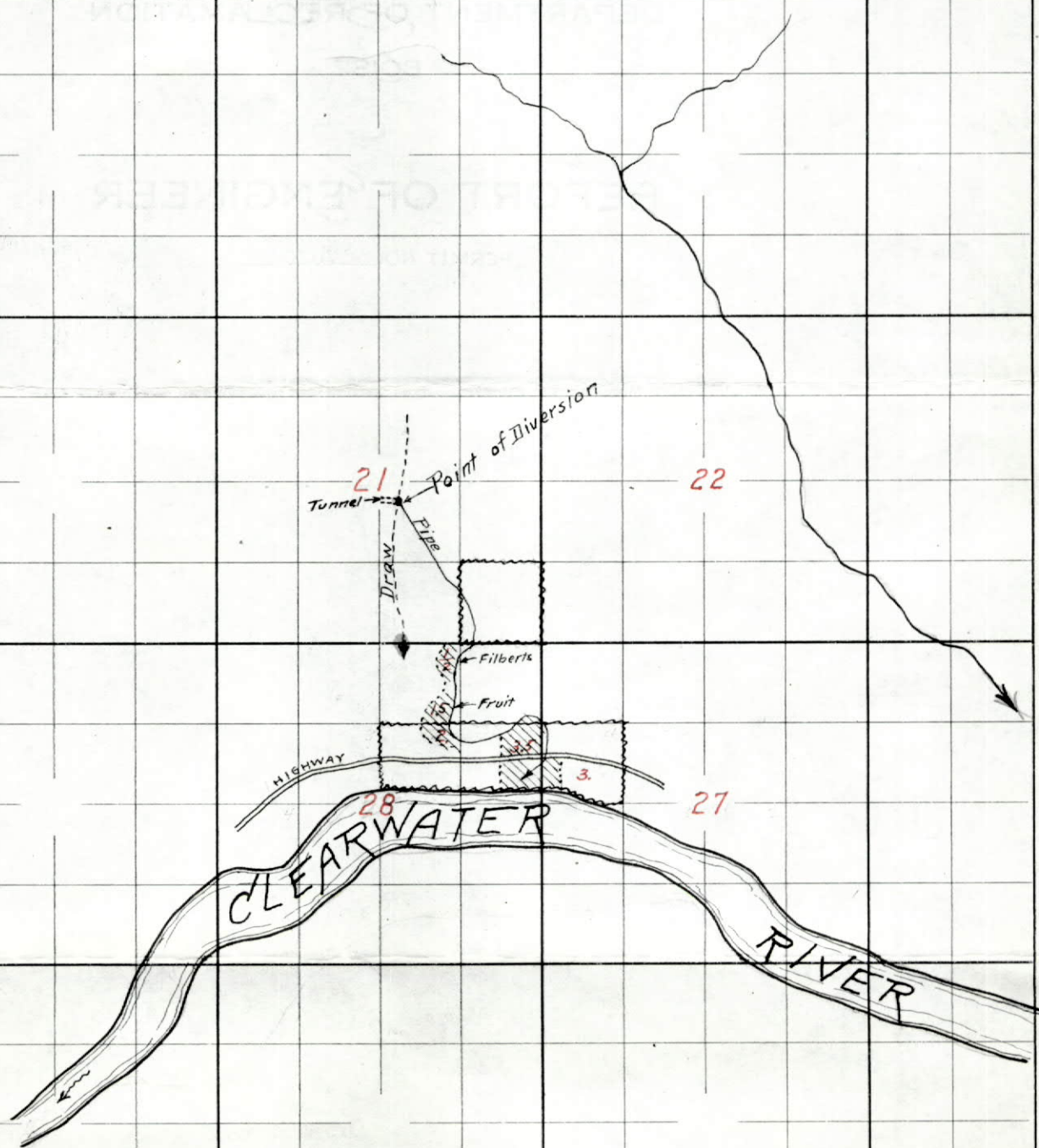




NOTICE FOR PUBLICATION
Notice of Proof Application of Water To Beneficial Use.

Notice is hereby given that at 2 p. m. on the 25th day of November, 1933, at Lewiston, County of Nez Perce, State of Idaho, before John W. Cramer, Notary Public, proof will be submitted of the application to beneficial use of 0.05 cubic feet per second of the waters of unnamed spring in accordance with the terms and conditions of Permit No. 17026 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 Arthur W. Imthurn, Lewiston, Idaho.

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

The amount applied to beneficial use is 0.05 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 33.54 acres as follows:

Twp. 36 N. Range 5 W. Section 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 3 acres.

Twp. 36 N. Range 5 W. Section 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$, 7.97 acres.

Twp. 36 N. Range 5 W. Section 28, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.57 acres.

Twp. 36 N. Range 5 W. Section 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 19 acres.

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

The right to take water from such works is based upon Permit No. 17026.

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

The date of the priority which said user is prepared to establish is December 13, 1928.

R. W. FARIS,
Commissioner of Reclamation.
N3-24

17026
AFFIDAVIT OF PUBLICATION

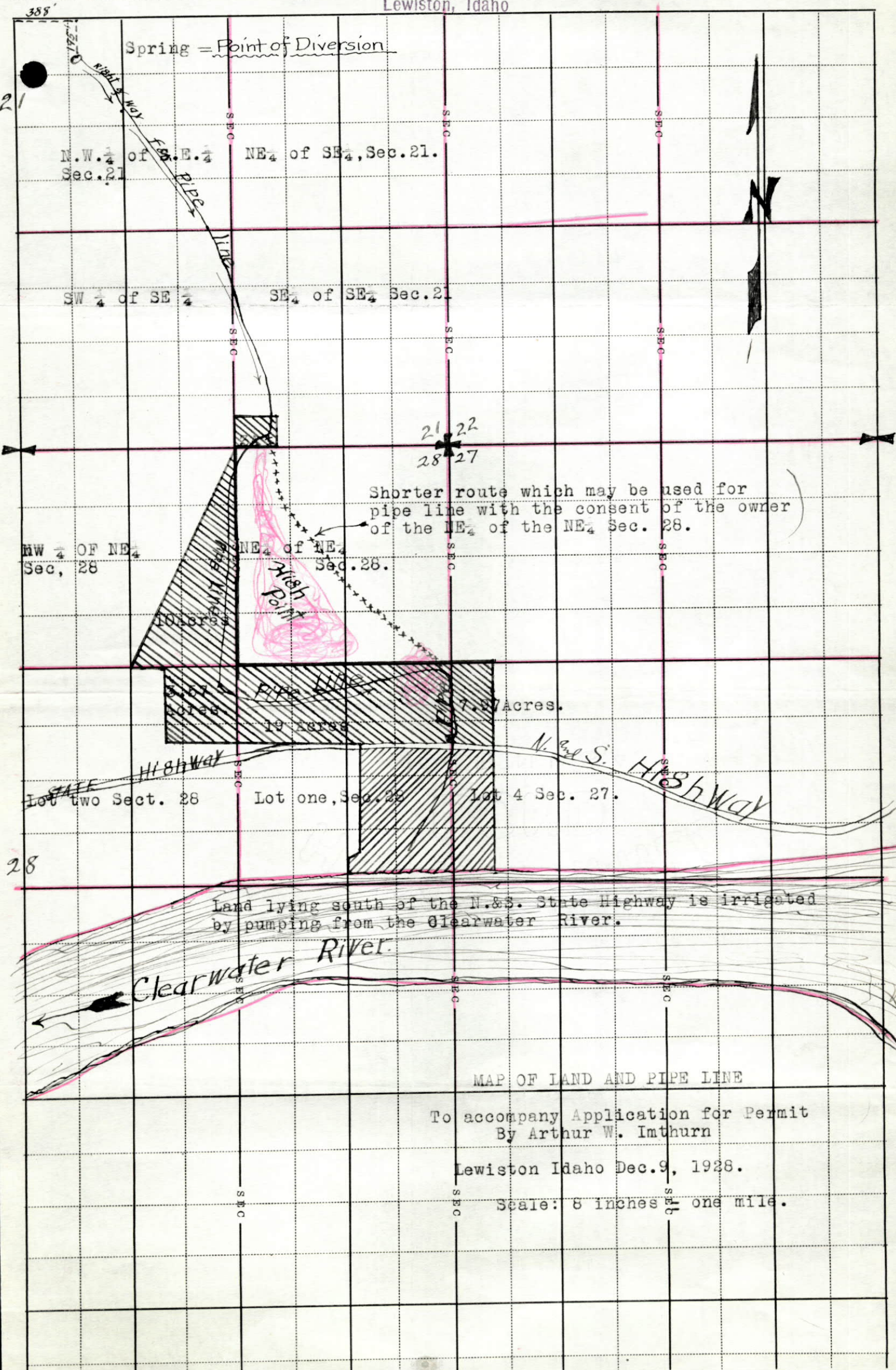
STATE OF IDAHO }
County of Nez Perce } ss.

I, Lawrence Curtis, do solemnly swear that I am the Publisher of the Lewiston News, successor to the LEWISTON BANNER, a newspaper of general circulation, published regularly each week at Lewiston, Nez Perce County, Idaho; that the said Lewiston Banner has been published continuously and uninterruptedly in said county during a period of ten years immediately prior to the first publication of the Notice

....., a copy of which is attached hereunto, and which is a part of this affidavit; and was published in said newspaper for 4 consecutive weeks, the first publication having been made on the 3rd day of Nov., 1933 and last publication on the 24th day of Dec., 1933; that said Notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the Notice was published in the newspaper proper, and not in a supplement.

Subscribed and sworn to before me this 24 day of Nov., 1933

A. C. Long
NOTARY PUBLIC FOR IDAHO RESIDING AT LEWISTON
THEREIN MY COMMISSION EXPIRES JULY 21, 1937
17026 \$10.00



SCALE: 8 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

State of Idaho
License and Certificate of Water Right

Water License No. 17026

Amount 0.05 Sec. Ft.

Water District No.

Priority December 13, 1928

THIS IS TO CERTIFY that **ARTHUR W. IMTHURN**
of **Lewiston, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **December 13**, 19 **28**; that Permit No. 17026
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 of 1 second ^{foot} ~~foot~~, was issued thereunder on **December 7**, 19 **31**, showing that said works
were completed on the **5th** day of **December**, 19 **31**; and that on the **25th**
day of **November**, 19 **33**,

ARTHUR W. IMTHURN

of **Lewiston**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **a spring**
, a tributary of, for the purpose of **irrigation and domestic**
use, under Use Permit No. 17026 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 **3789**, on the **1st** day of **May**, 19 **35**;

The right hereby confirmed dates from **December 13**, 19 **28**;

The Point of Diversion is located
in the **NW ¼ SE ¼**, Sec. **21**, Twp. **36 N.**, R. **5 W.**, B. M. **Nez Perce 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 **0.05 of 1**
cubic ^{foot} ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
36 N	5 W	27	SW ¼ NW ¼	7.97	3
		28	SW ¼ NE ¼	3.57	2
			SE ¼ NE ¼	19	3.5

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 **1st** day of **May**, 19 **35**.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

85-2079
86-2043

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

~~85-2079~~
86-2043

Application No. 24017
Permit No. 17026
District No.

1. Name of Applicant: ARTHUR W. IMTHURN,

Postoffice address: Lewiston, County: Nezperce, State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.05 cubic feet per second.

3. Source of water supply: Natural Spring which is a tributary of

4. Location of point of diversion: 388' E. & 195' South feet distant from the center
corner of Section 21, T. 36 N., R. 5 W., B. M., and is in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$
of Section 21, T. 36 N., R. 5 W., B. M., County of Nezperce

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: \$ 900.00

8. Kind of works: Pipe and open ditch

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 $\frac{1}{2}$ feet; width at water line $\frac{3}{4}$ feet; depth of water $\frac{1}{2}$

feet; dimensions of flume

Diameter of pipe 2 inches; length of conduit one miles.

Average grade per mile 300 feet.

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

13. The time required for the complete application of the water to the proposed use is two additional years.

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

15. (a) Is reservoir to be used? No. 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.

ARTHUR W. IMTHURN *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9 A. M. December 13, 1928

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17026
Recorded in Book 61 Page 17026 Approved December 17, 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 February 16, 1929 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 June 17, 1930

The whole of said work to be completed on or before December 17, 1931

Beneficial use of water appropriated in accordance herewith, to be made on or before December 17, 1933

Witness my hand this 17th day of December, 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	
36 N.	5 W.	21 27 28	3.57 19				7.97								3				3 7.97 22.57
Total Number of Acres to be irrigated																	33.54		
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS																			
I, Corinne A. Greer, of Lewiston, County of Nezperce, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of Arthur W. Imthurn is located, and that I do hereby grant unto the said Arthur W. Imthurn permission to file on the said spring as set forth in the foregoing application.																			
STATE OF IDAHO)) SS County of Nez Perce)																	Corinne A. Greer		
On this 2nd day of October, 1928, before me, a Notary Public for the State of Idaho, residing at Lewiston, personally appeared Corrine A. Greer, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that she executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
(SEAL)																	Fred Babcock Notary Public		

PERMIT NO. 17026
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Arthur W. Imthurn of Lewiston, County of Nezperce, and State of Idaho, the holder of Permit No. 17026, issued upon Application No. 24017 bearing date of priority of December 13, 1928, authorizing the diversion of 0.10 second feet of the waters of Unnamed spring, County of Nezperce, State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.10 second feet of the waters of Unnamed spring; that the point of diversion of said waters is 388 feet E. and 195 feet South, distant from the center corner of Section 21, Twp. 36 N., Range 5 W. B. M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T. 36 N., R. 5 W. B. M., County of Nezperce; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 33.54 acres as follows: Twp 36 N., Range 5 W., Section 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 3 acres; Twp. 36 N., Range 5 W., Section 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$, 7.97 acres; Twp 36 N., Range 5 W., Section 28 SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.57 acres; Twp. 36 N., Range 5 W. Section 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 19 acres.

Witness my hand this 7th day of December, A.D. 1931.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of works made December 5, 1931.
Certificate of Completion of works issued December 7, 1931.

LICENSE ISSUED FOR 0.05 SEC. FT.
Page 3789 Vol. 7



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 19, 1982

Ms. Louise Stevens
Redrock Land & Water Co. Inc.
1585 Poplar St.
Clarkston, Wa. 99403

Dear Ms. Stevens:

I have checked the regional records for water rights listed under: Redrock Land & Water Inc., Millview Water Co. and A. W. Imthurn. I found two Licensed Rights under the name of Arthur W. Imthurn; these Licenses are numbered 85-2079 (copy enclosed) and 86-2043. Unfortunately, the regional records do not make very legible copies. I have, therefore, notified our main office to send copies of these Licenses to you.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - 85-2079

cc: IDWR - State Office

Please file

Inthurn, Arthur
85-3279
85-3203

REDROCK LAND & WATER CO. INC.
1585 POPLAR ST.
CLARKSTON, WA 99403

RECEIVED

JAN 18 1982

Department of Water
Northwest Division
Jan 13, 1982

Dear Sirs,

What or how many water rights
are on file for Redrock Land & Water Inc.?

Redrock L. & W. is a small Idaho Corp.

which distributes water from a
large spring & well to about 45
families. Redrock was formally

known as Millview Water Co. and/or
a sole proprietorship of A.W.

Inthurn, located in Lewiston, Ida.

If you feel our water rights are
not properly filed, please notify
me so I may do so.

Louise Stevens, Bkbp.
1585 Poplar
Clarkston, Wash. 99403

ACT
IDN

N OWNER LAST NAME - IMTHURN

FIRST NAME - ARTHUR W.

N

CITY - LEWISTON

STATE - ID

N

SOURCE - SPRING

N

STAGE - LICENSE

N

DIVERSION POINT - NWSE 21 36N 05W

N

USE - IRRIGATION

USE DIV. RATE - .0500CFS

N

USE - DOMESTIC

N

USE - IRRIGATION

PLACE OF USE - TWN 36N RNG 05W SEC 27 TRACT SWNW

AC 03

N

USE - IRRIGATION

PLACE OF USE - TWN 36N RNG 05W SEC 28 TRACT SWNE

AC 02 TRACT SENE

AC 04

N

REMARKS - AC. IRR.=8.5.

N

OLD NO. - 17026

IDENT. NO. 86-2043

WATER RIGHT
DATA ENTRY LOG

Item

Keypunched by State Office

10-2-79

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 17026 1 86-2043
Old No. New No.

Record

1. Original Owner: Arthur W. Imthurn

Present Owner: _____

2. Address: _____

3. City: Lewiston State: ID Zip: _____4. A. Source of Water: spring

B. Tributary of: _____

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

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

C. Priority Date: 12-13-1928D. County: 69E. Total Diversion Rate: .05

F. Total Diversion Volume: _____

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

H. Water District: _____

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

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

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWSE</u>	<u>21</u>	<u>36N</u>	<u>5W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from _____ to _____ for A purposes. Amount .05
(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

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Ac. irr. = 8.5.
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: 17026

F. Proof Made (P or blank):

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

H. Conditions of Approval:

14. Diversion Means (brief narrative):

May 1, 1935

Re: Permit No. 17026

MR. ARTHUR W. IMTHURN
Lewiston,
Idaho

Dear Sir:

We are enclosing herewith Water License No. 17026,
issued under the above numbered permit, together with our
office receipt in the amount of \$6.00.

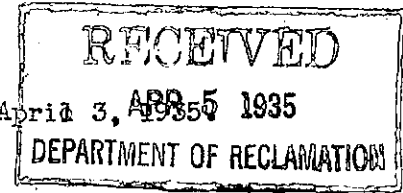
Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

17026



Lewiston, Idaho April 3, 1935

Dept. of Reclamation

State House

Bosise, Idaho.

Gentlemen:-

Please find inclosed herewith a postal Money Order for \$6.00 to cover the fee required to enable you to issue me a license as provided in permit No. 17026. Ref. your letter of March 19, 1935.

Very truly yours,

A. W. Imthurn
Arthur W. IMTHURN

Lewiston, Idaho.

17026

March 19, 1935

Re: Permit No. 17026

MR. ARTHUR W. INTHURN
Lewiston, Idaho
R # 1

Dear Sir:

This is to inform you that we now have the field engineer's report showing his examination of the lands being irrigated under the above permit, which he made on the 17th day of May, 1934.

Upon receipt of a statutory fee in the amount of \$6.00, we shall issue a license for 0.05 of 1 second foot of water to be made appurtenant to the following described lands: 3 acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; 2 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; and 3.5 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, making a total of 8.5 acres.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17026

17026

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17026

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Arthur W. Imthurn

2. Source of water supply: Spring

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21

T. 36 N. R. 5 W. County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is from the mouth of a tunnel 4 ft wide, 7 ft high $\frac{3}{4}$ of unknown length, excavated for the development of water. 1800 ft of 4" sheet metal pipe, 500 ft of 2 $\frac{3}{4}$ " pipe and 3700 ft of 2" pipe

5. Water is used for: Irrigation and domestic purposes

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

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

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, all

in Township 36 N., Range 5 W., B. M.

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

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

Remarks: Water is used intensively on fruit $\frac{3}{4}$ truck crops through pipe $\frac{3}{4}$ rubber hose extensions

This examination was made on the 17th day of May, 1934

(Signed) Fred H. Colman

Examiner.

17026

ARTHUR W. IMTHURN
R# 1, Lewiston, Idaho

72

Permit No.....17026.....

Examination for.....Beneficial Use.....

County.....Nez Perce.....

INSTRUCTIONS TO EXAMINERS

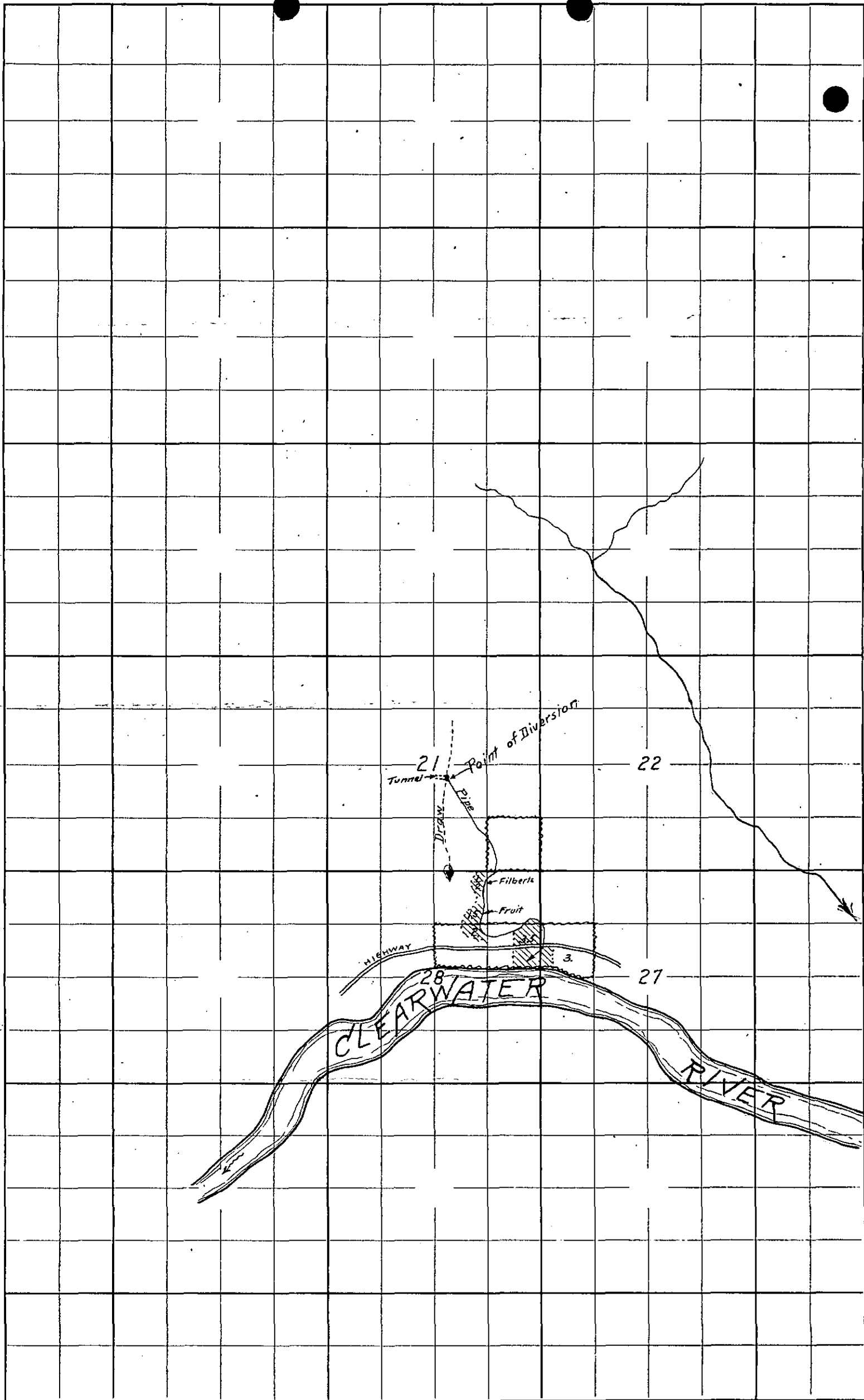
1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17026

REPORT ON PROOF OF BENEFICIAL USE



December 7, 1933

Re: Permit No. 17026

MR. ARTHUR W. IMTHURN
R # 1, Lewiston,
Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17026

December 7, 1933

Re: Permit No. 17026
Arthur W. Imthurn

MR. JOHN W. CRAMER, Attorney
202 Salsberg Block,
Lewiston, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witness and the affidavit of publication from the newspaper all in connection with Beneficial Use Proof under the above permit.

I have conferred with two or three attorneys, with reference to your inquiry concerning the proper charge for this service and most of them seem to be of the opinion that \$5.00 would be a fair charge. This is a matter which does not ordinarily come to our attention, since the fee, of course, does not come through this office.

We are also writing to Mr. Imthurn acknowledging receipt of the above papers and informing him as to what action will be taken in the matter.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

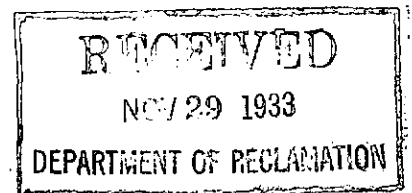
By _____
Chief Clerk & Office Engr.

PIH:RG

17026

JOHN W. CRAMER
ATTORNEY-AT-LAW
202 SALSBERG BLOCK
LEWISTON, IDAHO

November 27, 1933



Department of Reclamation
State House
Boise, Idaho

Gentlemen: Attention: Mr. Henry

I return herewith the depositions of Arthur W. Imthern and two witnesses together with the affidavit of publication of notice in connection with proof of application to beneficial use under Permit No. 17026.

I didn't know what to charge in this matter and would be pleased to have you advise me what is customary.

Very truly yours,

JWC:b

A handwritten signature in cursive script, reading "John W. Cramer".

17026

OFFICE FOR RECLAMATION
Notice of Proof Application of Water
To Beneficial Use.

Notice is hereby given that at 2 p. m. on the 25th day of November, 1933, at Lewiston, County of Nez Perce, State of Idaho, before John W. Cramer, Notary Public, proof will be submitted of the application to beneficial use of 0.05 cubic feet per second of the waters of unnamed spring in accordance with the terms and conditions of Permit No. 17026 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 Arthur W. Imthurn, Lewiston, Idaho.

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

The amount applied to beneficial use is 0.05 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 33.54 acres as follows:

Twp. 36 N. Range 5 W. Section 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 3 acres.

Twp. 36 N., Range 5 W., Section 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$, 7.97 acres.

Twp. 36 N., Range 5 W., Section 28, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.57 acres.

Twp. 36 N., Range 5 W., Section 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 19 acres.

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

The right to take water from such works is based upon Permit No. 17026.

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

The date of the priority which said user is prepared to establish is December 13, 1928.

R. W. FARIS,
Commissioner of Reclamation.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Nez Perce } ss.

I, Lew Curtis, do solemnly swear that I am the publisher of the Lewiston News, successor to the LEWISTON BANNER, a newspaper of general circulation, published regularly each week at Lewiston, Nez Perce County, Idaho; that the said Lewiston Banner has been published continuously and uninterruptedly in said county during a period of ten years immediately prior to the first publication of the Notice

....., a copy of which is attached hereunto, and which is a part of this affidavit; and was published in said newspaper for 4 consecutive weeks, the first publication having been made on the 30th day of Nov., 1933, and last publication on the 24th day of Dec., 1933; that said Notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the Notice was published in the newspaper proper, and not in a supplement.

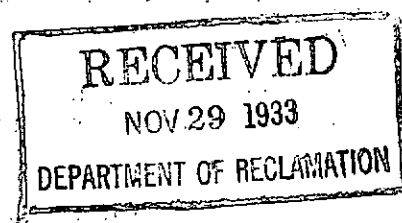
Subscribed and sworn to before me this 24 day of Nov., 1933

Lew Curtis
A. R. L.
NOTARY PUBLIC FOR IDAHO RESIDING AT LEWISTON
MY COMMISSION EXPIRES JULY 24, 1934

17026

\$100

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 17026

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Arthur W. Imthurn, Route 1, Lewiston, Idaho, U.S. Letter Carrier, Route 1, Lewiston, 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. I am the holder.

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

Ans. No. 17026, December 17, 1928. Date of priority, December 13, 1928.

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

Ans. Natural Spring. 388 feet east and 195 feet south distant from the center of Section 21, township 36 N. R. 5 W. and is in the northwest quarter of the south-east quarter of said section 21, in Nez-Perce County, Idaho.

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

Ans. Water is diverted by pipe laid on bed rock of spring. Water is conveyed by pipe line to place of use. .10 cubic foot 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 use. 3 acres in the $SE\frac{1}{4}$ $NW\frac{1}{4}$ in section 27, and 2 acres in the $SW\frac{1}{4}$ $NE\frac{1}{4}$ and 3.57 acres in the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of section 28, Township 36 N. Range 5 W. Cultivated land. Orchard, vinyard and garden, also $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec 21, T. 36 N., R. 5 W., B.M.

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

Ans. Not used for power.

17026

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. .05 of a cubic foot per second.

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. I have used the water the last three irrigating seasons for irrigating my orchard, vineyard and garden and have used it all year round for domestic purposes. The entire flow of spring which has not exceeded .05 of a cubic foot per second.

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.

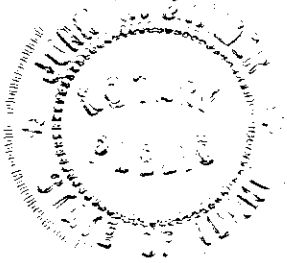
Ans. None

(Sign) Arthur W. Cramer

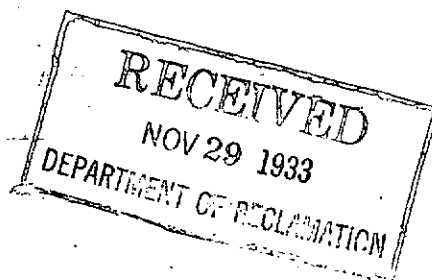
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Levinston, County of My Pelee, State of Idaho, on this 25th day of November, A. D. 19 33.

John W Cramer
Notary public in & for the State
Idaho residing at Levinston

My commission expires Sept 15, 1937



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17026

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. Lewis Kline, age 25 years, farm laborer, Route #1, Lewiston, Idaho

Ques. 2. Are you acquainted with Arthur W. Imthurn, the holder of Permit No. 17026? How long have you known him and where does he reside?

Ans. Yes. About five years. He resides in North Lewiston, Idaho

Ques. 3. Have you read or heard read said Permit No. 17026, 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. Natural spring. 388 feet east and 195 feet south distant from the center of Section 21 Township 36 north, Range 5 WBM and is in the northwest quarter of the southeast quarter of said section 21, in Nez Perce County, Idaho. Water conveyed by two and three inches pipe.

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. Estimated .10 of a cubic foot per second. I have seen what I estimate to be .05 of a cubic foot per second so conveyed.

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 improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic purposes. 3 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ in section 27 and 2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.57 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, township 36 N. R. 5 WBM. Cultivated land. Orchard, vineyard and garden.

17026

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

Ans. Not used for power.

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

Ans. Pasture land. I estimate .05 of a cubic foot per second.

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. I saw irrigation going on at various times during the last two summers. I lived near the premises and work near them and passed the place almost daily during the past summer. The full flow was being used.

(Signed) Lewis Kline

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 Levinston, County of My Perce, State of Idaho, on this day of 25th day of November, A. D. 1933.

My commission expires

Syst 15, 1937

John W. Cramer

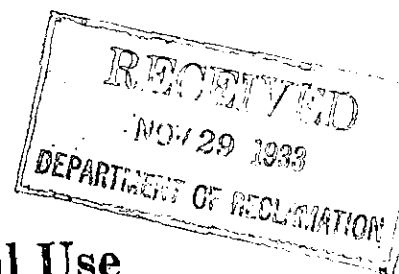
Notary Public.

in & for the State of Idaho
Residing at Levinston



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17026



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. Eyron F. Trail, age 36 years, auto mechanic, Lewiston, Idaho, General
delivery.

Ques. 2. Are you acquainted with Arthur W. Imthurn, the
holder of Permit No. 17026? How long have you known him and where does he reside?

Ans. Yes. I have known him five years. He lives in North Lewiston.

Ques. 3. Have you read or heard read said Permit No. 17026, 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. Natural spring, 388 feet east and 195 feet South distant from the center of
Section 21 township 36 north, Range 5 W.B.M. and is in the northwest quarter of the
southeast quarter of said section 21, in Nez Perce County, Idaho. Water conveyed
by two and three inch steel pipe.

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. I estimate .10 of a cubic foot. I have seen .05 of a cubic foot so conveyed.

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 improvement which have
been made as a direct result of said use.

Ans. Irrigation and domestic purposes. 3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 27,
2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28 and 3.57 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28,
Township 36 N. Range 5 W.B.M. Cultivated land. Orchard, vineyard and garden.

17026

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

Ans. Not used for power.

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

Ans. Pasture land. .05 of a cubic foot per second.

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. During the last three irrigating seasons I have seen him use the water to irrigate his orchard and garden. I lived near him from time to time and during the past three seasons have seen the water being used for irrigation purposes at various times. He was using the full flow.

(Signed)

Byron J. Trail

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 Lewiston, County of My Perea, State of Idaho, on this day of 25th day of November, A. D. 1933.

My commission expires Sept 15, 1937

John W. Cramer

Notary Public.

in and for State of Idaho
residing at Lewiston.



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, November 17, 1933

MR. JOHN W. CRAMER, Notary Public
Lewiston,
Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17026

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 November 25, 1933, 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 Lewiston, Idaho before John W. Cramer, 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.

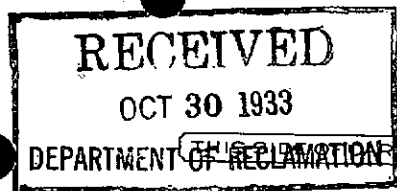
Yours truly,

R. W. FARIS

Commissioner of Reclamation.

17026

17026



Mr. R. V. Jarvis
Dept. of Reclamation
Boise, Idaho

Lewiston, Idaho
Oct. 28, 1933

Dear Sir:

Notice for publication in
re Arthur H. Lushorn has
been received and will be publish-
ed in The Lewiston News for 4
consecutive issues - once a week -
prior to Nov. 25, as you request.

17026

J. W. Curtis

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date October 26, 1933

EDITOR, LEWISTON NEWS
Lewiston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 25, 1933, the date set for proof, the expense of the publication to be paid by the applicant,

ARTHUR W. LITHURN, Lewiston, 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,

R. W. FARIS

Commissioner of Reclamation

17026

October 26, 1933

Re: Permit No. 17026

MR. JOHN W. CRAMER, Attorney
Lewiston,
Idaho

Dear Sir:

We recently received notice from Mr. A. W. Imthurn of Lewiston signifying his intention of offering proof of application of water to beneficial use under the above permit. He did not designate a Notary Public for this action and we have taken the liberty of inserting your name as notary.

The notice will be published for four consecutive weeks in the Lewiston News before the date when proof will be offered which is November 25th. The necessary depositions for this proof will be mailed to you about ten days before the date set for proof. Mr. Imthurn has been advised of our action in this matter and he will appear at your office, on the date set for proof, with two witnesses to execute the depositions. If there is anything in this procedure that you do not understand, please communicate with us at your convenience and we will be glad to attempt to clarify the matter to your satisfaction.

Trusting that these arrangements meet with your approval, I remain

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RC

17026

October 26, 1933

Re: Permit No. 17206²

MR. ARTHUR W. DETHURN
Lewiston,
Idaho

Dear Sir:

This will acknowledge receipt of your notice in duplicate for publication in the matter of the proof of application of water to beneficial use under the above permit and also your authorization to have the notice published in the Lewiston News.

We have changed the date for proof to 2 p. m. on the 25th day of November. This will allow sufficient time for the necessary 4 weeks publication of the notice.

This proof may be offered before any Notary Public or other public official who is authorized to administer oaths in the State of Idaho. We have designated John W. Cramer, Notary Public, of Lewiston, as the person before whom you are to offer proof and we trust that this will be satisfactory to you.

A copy of the notice has gone forward, on this day, to the newspaper with proper instructions for its publication.

On or about 10 days before the day when proof will be offered, depositions consisting of one for the holder and one each for two witness will be sent to Mr. Cramer so that he will have them in ample time to accept your proof. The witnesses may be any disinterested parties, over the age of 21 years, who are familiar with the terms of the permit and the works constructed thereunder.

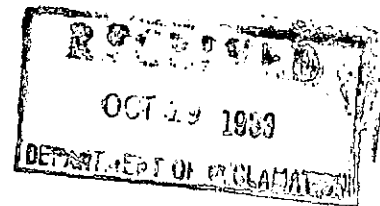
Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PIH:RG

17026



Lewiston, Idaho ~~Oct~~ Oct. 16th 1933.

The Hon. Commissioner of
Reclamation:-

Boise Idaho.

Dear Sir:-

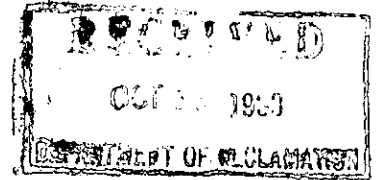
Please find inclosed herewith duplicate copies of notice to be published in the Lewiston News at my expense, in order that I can make final proof as provided in permit No. 17026, of water to beneficial use.

I do not know who proof is to be made before so I have left that ^{part} of the notice for you to fill in. Also, I notice that Dec. 17, 1933 falls on Sunday so for that reason the date was put in as Dec. 16th. However, I am ready to make proof at any time so that date may be changed to meet your convenience. If anyone from your office is coming here to inspect the works or for any other purpose I would appreciate it very much if a day or two's previous notice could be given me in order that arrangements can be made for me to be free of other duties on the date requested.

Very truly yours,


A. W. Imthurn

17026



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Oct. 16, 1933

(P. O.) Lewiston, 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
LEWISTON NEWS of Lewiston, Idaho, published in
the county in which the works are situated.

Arthur W. Institoris

(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.

17026

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2 P.M. on the 25th day of November, 1933,
at Lewiston, County of Nez. Perce, State of Idaho,
before John W. Cramer, Notary Public, proof will be submitted
of the application to beneficial use of 0.05 cubic feet per second of the
waters of unnamed spring in accordance with the terms and conditions of
Permit No. 17026 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.....

ARTHUR W. IMTHURN, Lewiston, Idaho

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

The amount applied to beneficial use is 0.05 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) 33.54 acres as follows:

<u>Twp. 36 N.,</u>	<u>Range 5 W.,</u>	<u>Section 21, SE$\frac{1}{4}$ SE$\frac{1}{4}$, 3 acres.</u>
<u>" " "</u>	<u>" " "</u>	<u>27, SW$\frac{1}{4}$ NW$\frac{1}{4}$, 7.97 acres</u>
<u>" " "</u>	<u>" " "</u>	<u>28, SW$\frac{1}{4}$ NE$\frac{1}{4}$, 3.52 "</u>
<u>" " "</u>	<u>" " "</u>	<u>28, SE$\frac{1}{4}$ NE$\frac{1}{4}$, 19 "</u>

The name of the canal or ditch or other works by which said water is conducted to such place of use
is a steel pipe

The right to take water from such works is based upon Permit No. 17026

The source of supply from which such water is diverted is unnamed spring

The date of the priority which said user is prepared to establish is December 13, 1928

R. W. FARIS

Commissioner of Reclamation.

17026

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

MR. ARTHUR W. IMTHURN
Lewiston, Idaho

October 14, 1933

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 17026, 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 Dec. 17, 1933, 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,

R. W. FARIS

GEO. N. CARTER
Commissioner of Reclamation.

1 7026

December 7, 1931

Re: Permit No. 17026

Mr. Arthur W. Imthurn
Lewiston, Idaho

Dear Sir;

As per your request we are mailing instructions for making your Beneficial Use proof under permit No. 17026. If you desire to offer this proof at the present time, please fill in the notices of proof application of water to Beneficial Use and the form 11, which will authorize us to have the notices published at your expense. After the notice has been published for four consecutive weekly issues, we will mail your deposition blanks (one holder and two witnesses) which you should have properly executed before a Notary Public. When we receive the depositions, we shall place them on file without final action until our field engineer can make his examination; at which time you will be notified of fees that are due before your license is issued. However, your Beneficial Use proof is not due until December 17th, 1933, and it will not be necessary for you to make it until that time unless you desire to do so.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____

PH/LP

17026

17026

Lewiston, Idaho Dec. 5, 1931

Hon. Com. of Reclamation,

Boise, Idaho.

My dear Sir:-

Please find inclosed a proof of 'completion of works' -- affidavit and \$5.00 in currency for the filing fee. Hoping that you will find same regular and can issue the certificate.

Would appreciate receiving information as to final proof of beneficial use, et c.

Very truly yours,



A. W. Imthurn.

17026

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

September 1931

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Arthur W. Imthurn
Lewiston, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 17026 you are required to complete your diversion works on or before Dec. 17, 1931. 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,

R. W. FARIS
Commissioner of Reclamation.

17026

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

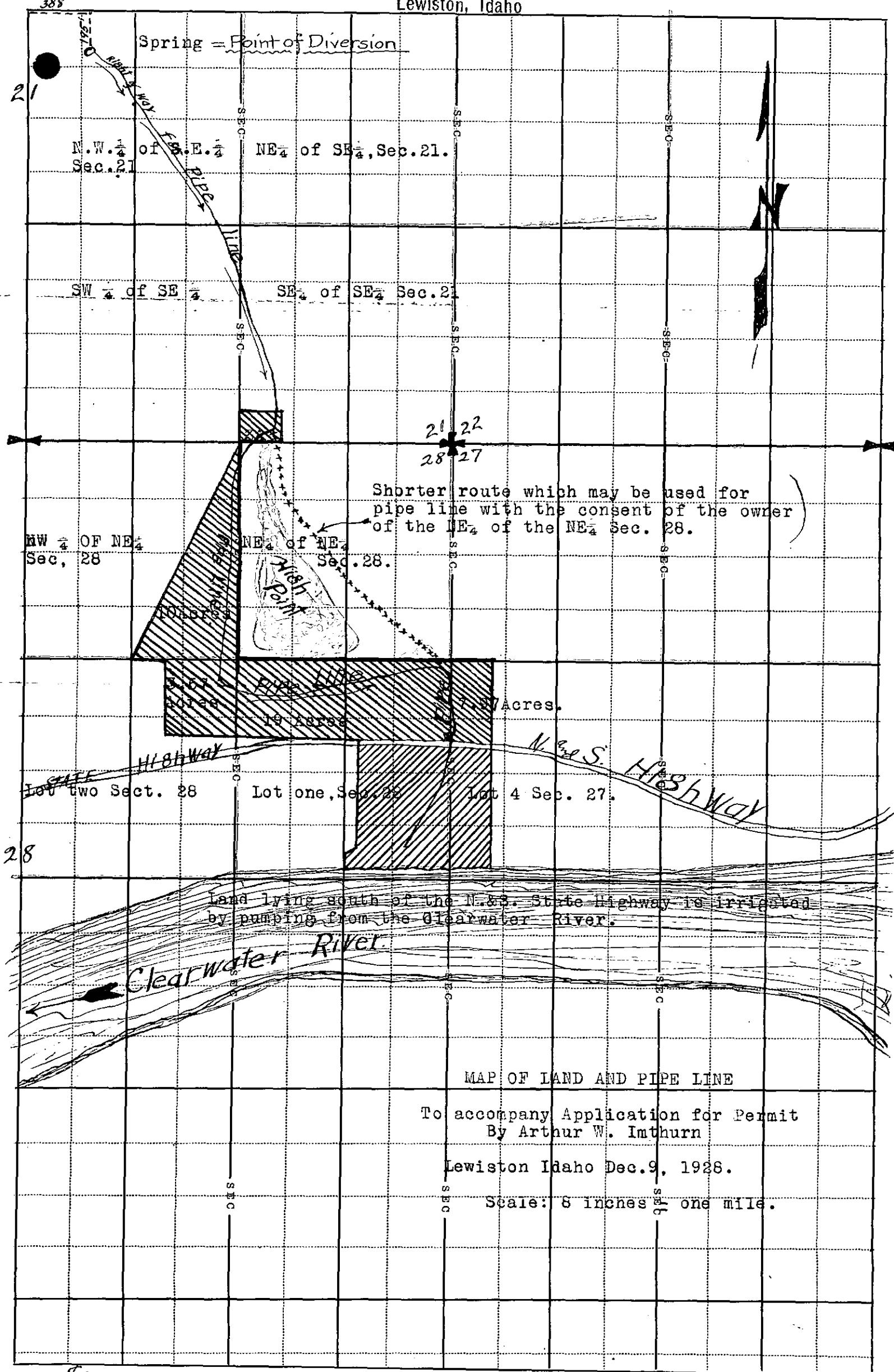
Permit No. 17026
Mr. Arthur W. Mathern
Lewiston, Idaho

Boise, Idaho, December 17, 1928

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.

17026
GEO. H. CARTER
Commissioner of Reclamation.



A. W. IMTHURN

Lewiston, Idaho Dec. 9, 1928.

The Hon. Commissioner,
of Reclamation.,

Boise, Idaho.

My dear Sir:-

Please find inclosed herewith an application to file on water together with maps and one dollar in currency for the fileing fee etc. I tried to draw the maps on the blanks furnished by your office with the same scale that they were made for, but on account of the small size of this project I decided to draw them to a larger scale so as to show the plan in better detail.

Hoping, that you will find the application regular and can approve same in the near future, I am,

Very truly yours,

A handwritten signature in cursive script, reading "A. W. Imthurn".

17026