sec 17 as above. This being a desert claim, but as there is sometimes more water than needed on this land as the other 20ac of Lot 2 is covered by the lake and does not need irrigating. I had I could use a part on the land adjoining in Sec 16-11-20. in case of emergency or shortage. altho this latter has an ample water right already from 16943

the Widner Low Lift irrigation system
I have already sent $2.62 for
for fee 1/2-11-20 and would wish to
know if it is absolutely necessary
for me to pay the other $6.00 asked
for the land in 16-11-20. being
fees for each of these 20A.
Am enclosing a drawing of the
as the land lays to.
An early reply will greatly
oblige
Respectfully
David K. Egbert

16943



16943

December 23, 1930

Re: PERMIT No. 16943

Mr. DAVID K. EGBERT
Murtaugh
Idaho

Dear Sir:

This is to acknowledge receipt of your letter of December 15 with check for $2.00 enclosed.

In our letter to you on December 6, you were informed that the fee in connection with your proof was $6.00; that the same was due and payable before license could issue. This fee is provided by statute, partly to reimburse the department for the cost of examination. The examination has been made and the fee is now due; therefore, it will be necessary for you to pay $6.00 more; license will then issue.

Very truly yours,

Assistant Commissioner
of Reclamation

16943

Ft. Klamath
Dec 15th/30

Geo. H. Carter Supt Reclamation
Boise

Dear Sir

Within find $2.00 for my water for NE¼ SE¼ Sec 1 Tp 41 R 20 Desert entry. Will explain that this is what application of water was made for. But as there is often more water than needed on this land, as there is only about ½ of it can be cultivated any year the ½ occupying the balance of it

I think it would be all right for me to use the balance on other lands which already had water right from Modoc Southside Canal but in case of shortage this water could be used on the Southside land. 16-11, 20 as in my application. 16943

if you will open [illegible]
you will understand what
I mean. If it can't be done
let me know Ed & will send
the balance, but am terribly
hard run just at present
Hoping this will explain
Yours Resp'y
David Kingsbury

16943

STATEMENT.

Idaho Times

The Great Home Paper of Southern Idaho
TWIN FALLS, IDAHO

IN ACCOUNT WITH

David K. Egbert,

Murtaugh, Idaho

DATE	MEMO	CHARGES	DATE	MEMO	CREDITS	LAST AMOUNT IN THIS COLUMN IS AMOUNT DUE
RATE PER INCH		BALANCE DUE ON THIS DATE			SEP 30	13.20

Paid 10/25/20

16943

NOTE: The number of inches may be determined by dividing the charge shown on each date by the rate shown above. Under column heading MEMO, Advertising is designated by AD.; Job Printing by PT. and Subscription by SU.

AFFIDAVIT OF PUBLICATION — IDAHO EVENING TIMES, TWIN FALLS, IDAHO

Affidavit of Publication

No. 281

STATE OF IDAHO
County of Twin Falls } ss.

Leland K. Miller, being first duly sworn, says that he is the Principal Clerk of the Idaho Evening Times, a newspaper printed and published daily except Sunday in Twin Falls county, Idaho, and having a general circulation therein, formerly named the Twin Falls Times; that said newspaper has been continuously and uninterruptedly so published in said county during a period of more than 12 consecutive months prior to the first publication of the annexed notice (or advertisement); that the annexed notice (or advertisement) was published for six (6) issues in said newspaper, and in the regular edition thereof and not in any supplement; that the date of the first publication of said Notice (advertisement) was on the 18th day of August, 1930 and the date of the last publication was on the 15th day of Sept 1930

Leland K. Miller

Subscribed and sworn to before me this 16th day of Sept 1930

Flora Bowles

Notary Public.
Residing at Twin Falls, Idaho.

16943

AFFIDAVIT OF PUBLICATION

IDAHO EVENING TIMES, TWIN FALLS, IDAHO

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENFICIAL USE.

Notice is hereby given that at 8 o'clock A. M. on the 25th day of September, 1930, at Murtaugh, County of Twin Falls, State of Idaho, before Fred Wauchholtz, notary public, proof will be submitted on the application to beneficial use of 0.8 cubic feet per second of the waters of an unnamed stream, locally known as Glen Coulee, in accordance with the terms and conditions of Permit No. 16943 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 David K. Egbert, Murtaugh, Idaho.

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

The amount applied to beneficial use is 0.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE¼ SE¼ of Sec. 17, also some in W½ of Sec. 16, T. 11 S., R. 20 E. B. M.

The right to take water from such works is based upon Permit No. 16943.

The source of supply from which such water is diverted is an unnamed stream.

The date of the priority which said user is prepared to establish is Sept. 12, 1928.

GEO. N. CARTER,
Commissioner of Reclamation.

Affidavit of Publication

No. 281

STATE OF IDAHO } ss.
County of Twin Falls }

Edward K. Mullen, being first duly sworn, says that he is the Business Manager of the Idaho Evening Times, a newspaper printed and published daily except Sunday in Twin Falls county, Idaho, and having a general circulation therein, formerly named the Twin Falls Times; that said newspaper has been continuously and uninterruptedly so published in said county during a period of more than 12 consecutive months prior to the first publication of the annexed notice (or advertisement); that the annexed notice (or advertisement) was published for three (3) issues in said newspaper, and in the regular edition thereof and not in any supplement; that the date of the first publication of said Notice (advertisement) was on the 18th day of August, 1930 and the date of the last publication was on the 1st day of Sept. 1930

Subscribed and sworn to before me this 16th day of Sept. 1930

Flora Bowen
Notary Public.
Residing at Twin Falls, Idaho.

16943

RECEIVED
DEC 23 1930
DEPARTMENT OF RECLAMATION

Affidavit of Publication

OF

December 6, 1930.

Re: Permit No. 16943

Mr. David K. Egbert
Murtaugh, Idaho

Dear Sir:-

Referring to your proof of beneficial use of water under the above numbered permit would say that license will be issued upon receipt of the affidavit of publication from the Twin Falls Times, together with fees due this office in the sum of $8.00, being $2.00 for each legal subdivision, or fraction, irrigated.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By_____
Chief Clerk.

16943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

In the Matter of Proof of Application) of Water to Beneficial Use Under Permit No. 16943, and Protest Against Issuance of License

ORDER GRANTING LICENSE

WHEREAS, DAVID K. EGBERT, of Murtaugh, Idaho, the holder of Permit No. 16943, approved August 2, 1928, for the appropriation of 0.8 of one cubic foot per second of the waters of an unnamed stream, locally termed "Glen Coulee", regularly offered his deposition of proof of application of said water to beneficial use, accompanied by the depositions of two witnesses to like effect, on the 25th day of September, 1930, all as provided by statute; and,

WHEREAS, A field examination made by a representative of the Department of Reclamation discloses that the water sought to be appropriated by said permit has been conducted by a ditch to the lands described in said permit and thereby utilized for irrigation purposes to the extent of seventy (70) acres of land, from which it would appear that in keeping with the statutes of Idaho relating to the appropriation of water that said permit-holder, DAVID K. EGBERT, is entitled to a water license, to be issued by the Department of Reclamation; and,

WHEREAS, The MILNER LOW LIFT IRRIGATION DISTRICT did, on the 24th day of September, 1930, lodge a protest against the issuance of water license under said Permit No. 16943, alleging as grounds for its protest that the water secured and diverted by the said DAVID K. EGBERT

16943

originates upon and flows from lands of the said irrigation district and that such waters, sometimes termed, waste waters, can be made available for use of the said irrigation district in supplying irrigation water to the landowners regularly assessed for benefits and entitled to water delivery from the irrigation system owned and operated by the MILNER LOW LIFT IRRIGATION DISTRICT; and,

WHEREAS, It appears that the facts and conditions alleged by said MILNER LOW LIFT IRRIGATION DISTRICT, in its protest, are substantially true, and it being believed that the water in question is commonly understood to be and remain the property of the original appropriator so long as said appropriator may apply same to beneficial use, and there being no obligation upon the said irrigation district to cause water to waste and flow from its lands down the said Glen Coulee; and it being further believed that no right or claim to a right to receive and enjoy the use of such water will vest with the applicant for license herein, DAVID K. EGBERT, by reason of the fact that heretofore he has diverted said waste water at times when it may have been available and flowing at the point of diversion of his ditch legally described in Permit No. 16943:

NOW, THEREFORE, IT IS HEREBY ORDERED, That water license issue to the said DAVID K. EGBERT in accordance with his deposition and the facts determined by a field examination made by an engineer of the Department of Reclamation to divert and appropriate said water only if and when it may be found in said Glen Coulee and being there only by reason of the involuntary action or operations of the said MILNER LOW LIFT IRRIGATION DISTRICT in the course of ordinary and prudent management of its irrigation system.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation to be hereunto affixed, at Boise, Idaho, this 5th day of December, 1930.

Geo. N. Carter

Commissioner of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

In the Matter of Proof of Application of Water to Beneficial Use Under Permit No. 16943, and Protest Against Issuance of License

ORDER GRANTING LICENSE

WHEREAS, DAVID K. EGBERT, of Murtaugh, Idaho, the holder of Permit No. 16943, approved August 2, 1928, for the appropriation of 0.8 of one cubic foot per second of the waters of an unnamed stream, locally termed "Glen Coulee", regularly offered his deposition of proof of application of said water to beneficial use, accompanied by the depositions of two witnesses to like effect, on the 25th day of September, 1930, all as provided by statute; and,

WHEREAS, A field examination made by a representative of the Department of Reclamation discloses that the water sought to be appropriated by said permit has been conducted by a ditch to the lands described in said permit and thereby utilized for irrigation purposes to the extent of seventy (70) acres of land, from which it would appear that in keeping with the statutes of Idaho relating to the appropriation of water that said permit-holder, DAVID K. EGBERT, is entitled to a water license, to be issued by the Department of Reclamation; and,

WHEREAS, The MILNER LOW LIFT IRRIGATION DISTRICT did, on the 24th day of September, 1930, lodge a protest against the issuance of water license under said Permit No. 16943, alleging as grounds for its protest that the water secured and diverted by the said DAVID K. EGBERT

16943

originates upon and flows from lands of the said irrigation district and that such waters, sometimes termed, waste waters, can be made available for use of the said irrigation district in supplying irrigation water to the landowners regularly assessed for benefits and entitled to water delivery from the irrigation system owned and operated by the MILNER LOW LIFT IRRIGATION DISTRICT; and,

WHEREAS, It appears that the facts and conditions alleged by said MILNER LOW LIFT IRRIGATION DISTRICT, in its protest, are substantially true, and it being believed that the water in question is commonly understood to be and remain the property of the original appropriator so long as said appropriator may apply same to beneficial use, and there being no obligation upon the said irrigation district to cause water to waste and flow from its lands down the said Glen Coulee; and it being further believed that no right or claim to a right to receive and enjoy the use of such water will vest with the applicant for license herein, DAVID K. EGBERT, by reason of the fact that heretofore he has diverted said waste water at times when it may have been available and flowing at the point of diversion of his ditch legally described in Permit No. 16943:

NOW, THEREFORE, IT IS HEREBY ORDERED, That water license issue to the said DAVID K. EGBERT in accordance with his deposition and the facts determined by a field examination made by an engineer of the Department of Reclamation to divert and appropriate said water only if and when it may be found in said Glen Coulee and being there only by reason of the involuntary action or operations of the said MILNER LOW LIFT IRRIGATION DISTRICT in the course of ordinary and prudent management of its irrigation system.

16943

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation to be hereunto affixed, at Boise, Idaho, this 5th day of December, 1930.

Geo. N. Carter

Commissioner of Reclamation

Form 16.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 16943

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. David McEgbert — Farmer on Farm Mountain Idaho

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

Ans.

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

Ans. #16943 . 19th day of July 1929. July 20, 1928

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

Ans. Unnamed Creek (Cooley) about center of north line of the NE1/4 NE 1/4 Sec 16 - 11 - 21 E.M.

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

Ans. Dam across creek. Ditch 18 cubic feet per second

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 and domestic

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

Ans.

16943

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

Ans. .8 cubic foot

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

Ans. .....

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

Ans. For last Five years for irrigating and domestic use

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. .....

(Sign) David K Egbert

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 Buhl, County of Twin Falls, State of Idaho, on this 20th day of Sept, A. D. 1930.

F. M. Wadsworth

Notary Public

Buhl Idaho

My commission expires 2-6-1931

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16943

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. G J Ramman 64 Murtaugh Idaho

Ques. 2. Are you acquainted with David K Egbert, the holder of Permit No. 16943? How long have you known him and where does he reside?

Ans. 10 years — 3 miles Southeast of Murtaugh Idaho Yes

Ques. 3. Have you read or heard read said Permit No. 16943, 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. unnamed Stream & K. C. of Glenn Coulee
16-11-20- E.B.M.

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

Ans. 8/10 —

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 and Domestic

about 20 @ in NE¼ SE¼ Sec 17-11-20
" 20 " in NW¼ SW¼ " 16-11-20
" 20 " in NE¼ SE¼ " 16-11-20
" 20 " SE¼ SW¼ " 16-11-20
" 10 " SW¼ NW¼ " 16-11-20

cultivated. Dams ditches. gates ac

16943

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

Ans. ———

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

Ans. Irrigable Valsonia ash 5/8 in per acre

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

Ans. 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. within the last two years
Personal observation from 1/10 to 20 inches

(Signed) G. L. Leamon

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 Mountain Home, County of Twin Falls, State of Idaho, on this 21 day of Sept, A. D. 1930.

F. W. Wachholtz
Notary Public.

My commission expires 2-6-1931

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16943

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. W A Hall 53 years Murtaugh Idaho Ranchman Farmer

Ques. 2. Are you acquainted with David K Edson, the holder of Permit No. 16943? How long have you known him and where does he reside?

Ans. yes 10 years 2 3 mi east & South of Murtaugh Idaho

Ques. 3. Have you read or heard read said Permit No. 16943, 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. unnamed Stream or Glenn Coulee
N.E. of NW. 16-11-20 E.B.

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. 8/10

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 & Domestic
About 20 @ acres E 1/4 SE/4 Sec 17-11-20
" 20 " " N 1/2 SW 1/4 Sec 16-11-20
" 20 " " NE 1/4 SE 1/4 " 16-11-20
" 20 " " SE 1/4 SW 1/4 " 16-11-20
" 10 " " SW 1/4 NW 1/4 " 16-11-20

16943

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

Ans. ---

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

Ans. Irrigable, volcanic ash 3/4 in fee @

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. within past two years personal observation from 35 to 200 in

(Signed) W A Hall

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 Murtaugh, County of Twin Falls State of Idaho, on this 25 day of Sept, A. D. 30.

F M Wadsworth
Notary Public

My commission expires 2-6-1931

RECEIVED
SEP 27 1930
DEPARTMENT OF RECLAMATION

TO: Hon. George N. Carter,
Commissioner of Reclamation
of the State of Idaho.

The Milner Low Lift Irrigation District hereby protests against the issuance of license under water permit No. 16943 heretofore issued by the Commissioner to David K. Egbert of Murtaugh, Idaho, covering the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ $SE\frac{1}{4}$) Section 17, also some land in the West Half ($W\frac{1}{2}$) of Section 16, Township 11 South, Range 20 E.B.M.

In the published notice of proof of application of water to beneficial use, it is stated that the source of the waters are of an unnamed stream locally known as Glenn Coulee. The above described lands are situated within the boundaries of the Milner Low Lift Irrigation District and are now either being supplied with water furnished by said District, or can be supplied whenever the ownersdesires to irrigate the same. The unnamed stream described as locally known as Glenn Coulee, is a coulee running through the Milner Low Lift Irrigation District, into which small quantities of water waste from lands irrigated by water appropriated and pumped onto the lands within said District. That the waters flowing in said coulee are the waters appropriated from the Snake River by the Milner Low Lift Irrigation District and pumped into its canal system. That the District can, and does intend to make use of the waters flowing in said coulee for the purpose of irrigating the lands within the boundaries of said district. That to grant the license applied for will embarrass said district in the operation of its works and the distribution of its water supply.

That the so-called Glenn Coulee is a dry coulee and flows no water whatever excepting the water that enters therein from the system of the Milner District. That the officers of

16943

said irrigation district are informed and believe, and upon such information and belief state that the purpose of the application in securing a license is to avoid the usual maintenance and operation assessments levied by the District.

That the Milner Low Lift Irrigation District has gone to great expense in the purchase of a water right and the erection of pumps, building a canal system for the purpose of irrigating the lands embraced within its boundaries.

Dated this 24th day of September, 1930.

Henry Rees
Secretary of the Milner
Low Lift Irrigation District.

Subscribed and sworn to before me this 24th day of September, 1930.

F. M. Vaucault
Notary Public for Idaho,
Residing at ~~Twin Falls~~ Rupert, Idaho.

16943

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, September 22, 1930.

David R. Egbert
c/o Fred Waucholtz
Notary Public
Murtaugh, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16943.

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 September 23, 1930, 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 Murtaugh before Fred Waucholtz, 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,

GEO. N. CARTER
Commissioner of Reclamation.

16943

Form No. 11-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date Aug. 16, 1930

Publisher The Times,
Twin Falls, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 25, 1930, the date set for proof, the expense of the publication to be paid by the applicant, David R. Egbert of Murtaugh,

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.

Very truly yours,

GEO. E. CARTER

Commissioner of Reclamation

16943

August 18, 1930

Re: Permit No. 16943

Mr. David A. Egbert
Hartaugh, Idaho

Dear Sir:

Your application for amendment to the above numbered permit has been approved and recorded in this office, and the same is herewith returned to you, together with one copy of the map, for your own file. You will note that the description of the lands has been corrected to correspond with your map.

Notice for publication of your proof will be mailed to the Idaho Times at Twin Falls in time for the required four weeks' publication prior to September 25.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/co
Encl.

16943

August 9, 1930.

Re: Permit No. 16943.

Mr. David K. Egbert
Murtaugh, Idaho

Dear Sir:

We are enclosing herewith a blank form for your amendment to permit. We regret that this blank was over looked in our former letter.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

co
Encl.

16943

Re Permit # 16943

Burley Idaho

Aug 7th 1930

C Brown Chief Clerk
Com Rec.

Dr Sir

In your letter of July 25th/30 you say you are enclosing blank for amendment to permit, to include lands in Sec 16-11-20 - You probably forgot to enclose same, as it did not show up I also called at Twin Falls Times office And Notary Public. And they neither had received papers in regard to proof but they may have them by now

Respt
David Keyhart

16943

RECEIVED
AUG 9 1990
DEPARTMENT OF RECLAMATION

Form 28

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16943

This proof is for Beneficial Use In Water District No.

1. Name of applicant: David K. Egbert
2. Source of water supply: Unnamed Stream, locally known as Glen coulee
3. Location of point of diversion: Is in the NE¼NW¼ of Section 16
   T. 11 S. R. 20 E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: Small dam diverts entire stream into ditch which is 4 ft wide & 1.5 ft deep.
   Stream flow 5. Sec. Ft. at time of inspection
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE¼SE¼ of Sec. 17 and some in W½ of Sec. 16, T. 11 S., R. 20 E., 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? Murtaugh Lake

Remarks: This water is wasted from irrigated lands above which are included within the Milner Low Lift Irrigation District, as is also the land to which it is applied

Note: 1930 Costs: Maintenance $10.00 Fixed Charges $10.00 Total $20.00 Per Acre

This examination was made on the 30th day of July 1930

(Signed) Fred T. Dolman
Examiner.

16943

David K. Egbert

Murtaugh

Permit No. 16943

Examination for BEN. USE

County TWIN FALLS

INSTRUCTIONS TO EXAMINERS

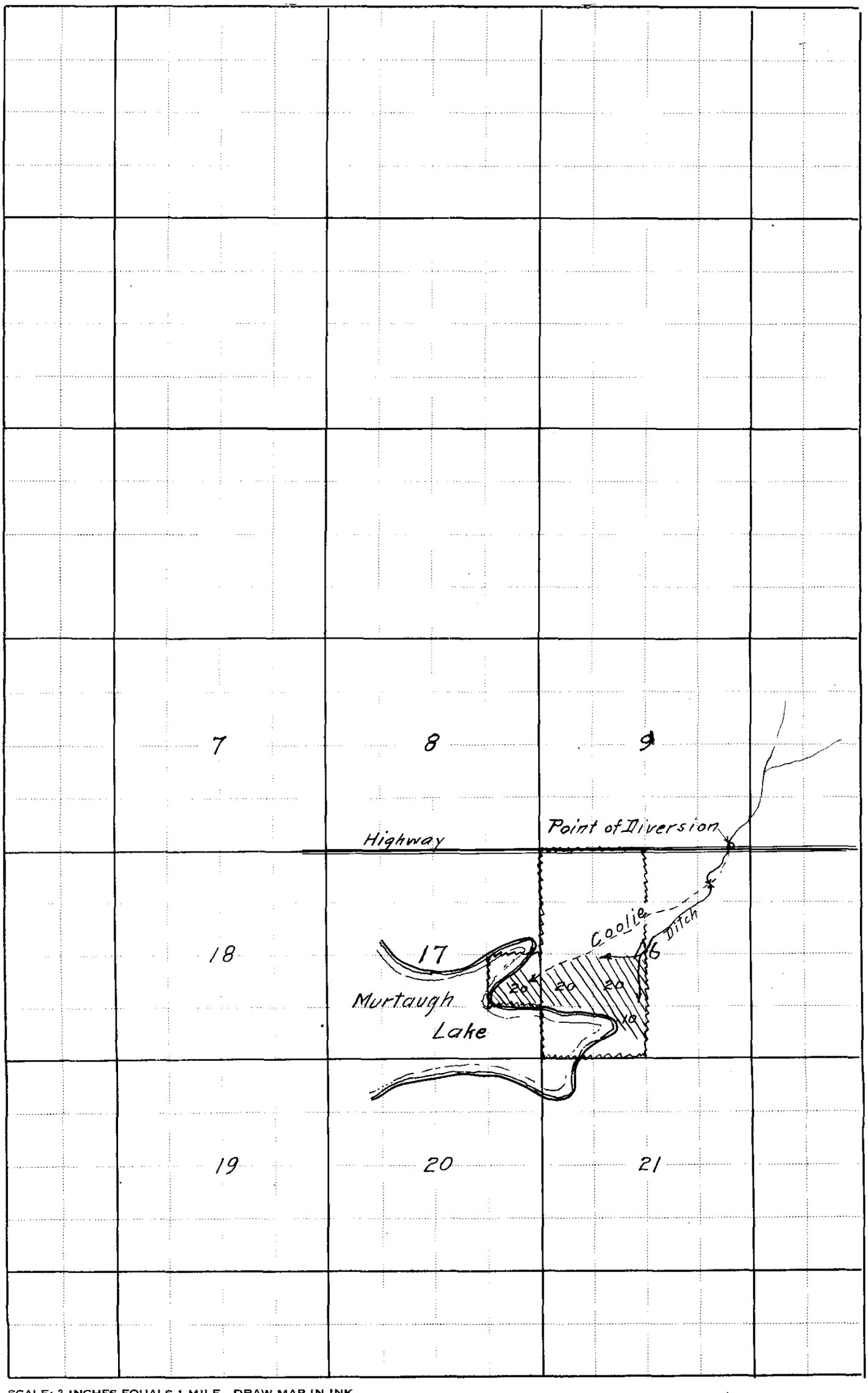
1. Always carefully note the location of the point of diversion, and accurately plat same.

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.



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

16943

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

July 25, 1930.

Re: Permit No. 16943.

Mr. David K. Egbert
Murtaugh, Idaho

Dear Sir:-

We are just in receipt of your notices for proof of beneficial use of water under the above permit. A copy will be mailed to the Twin Falls Times for the required four weeks publication prior to September 25th, the date set for proof, and deposition blanks for holder and two witnesses will be mailed to the notary public at Murtaugh.

In order to include the lands in the west half of section 16, it will be necessary for you to file and application for amendment of the permit, blank for which is enclosed. You should also file a map showing the exact location of all the lands to be irrigated.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By_____
Chief Clerk.

16943

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 22" 1930

(P. O.) Burtaugh 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 Idaho Evening Times of Twin Falls, published in the county in which the works are situated.

David K. Egbert

(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.

16943

RECEIVED
JUL 25 1990
DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 8 O'clock a.m. on the 25th day of September, 19 30, at Murtaugh, County of Twin Falls, State of Idaho, before Fred Wauchholtz, notary public, , proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the waters of an unnamed stream, locally known as Glen Coulee, in accordance with the terms and conditions of Permit No. 16943 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 David K. Egbert, Murtaugh, Idaho

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

The amount applied to beneficial use is 0.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE¼SE¼ of Sec. 17, also some in W½ of Sec. 16, T. 11 S., R. 20 E., 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 right to take water from such works is based upon Permit No. 16943.

The source of supply from which such water is diverted is an unnamed stream.

The date of the priority which said user is prepared to establish is Sept. 12, 1928.

Geo. N. Carter

Commissioner of Reclamation.

16943

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 8 a. m. on the 25 day of Sept, 1930, at Burleigh, County of Twin Falls, State of Idaho, before Fred Bauchholtz Notary Public, proof will be submitted of the application to beneficial use of .8 cubic feet per second of the waters of Unnamed Stream in accordance with the terms and conditions of Permit No. 16943 heretofore issued by the Com. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are David K. Egbert Burleigh Idaho

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

The amount applied to beneficial use is .8 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NE 1/4 SE 1/4 Sec 17, Twp. 11 S. R. 20 E. B'm also some in west 1/2 Sec 16 - Twp 8. 11 - 8. 20 E. B'm

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

The right to take water from such works is based upon Permit No. 16942.

The source of supply from which such water is diverted is Glen Coulee

The date of the priority which said user is prepared to establish is ~~June 1922~~ Oct. 12 - 1928

Commissioner of Reclamation.

NE NW - 16 - 11 - 20 E

Twin Falls Co

full acreage in Sec. 16 -

C - July 30 - 1928

Bu - aug 2 - 1930

Sept 2 - 1930 - 1 mo

25 = 23 das

RECEIVED
JUL 25 1930
DEPARTMENT OF RECLAMATION

Commissioner of Reclamation.

July 30 - 1928 + 1 mo =

Aug 30 - 1928 + 23 das

Sept 12 - 1928

Form 10

NOTICE FOR PUBLICATION.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ..... a. m. on the ..... day of ..... 19..., at ..... County of ..... State of Idaho, proof will be submitted ..... cubic feet per second of the application of beneficial use of ..... in accordance with the terms and conditions of ..... Permit No. ..... heretofore issued by the ..... of the State of Idaho.

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

The use of which said water has been adapted is .....

The amount applied to beneficial use is .....

The place where said water is used (If for irrigation, give full and accurate description of the lands irrigated) .....

.....

.....

.....

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

is .....

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

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

at a point .....

The said application to the priority upon which said use is based is dated .....

Twin Falls
Idaho
July 22 1/20

Geo. N. Carter
Com' Reclamation
Boise

Dr Sir

Am sending you herewith notices of Proof of application of water to beneficial use And hope they are satisfactory Ed Ct.

Respy
David K. Egbert

16943

RECEIVED
JUL 25 1939
DEPARTMENT OF RECLAMATION

Form No. 9

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

May 12, 1930

David K. Egbert
Murtaugh, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16943, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is August 2, 1930, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

16943

July 19, 1929

Re: Permit No. 16943

Mr. David K. Egbert
Murtaugh, Idaho

Dear Sir:

We are mailing you herewith Certificate of Completion of Works issued under your above numbered permit, together with receipt for fees paid.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation

By
Chief Clerk

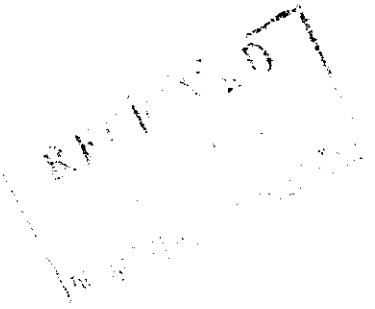
Encl.

16943

Permit 16943

Twin Falls
Idaho
July 15th 29

Geo. H. Carter com'r Reclamation
Service
Within finds $5.00 fee in my
proof of completion of works
under permit 16943 ad in favor
of Eng 13. Yours Truly
Reclamation
David Siegbert



16943

July 15, 1929

Re: Permit No. 16943

MR. DAVID K. EGBERT
Murtaugh, Idaho

Dear Sir:

We are in receipt of your affidavit in the matter of proof of completion of works under Permit No. 16943. This affidavit is in satisfactory form and upon receipt of statutory fee in the amount of $5.00, a certificate of completion of works will be issued to you.

For information regarding final proof on your Desert entry, you should address the United States Land Office, at Blackfoot, Idaho.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By
Chief Clerk.

16943

Form 6

Permit No.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO }
County of Twin Falls } ss

David K. Egbert, 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. 16943, and that his postoffice address is Murtaugh State of Idaho

Second: That the name of the stream from which said water is to be diverted is the Briggs - Pearis Coulee - An unnamed stream

Third: That the point of diversion of said water is at the crossing of State Highway where said coulee crosses highway mts N&E¼ NW¼ Sec 16 - 11 - 20 E B M

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug 2" , 1929.

Fifth: That the use for which said water is intended is to irrigate the N½ E¼ NE¼ SE¼ Sec 17-11-20 and other lands adjoining

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

I. Kind of works: ditch & dam
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: dam 2 ft high

(a) Height of dam 2 feet, length of dam at top 10 feet, length of dam at bottom 15 feet. Material used in construction earth
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir ~ ~ ~ acre feet.

(c) Size of headgate: Width ~~none~~ feet, height ~ feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 2-6
(State whether ditch, flume or pipe.)
feet, depth of water 1½ feet; diameter of pipe ~ inches, average grade per mile is about 2 feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.8 second feet of water.

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows: N½ E¼ SE¼ Sec 17 - 11 - 20 E B M also some in W½ Sec 16 - 11 - 20

Ninth: Remarks: That

David K. Egbert
(Sign here)

Subscribed and sworn to before me this 1 day of July, 1929

F. W. Woodcock
Notary Public.

My commission expires 2-6-1931

16943

RECEIVED
JUL 12 1929
DEPARTMENT OF RECLAMATION

Geo. N. Carter com'r

Please send me the infor ration in regard to last proof on my desert entry ~~#04885~~ I am sending under seperate cover proof of completion of works. Permit #16943 as per yours of May 5th/29

Respt
David V. Egbert

Murtaugh Idaho
July 5th/29

16943

Form No. 5

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

David K. Egbert
Murtaugh, Idaho

Boise, Idaho,
May 5, 1929

Dear Sir:—

Under the terms of your permit No. 16943 you are required to complete your diversion works on or before Aug. 2, 1929. 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,

GEO. N. CARTER

Commissioner of Reclamation.

16943

Form No. 18

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16943

David H. Egbert
Murtaugh, Idaho

August 3, 1928
Boise, Idaho,

Dear Sir:

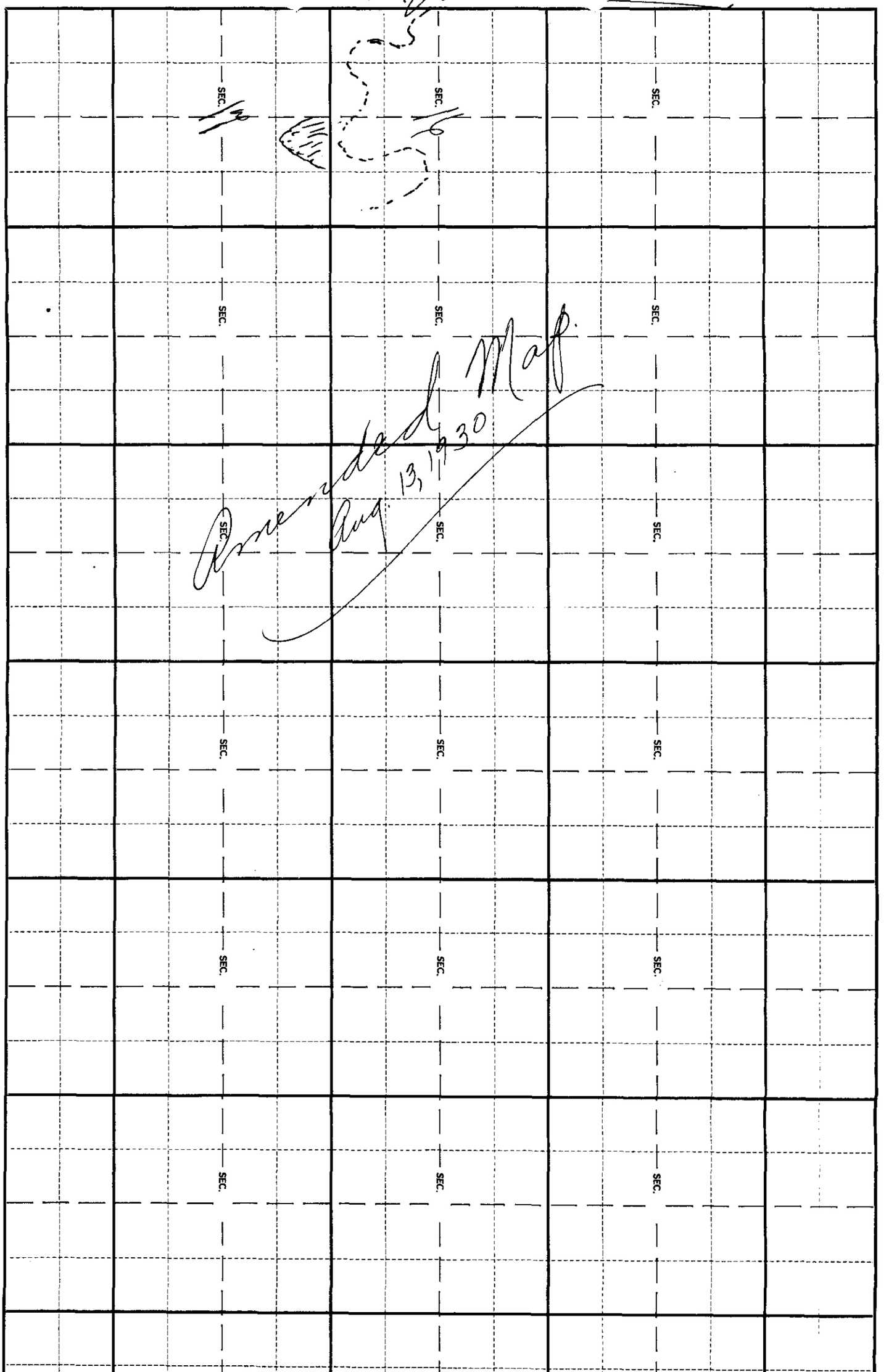
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

GEO. H. CARTER
Commissioner of Reclamation.

16943

NAME OF APPLICANT David Eggleston — 16943.

FORM NO. 0



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

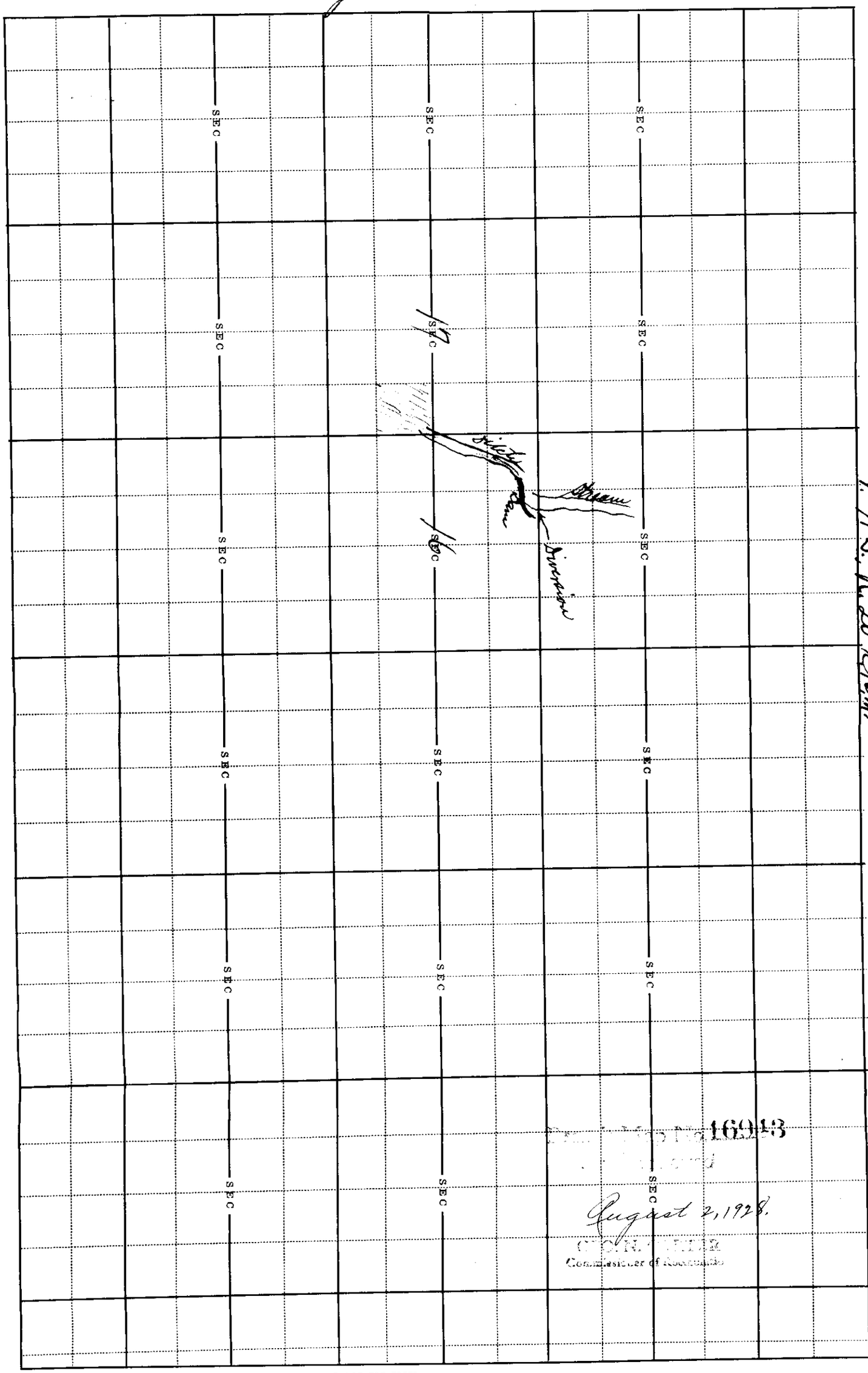
16943

SYMS-YORK CO., BOISE 108888

RECEIVED
AUG 13 1930
DEPARTMENT OF RECLAMATION

NAME OF APPLICANT David V. Eglert

Form No. 0



16943

August 2, 1928.

Commissioner of Reclamation

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

16943

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO

July 27,1928.

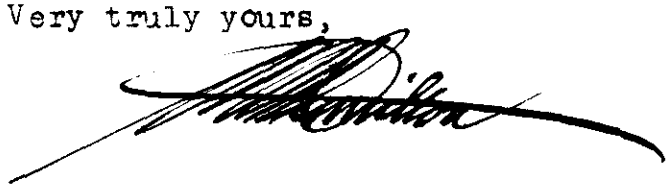
Hon. George N. Carter,
Comm'r of Reclamation,
Boise, Idaho.

Dear Mr Carter:-

Herewith application of David K. Egbert to appropriate .8 cubic second feet of water for use on a desert land entry. If the application is complete please return to Mr Egbert as soon as can be done conveniently; if any correction seems necessary,please return to me for same.

Find $1.00 currency in payment of fee.

Very truly yours,



16943