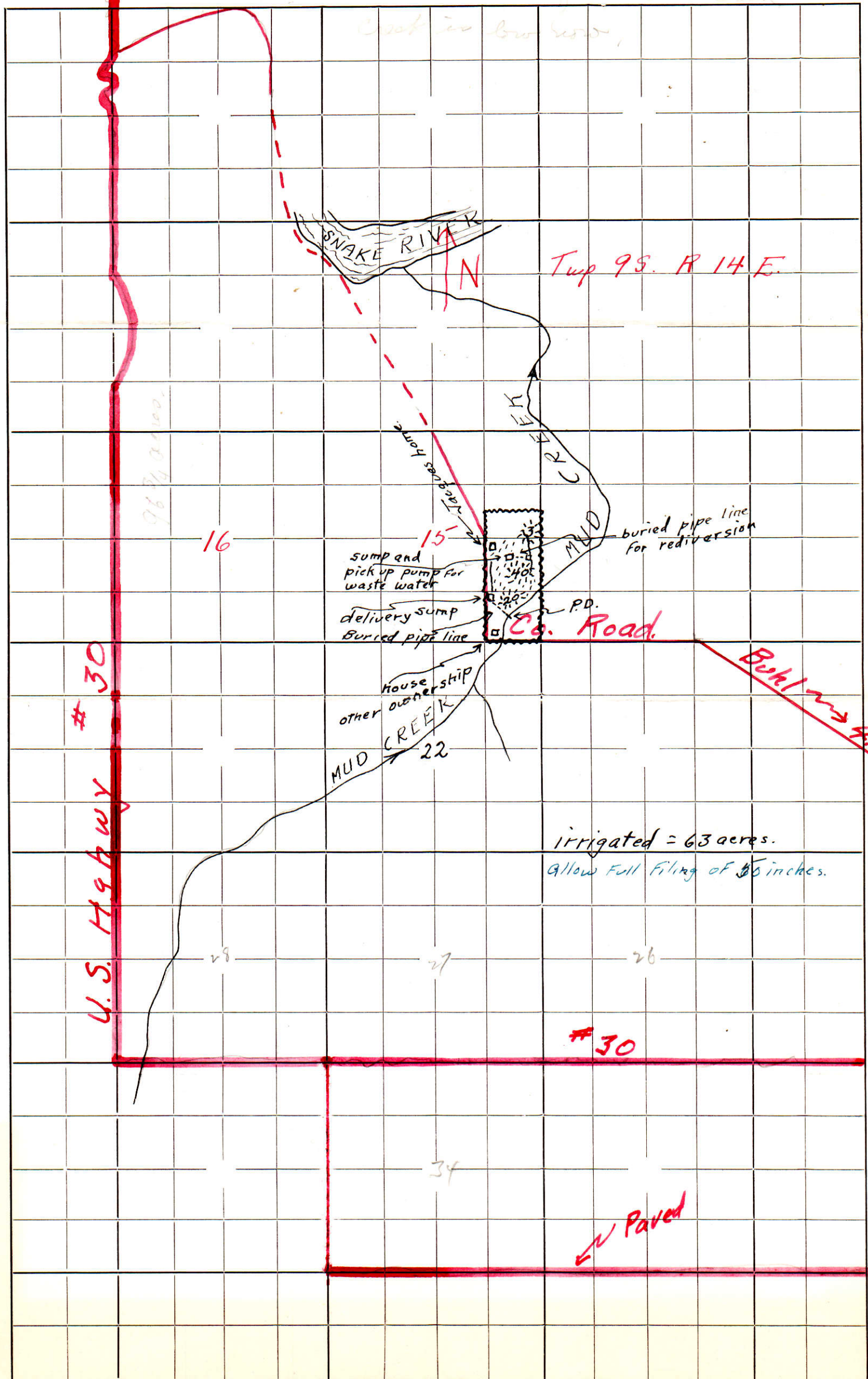


1000 to 1500" of Water in Creek
Creek in low flow,



AFFIDAVIT of PUBLICATION

Notice for Publication
**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL
USE**

Notice is hereby given that at 11:00 A.M. on the 15th day of February, 1951, at Buhl, County of Twin Falls, State of Idaho, before Jess O. Eastman, a Notary Public, proof will be submitted of the application to beneficial use of ONE cubic foot per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 21790 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred Jacques, RFD No. 3, Buhl, Idaho.

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

The amount applied to beneficial use is One Second Foot.

The place where said water is used, The East Half of the Southeast Quarter (E½-SE¼) and Seventeen (17) acres in the South Half of the Southeast Quarter of the Northeast Quarter (S½-SE¼-NE¼) of Section Fifteen (15), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian containing Ninety-seven (97) acres of land, more or less.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Fred Jacques ditch and pipe line.

The right to take water from such works is based upon Permit No. 21790.

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

The date of priority which said user is prepared to establish is 4:20 p. m. Nov. 17, 1950.

21790 MARK R. KULP
State Reclamation Engineer.
(50t4)

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 18th day of January, 1951, and the last publication having been made on the 8th day of February, 1951, that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

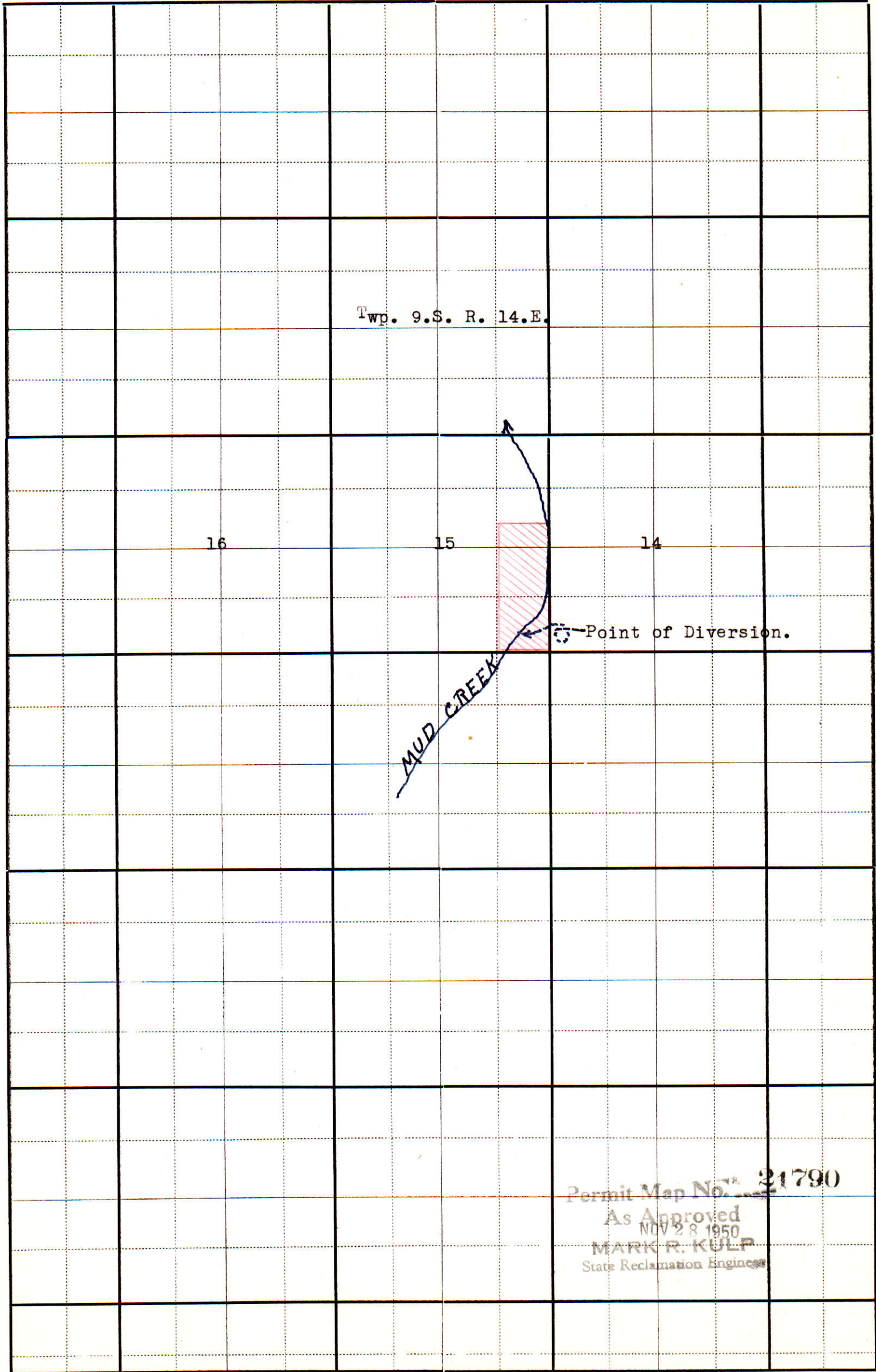
That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey
Subscribed and sworn to before me this

8 day of Feb, 1951

W. L. ...
Notary Public.

21790



Permit Map No. 21790
As Approved
NOV 28 1950
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 21790 Amount One second foot
Water District No. Priority November 17, 1950

THIS IS TO CERTIFY that FRED JACQUES
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 17, 1950; that Permit No. 21790
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
One second foot, was issued thereunder on January 6, 1951, showing that said works
were completed on the 2nd day of January, 1951; and that on the 15th
day of February, 1951,
Fred Jacques
of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Mud Creek
, a tributary of Snake River, for the purpose of irrigation and domestic use
, under Use Permit No. 21790 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5172, on the 29th day of October, 1953;
The right hereby confirmed dates from November 17, 1950;
The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 15, Tp. 9 S., R. 14 E., B. MTwin 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 One cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	15	S 1/2 SE 1/4 NE 1/4	17	3
			NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	20
			Number of Acres Actually Irrigated -		63

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
29th day of October, 1953.

(SEAL)

E. N. HUMPHREY
Deputy State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 21336

Amount 2.74 second feet

Water District No.

Priority January 18, 1950

THIS IS TO CERTIFY that ANDREW D. LITTLE
of Howe, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 18, 1950; that Permit No. 21336
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
three second feet, was issued thereunder on January 22, 1951, showing that said works
were completed on the 12th day of January, 1951; and that on the 27th
day of February, 1953,

ANDREW D. LITTLE

of Howe, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, ~~subterranean~~ (subterranean flow), for the purpose of irrigation
, under Use Permit No. 21336 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5171, on the 29th day of October, 1953;

The right hereby confirmed dates from January 18, 1950;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 32, Tp. 6 N., R. 29 E., B. M. Butte 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 2.74 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	29 E.	30	SE 1/4 SW 1/4	30	--
			S 1/2 SE 1/4	80	--
			N 1/2 NE 1/4	75	--
		31	NE 1/4 NW 1/4	30	--
			SW 1/4 NE 1/4	40	40
			NW 1/4 NW 1/4	35	25
		32	SE 1/4 NW 1/4	40	35
			NE 1/4 SW 1/4	25	--
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	20
			SW 1/4 SE 1/4	30	--
			SE 1/4 SE 1/4	35	15
5 N.	29 E.	4	NE 1/4 NW 1/4	35	--
			NW 1/4 NW 1/4	23	3
		5	NE 1/4 NE 1/4	27	--
			Number of Acres Actually Irrigated	-	178

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

29th day of October, 1953.

E. N. HUMPHREY

Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29510
 PERMIT No. 21790
 DISTRICT No.

1. Name of Applicant: **FRED JACQUES**

Postoffice address: **Route 3, Buhl**

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **50 inches or one**

cubic feet per second.

3. Source of water supply: **Mud Creek**

which is a tributary of **Snake River**

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$**

of Section **15** , T. **9 S.** , R. **14 E.** , B. M., County of **Twin Falls**

5. Water is to be used for **Irrigation and domestic purposes**

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

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

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

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

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

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

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

7. Estimated cost of works: \$ **1,500.00**

8. Kind of works: **Pump and pipe line**

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

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit **100 ft. 8" steel and 600 ft. 10" concrete** miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is **No** additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **47 shares in Twin Falls Canal Co.**

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

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

FRED JACQUES

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 4:20 P. M. November 17, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21790

Recorded in Book 78

Page 21790

Approved November 28, 1950

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before	Completed
----------------------------	-----------

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

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

The whole of said work to be completed on or before **February 28, 1951**

Beneficial use of water appropriated in accordance herewith, to be made on or before **February 28, 1951**

WITNESS My hand this 28th day of November, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th

day of November, 19 50.

STATE OF IDAHO

Countersigned:

(SEAL)

J. D. "CY" PRICE

By _____

C. A. ROBINS

Governor.

Secretary of State.

REMARKS: This filing is supplemental to the existing water right.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9 S.	14 E.	15	17												40 40				97
			Permit No. 21790 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that FRED JACQUES of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 21790, issued upon Application No. 29510 bearing date of priority of November 17, 1950, authorizing the diversion of one second foot of the waters of Mud Creek, a tributary of Snake River, 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 one second foot of the waters of Mud Creek; that the point of diversion of said waters is in the SE1/4 SE1/4 Section 15, Township 9 South, Range 14 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE1/4 NE1/4, E1/2 SE1/4 Section 15, Township 9 South, Range 14 East, B.M. Witness my hand this 6th day of January, A. D. 1951. Proof of Completion of Works made January 2, 1951. Certificate of Completion of Works issued January 6, 1951. LICENSE ISSUED FOR 1 SEC. FT. <i>pgl. 5172</i>																
			MARK R. KULP State Reclamation Engineer																

✓
October 30, 1953

RE: Permit No. 21790

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

We enclose License and Certificate of Water Right issued under Permit No. 21790, confirming the right of Fred Jacques to the use of 1 second foot of water from Mud Creek with priority of November 17, 1950; point of diversion being located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 9 South, Range 14 East, B.M., for irrigation and domestic use on 63 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 15.

We also enclose departmental receipt No. 26270 for the \$6.00 fee paid in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21790

✓
October 7, 1953

RE: Permit No. 21790

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

Reference is made to your letter of October 6, 1953, in regard to Permit No. 21790 in the name of Fred Jacques.

The records in this department show that proof of beneficial use on this permit was sent in by you on March 5, 1951, and on April 2, 1951, we wrote Mr. Jacques that the report of our field engineer showed that he had irrigated 63 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 9 South, Range 14 East, B.M., and that upon receipt of the statutory fee of \$6.00 a license would be issued for 1 second foot of water from Mud Creek.

This license fee has never been paid and for that reason a license has not been issued. However, license can be issued now upon receipt of the \$6.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21790

JESS O. EASTMAN
BUHL, IDAHO

October 6, 1953

RECEIVED
OCT 7 1953
Department of Reclamation

Mrs. Jeanne Anderson,
Department of Reclamation
Boise, Idaho

Permit No. 21790
Fred Jacques

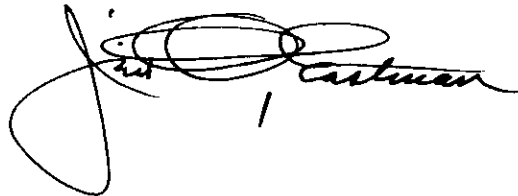
Dear Mrs. Anderson:

Almost three years ago I assisted in making out the papers in connection with the filing on waters of Mud Creek for Fred Jacques under Permit No. 21790.

I have recently sold the place for Mr. Jacques and when I requested him to bring in his water license, he brought the permit and proof of completion of works but no license.

Will you kindly look up this filing and see if it was ever completed and the license issued. If not issued please advise me what is necessary to complete this filing.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Jess O. Eastman". The signature is written in dark ink and is somewhat stylized, with loops and flourishes.

21790

April 2, 1951

Re: Permit No. 21790

Mr. Fred Jacques
Route 3
Buhl, Idaho

Dear Mr. Jacques:

We now have on file the report of our Field Engineer on examination for beneficial use under Permit No. 21790, which shows that you have irrigated 63 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 9 South, Range 14 East, B.M.

Therefore, upon receipt of the statutory fee of \$6.00, being at the rate of \$2.00 for each 40 acre tract in which the land is located, a License will be issued for one (1) cubic foot per second of water from Mud Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21790

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

Permit No. 21790This proof is for Beneficial use In Water District No. _____

1. Name of applicant Fred Jacques, Route 3, Buhl, Idaho
2. Source of water supply: Mud Creek Tributary of Snake River
3. Location of point of diversion: Is in the SE¹ SE¹ of Section 15
T. 9 S. R. 14 E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same Water is pumped from Mud Creek to high point on farm and delivered thru open ditches. Lift 35'. Pump and motor is mounted on a concrete crib on west bank, size 4'x 62" by 32" high. No roof yet. Pump and motor are mounted horizontal. Intake is a six inch pipe extending down into the creek. Delivery to the west into 8"x 180' steel pipe, then concrete pipe 10"x 520'. Motor is Wagner Electric Corp'n 15 h.p. 3 ph. 60 cycle, 220 v. 39 amps, 1750 r.p.m. #E7D6707.
height of wall above platform
There is also a pick-up pump toward the middle of the field that pumps from the low spot back up onto the high ground to the east. Westinghouse motor
5. Water is used for: Irrigation and domestic purposes. 5 h.p. single phase
6. State whether or not water has been turned into works of diversion: _____

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

E¹ SE¹ and S¹ SE¹ NE¹ Section 15, Township 9 South, Range 14 East, B. M.

40-40

17

Approximately 63 acres of land use this water. It supplements Twin Falls water.

See map.

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

8. What large stream would the water here appropriated finally reach? mounted integral with a Fairbanks Morse pump 4", pick-up pipe is 6", transmission pipe is 8"x 350'
Remarks: Lift is 12'. Sump is concrete, approx. 3'x 5' x 18" deep. It delivers 60" of water at the discharge. This is also horizontal outfit. There is no pump house. Motor is covered with canvass for storage. The pump lifting out of Mud Creek is a Deming 5'.

Low season for Mud Creek and there is approx. 1000 to 1500' of water.

This examination was made on the 28 day of March, 19 37

(Signed) E. M. Humphrey Examiner.

21790

Wagner Electric Corp
Motor 15hp 3ph. 60cy.
220V 39amps 1750rpm-
#E 706707

Flowing 5"
6" intake 5" discharge
lift = 35'
discharge to W. into 8" x 180'
Concrete pipe 520' x 10" to
sump.
Guaranteed to deliver 110"
Owner est. 80"

Picks up water out of stream

Whole outfit mtd in
concrete crib on west bank
of stream.

Size 4' x 62" x 32" deep
open on west.

Westinghouse meter
A. B. & General switches
& controls

INSTRUCTIONS TO EXAMINERS

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

Fred Jacques,
Rt. 3, Buhl, Idaho
Permit No. 21790

Examination for Beneficial use

County Twin Falls

S15
95-14E.

Q = 1 cfs.

S = Mud Cr

P. D. = SE SE-S15-95-14E

for 97a.

for irrig. & dom.

RECEIVED
MAR 31 1951

Department of Reclamation

Part in North
& Snake R.

5hp. 1ph. Westinghouse

Fairbank Mre 4" pump.

6" intake & 8" delivery

8' x 350' x 12' lift

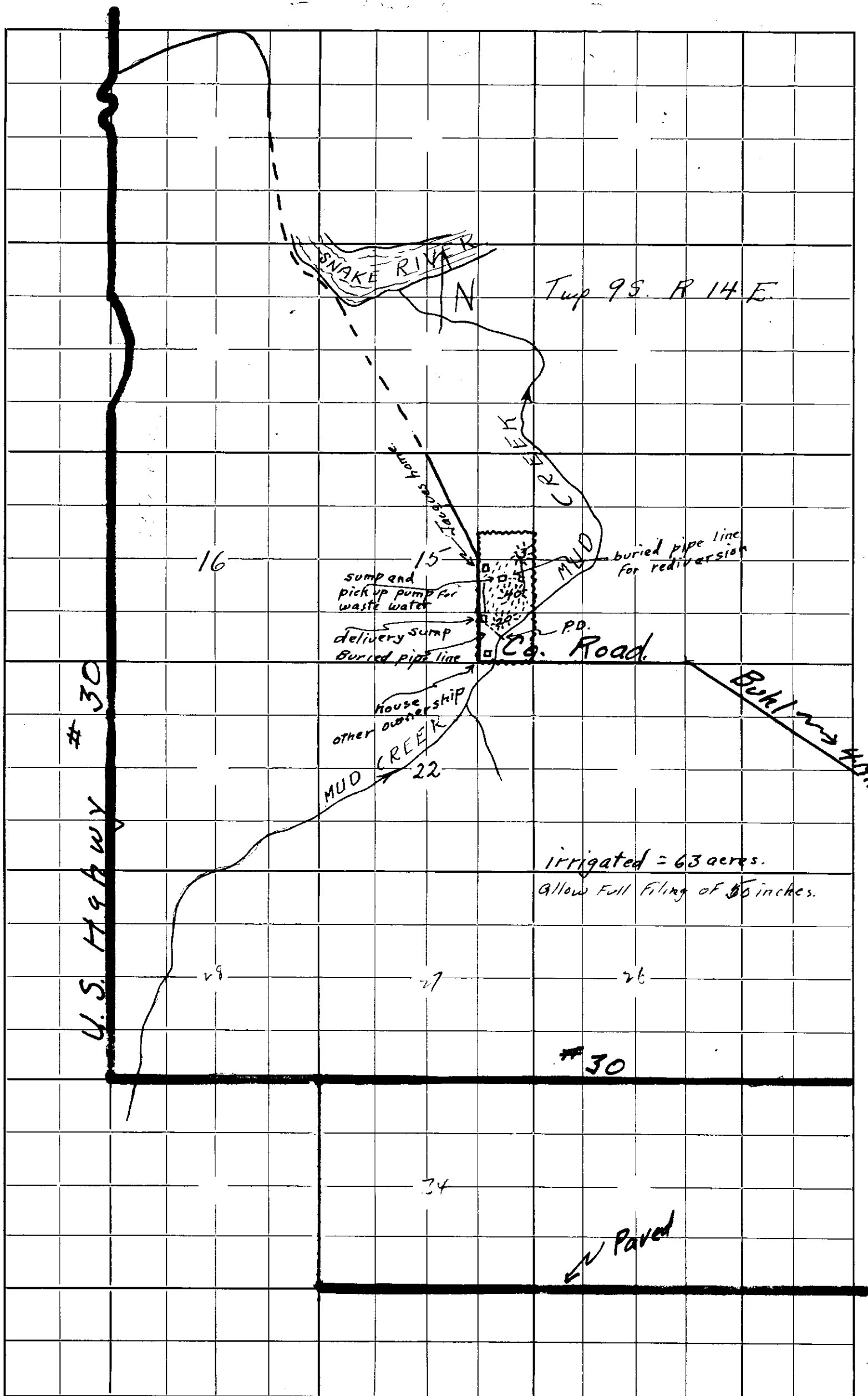
Concrete sump. 18" deep
3' x 5' 6" thick

Throws 60" water on hill

Westhouse meter
#1203176

Cutter Hammer Switch

G. F. Control



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

21790

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21790

REPORT ON PROOF OF Beneficial use

Fred Jacques, Buhl, Idaho

1 eff.
max

app. 1 c. 3/2.

max
3 1/2

March 8, 1951

Re: Permit No. 21790

Mr. Jess O. Eastman
Buhl, Idaho

Dear Mr. Eastman:

We acknowledge receipt of your letter of March 5th, containing your complete file in the above numbered permit, including depositions of Fred Jacques and two witnesses, also affidavit of publication in the Buhl Herald, all in proof of beneficial use.

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

We cannot say when this examination will be made, but our field engineer will try to contact Mr. Jacques at the time he makes the examination, so that he may arrange to show him over the grounds.

Meanwhile, we return Permit No. 21790, the Certificate of Completion of Works issued thereunder, and other papers which were enclosed in your letter, as no doubt Mr. Jacques will wish to keep them in his own file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encls.

21790

JESS O. EASTMAN

BUHL, IDAHO

March 5, 1951

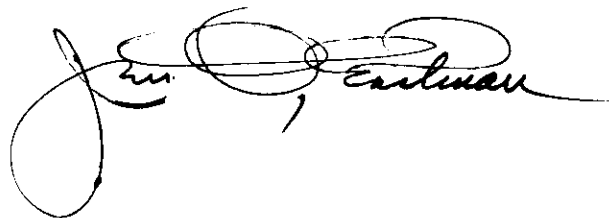
RECEIVED
MAR 7 1951
Department of Reclamation

Department of Reclamation,
Boise, Idaho

Gentlemen:

I am herewith enclosing a lot of papers in connection with the Final Proof in the Fred Jacques filing. In fact I have just emptied my file. Please send back what you do not need.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Jess O. Eastman". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

21790

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

ss.

Notice for Publication NOTICE OF PROPOSED APPLICATION OF WATER TO BENEFICIAL USE

Notarially sworn given that at 11:00 A.M. on the 15th day of February, 1951, at Buhl, County of Twin Falls, State of Idaho, before John O. Baileys, a Notary Public, present will be submitted of the application to beneficial use of ONE cubic foot per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 21790 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: Fred Jacques, 21790 No. 1, Buhl, Idaho. The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is One Second Foot.

The place where said water is used, The East Half of the Southeast Quarter (E1/2 SE1/4) and Southeast (1/2) acres in the South Half of the Northwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section Four (1/2), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian containing thirty-seven (37) acres or less, more or less.

The name of the canal or ditch or other works by which said water is conducted to said place of use is Fred Jacques ditch and pipe line.

The right to take water from such works is based upon Permit No. 21790.

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

The date of priority which said user is prepared to establish is 4:20 P.M. Nov. 17, 1900.

21790 MARK R. KEMP
State Reclamation Engineer.
(5409)

I, Robert E. Bailey, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive

weeks, the first publication having been made on the 13th day of January, 1951,

and the last publication having been made on the 8th day of February, 1951;

that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in Buhl, Twin Falls County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this

day of Feb, 1951.

Notary Public.

21790

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21790

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Fred Jacques, Occupation farmer, R F D # 3 Buhl, Idaho

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

Ans.

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

Ans. Permit # 21790 dated November 17, 1950 4:20 P. M.

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

Ans. Water supply comes from Mud Creek Point of diversion is a short distance Southeast of the center of the SE 1/4 SE 1/4 15-9-15 14/

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Pump and pipeline Pipeline consists of 100 ft. of 8 in. steel and 600 feet of 10 inch concrete tile

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. Water is used for irrigation and domestic purposes and is used on land owned by applicant for years being the E 1/2 SE 1/4 15-9-15 (15-9-14) Land is cultivated

21790

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

Ans.

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

Ans. 50 inches or one second 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. The water used under this permit has been used and applied to the land for several years before this filing was made

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. I have a right in the Twin Falls Canal Company for a part of my land

(Sign) *Fred Jacques* —

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 15th. day of February, A. D. 19 51,

My commission expires 2-4-53

John D. Eastman

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21790

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. J. B. Boyd Farmer R F D # 3 Buhl, Idaho

Ques. 2. Are you acquainted with Fred Jacques, the holder of Permit No. 21790 Yes? How long have you known him and where does he reside?

Ans. About a mile Northwest of my place - Have known him for over 25 years

Ques. 3. Have you read or heard read said Permit No. 21790 Yes, and are you familiar with its provisions and conditions?

Ans. Yes I know all about the filing and permit

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. Source of supply is Mud Creek

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. One second foot The pump and pipe line are of sufficient size to deliver more than one second foot - I have seen at least 50 inches running thru the system

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 50 inches of one second foot - I have irrigated for more than 30 years and know the amount of water in a ditch to a reasonable degree of accuracy

21790

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic use on the E¹-SE¹ 15-9-14

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land has all been reclaimed and farmed and has raised crops on the land. The soil is of a sandy nature and needs one inch per acre which is the amount of water allotted.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No - I have no interest in the premises

Ques. 11. 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. My wife and I visit back and forth with the Jacques and I have been on the Jacques place many times when the crops were growing and the irrigation water running.

(Signed) J. B. Boyd

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 Buhl, County of Twin Falls, State of Idaho, on this 15th day of February, A. D. 1951.

John D. Fentiman
Notary Public.

My commission expires 2-4-52

21790

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21790

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. A. L. Eaton Age 62 R. F. D. # 3 Buhl, Idaho Occupation farmer

Ques. 2. Are you acquainted with Fred Jacques, the holder of Permit No. 21790? How long have you known him and where does he reside?

Ans. Have Known applicant more than 18 years - He resides about a mile West of my place

Ques. 3. Have you read or heard read said Permit No. 21790, and are you familiar with its provisions and conditions?

Ans. Yes I am familiar with the permit etc.

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. Mud Creek is source of supply Set-Set-15-9-14 Pump and pipe installed and water pumped from Mud Creek by Electric Motor

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. One second foot - pump- pipe and ditch are sufficient to deliver more than one second foot - Have seen at least this much running thru system

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 50 inches of water or one second foot

21790

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic use on the E¹-SE⁴-15-9-14

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land has all been reclaimed and irrigated and a crop growing on same

On account of the sandy nature of the soil the land requires about the amount of 1 inch per acre allotted.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the premises

Ques. 11. 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. I visit back and forth and have seen the crops growing and the water applied to the land

(Signed) _____

A. L. Elston

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 _____ Buhl, _____, County of Twin Falls, State of Idaho, on this 15th day of February, A. D. 19 51.

Notary Public.

My commission expires 2-4-53

21790

JESS O. EASTMAN
BUHL, IDAHO

March 1, 1951

Re: Permit No. 21790

RECEIVED
MAR 2 1951
Department of Reclamation

Department of Reclamation,
State of Idaho,
Boise, Idaho

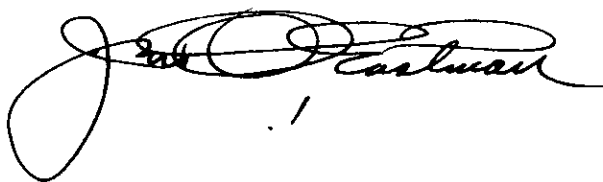
Gentlemen:

I acknowledge receipt of your letter of the
28th. ultimo in reference to the proof of Frad Jacques.

Proof was made on February 15th. as provided.
I have been waiting for Mr. Jacques to bring in the
Affidavit of Publication from the Buhl Herald so that I
might send all the papers in to your office.

I will get in touch with Mr. Jacques as soon as
possible and get the affidavit and send it all the papers.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Jess O. Eastman". The signature is written in dark ink and is positioned below the typed name "Eastman".

21790

February 28, 1951

Re: Permit No. 21790

Mr. Jess O. Eastman
Buhl, Idaho

Dear Mr. Eastman:

Our records show that Beneficial Use Proof on Permit No. 21790 in the name of Fred Jacques was to be made before you on February 15, 1951.

To date, we have not received these proofs and are writing you to inquire if the proofs were made. If so, they should be transmitted promptly to this Department, together with Affidavit of Publication in the Buhl Herald.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh

21790

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, February 5, 1951

Re: Permit No. 21790
Fred Jacques

Mr. Jess O. Eastman

Buhl, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 21790

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 February 15, 1951, 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 Buhl, Idaho before Jess O. Eastman, Notary Public,

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

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

Yours truly.

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

21790

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21790

Date: January 10, 1951

Buhl Herald

Buhl, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **February 15, 1951** the date set for proof, the expense of the publication to be paid by the applicant, **Fred Jacques** of **Route 3, Buhl, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

21790

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

Notice is hereby given that at 11:00 A. M. on the 15th. day of February, 19 51,
at Buhl, County of Twin Falls, State of Idaho, before
Jess O. Eastman, a Notary Public, proof will be submitted of the
application to beneficial use of ONE cubic feet per second of the waters of
Mud Creek in accordance with the terms and conditions of Permit No. 21790
heretofore issued by the Department of Reclamation of the State of Idaho.

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

Fred Jacques R F D # 3 Buhl, Idaho

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

The amount applied to beneficial use is One Second Foot

The place where said water is used (if for irrigation, give full and accurate description of the
~~land irrigated~~ The East Half of the Southeast Quarter (E₂-SE₂) and Seventeen (17)
acres in the South Half of the Southeast Quarter of the Northeast Quarter (S₂-SE₂-NE₂)
of Section Fifteen (15), Township Nine (9) South, Range Fourteen (14) East of the
Boise Meridian containing Ninety-seven (97) acres of land, more or less.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Fred Jacques ditch and pipe line

The right to take water from such works is based upon Permit No. 21790

The source of supply from which such water is diverted is

Mud Creek

The date of priority which said user is prepared to establish is 4:20 P. M. Nov. 17, 1950

MARK R. KULP

State Reclamation Engineer.

21790

✓
January 8, 1950

Re: Permit No. 21790

Mr. Fred Jacques
Route 3
Buhl, Idaho

Dear Mr. Jacques:

We enclose Certificate of Completion of Works issued under Permit No. 21790 for the diversion of one (1) second foot of water from Mud Creek, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 9 South, Range 14 East, B.M., for irrigation and domestic use on the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section.

We also enclose Departmental Receipt No. 22967 for the \$5.00 fee paid in connection with this proof.

We shall send to the Buhl Herald, Notice of Beneficial Use Proof to be made under this Permit on February 15, 1951, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the Affidavit of Publication, together with statement of costs.

We shall send Mr. Jess O. Eastman, Notary Public, the necessary forms of deposition for making this proof, and at the time set, you should appear before him together with two disinterested witnesses who are familiar with the terms of your Permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21790

Permit No. 21790STATE OF IDAHO
Department of ReclamationRECEIVED
JAN 4 1951
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of TWIN FALLS

ss.

FRED JACQUES, 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 21790, and that his postoffice address is REF # 3 BUHL State of IDAHO

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

MUD CREEKThird: That the point of diversion of said water is on the SE 1/4 - SE 1/4 - 15-9-14Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by FEB. 28, 1951Fifth: That the use for which said water is intended is IRRIGATION & DOMESTICSixth: 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 - PUMP - PIPE LINE

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam NONE feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ width at bottom _____ feet, width at water line _____

(State whether ditch, flume or pipe) 180 ft of 8 in. steel pipe from pump in Mud Creek then 500 ft of 10 in. concrete tilefeet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is 6.80 feet miles

Seventh: That said works are capable of conducting to the place of intended use _____

ONE second foot of water. Works all completed -Eighth: That water appropriated under said permit is available for 50

acres of land described as follows:

PARTS OF E 1/2 - SE 1/4 & S 1/2 - SE 1/4 - NE 1/4 - 15-9-14

Ninth: Remarks: That _____

Fred Jacques
(Sign Here)Subscribed and sworn to before me this 2nd day of January, 1951My commission expires 2-4-53Notary Public.

21790

January 4, 1951

Re: Permit No. 21790

Mr. Fred Jacques
R.F.D. 3
Buhl, Idaho

Dear Mr. Jacques:

We acknowledge receipt of your proof of Completion of Works under Permit No. 21790, accompanied by your check for the statutory fee of \$5.00, for which we enclose Department Receipt No. 22967.

We return the Affidavit in order that you may describe more fully the dimensions of the conduit or ditch and pipe line, as called for under Question 6. Also, please state under Question 6 whether these works were or were not completed.

We return your Permit No. 21790 which was enclosed with your proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21790

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) JANUARY 2, 1961

(P. O.) RFD #3 BUHL, IDAHO

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
BUHL HERALD of BUHL, IDAHO published in
the county in which the works are situated.

Fred Jacques

(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.

21790

December 1, 1950

Re: Permit No. 21790

Mr. Fred Jacques
Route 3
Buhl, Idaho

Dear Mr. Jacques:

We enclose Permit No. 21790.

Since the application states that the works are completed and that no additional time will be required for making Beneficial Use Proof, we have allowed three months or until February 28, 1951, within which to make the two statutory proofs required to complete the water right.

The first proof, or proof of completion of works, should be made on Form 6 enclosed, executed before a Notary Public, and returned to this Department with the statutory fee of \$5.00.

The statutes require publication of a notice in a county newspaper for four consecutive weeks prior to making proof of beneficial use. This notice should be made in duplicate on Form 10, setting time and place, and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for the four week's publication.

Both copies of Form 10 to be returned to this Department, together with Form 11, which is your authorization for us to have the notice published at your expense in the designated newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

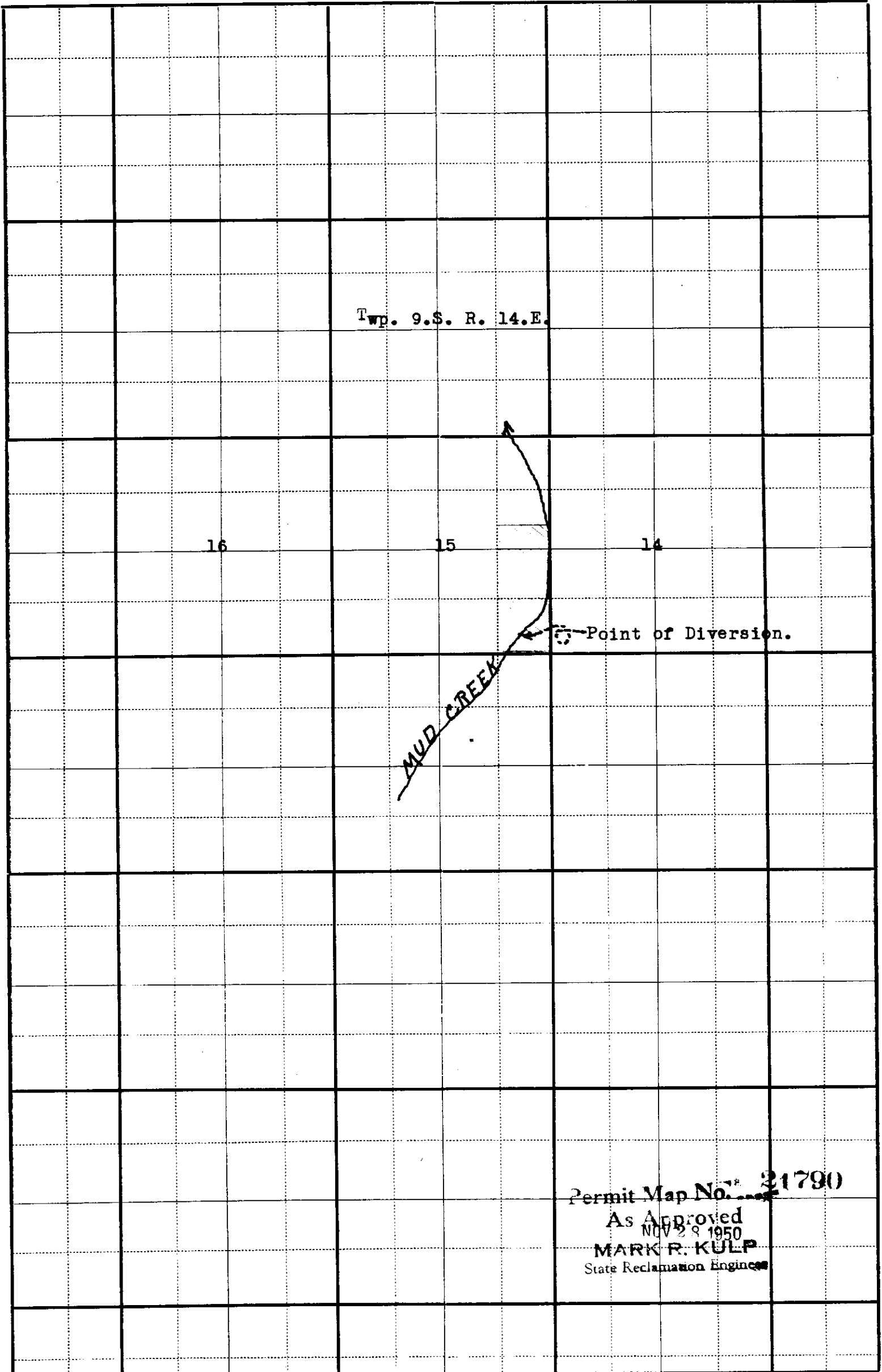
Chief Clerk

A:bh
Enc.

21790

NAME OF APPLICANT Fr Jacques.

Form No. 0



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

21790

Notice of Publication
**NOTICE OF INTENTION OF APPLICATION
 OF WATER TO BENEFICIAL
 USE**

Notice is hereby given that at 11:00 A.M. on the 15th day of February, 1951, at Buhl, County of Twin Falls, State of Idaho, before Jess O. Eastman, a Notary Public, proof will be submitted of the application to beneficial use of ONE cubic foot per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 21790 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred Jacques, RFD No. 3, Buhl, Idaho.

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

The amount applied to beneficial use is One Second Foot.

The place where said water is used, The East Half of the Southeast Quarter (E $\frac{1}{2}$ -SE $\frac{1}{4}$) and Seventeen (17) acres in the South Half of the Southeast Quarter of the Northeast Quarter (S $\frac{1}{2}$ -SE $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Fifteen (15), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian containing Ninety-seven (97) acres of land, more or less.

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

The right to take water from such works is based upon Permit No. 21790.

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

The date of priority which said user is prepared to establish is 4:20 p. m. Nov. 17, 1950.

MARK R. KULP
 State Reclamation Engineer.