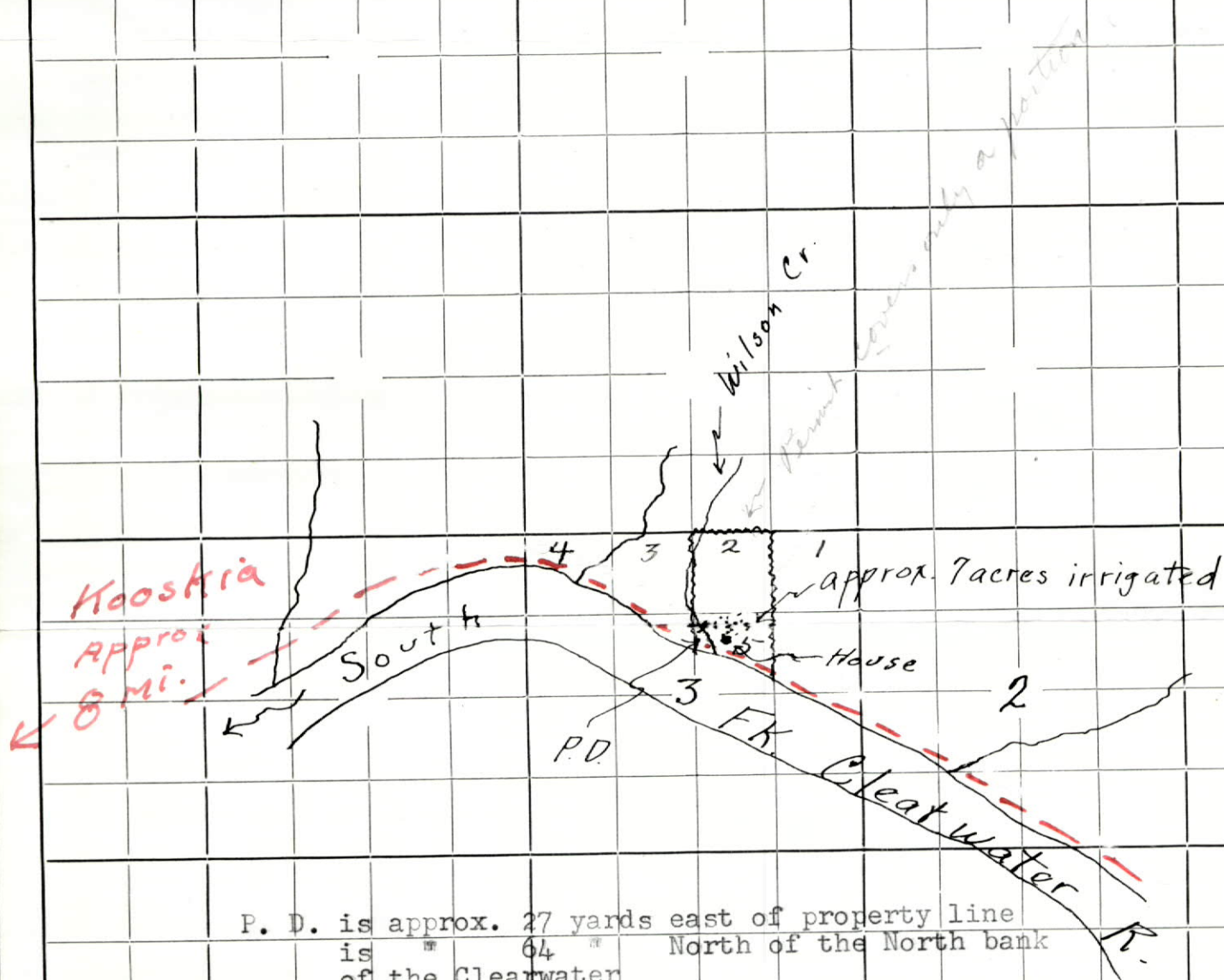




Twp 32N. R 5E.



P. D. is approx. 27 yards east of property line
is 64' North of the North bank
of the Clearwater

10

Area irrigated = approx 7 acres.
allow 5" of water.

244
17
488
44
9) 9.28 (3.
21
21
1948

will send in a map showing location of
acreage.

Affidavit of Publication

STATE OF IDAHO,
County of Idaho—ss.

John L. Olmsted

being first duly sworn, says he is the co-publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 4 weeks, being published 1 times, the first publication being on the 15 day of June, 1950, and the last publication on the 7 day of July, 1950; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

John L. Olmsted

Subscribed and sworn to before me this 6

day of July, 1950.

H. L. Cone, Notary Public,
for State of Idaho, residing at Grangeville, Idaho.

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

Notice is hereby given that at 9:00 a.m. on the 7th day of July, 1950, at Kooskia, County of Idaho, State of Idaho, before G. F. Cleveland, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Wilson Creek in accordance with the terms and conditions of Permit No. 21384 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 Don McCombs, Kooskia, Idaho.

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

The amount applied to beneficial use is 1.6 cubic feet per second.

The place where said water is used, 5.23 acres, contained within Lots 2 and 5 of Section 3, Twp 32, NR 5 EBM.

The name of the canal or ditch or other works by which said water is conducted to such place of use is 2" pipe line.

The right to take water from such works is based upon Permit No. 21384.

The source of supply from which such water is diverted is Wilson Creek, a tributary to the Middle Fork of the Clearwater River.

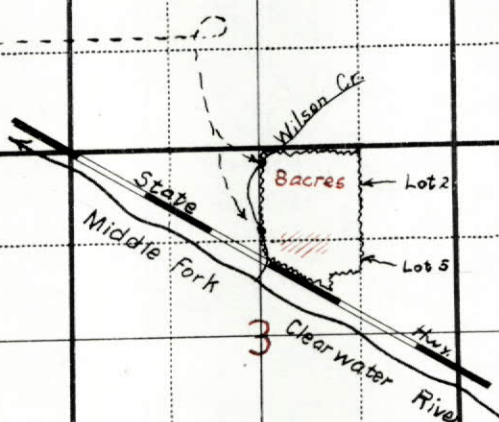
The date of priority which said user is prepared to establish is February 17, 1950.

MARK R. KULP
Jn15-J7 State Reclamation Engineer.

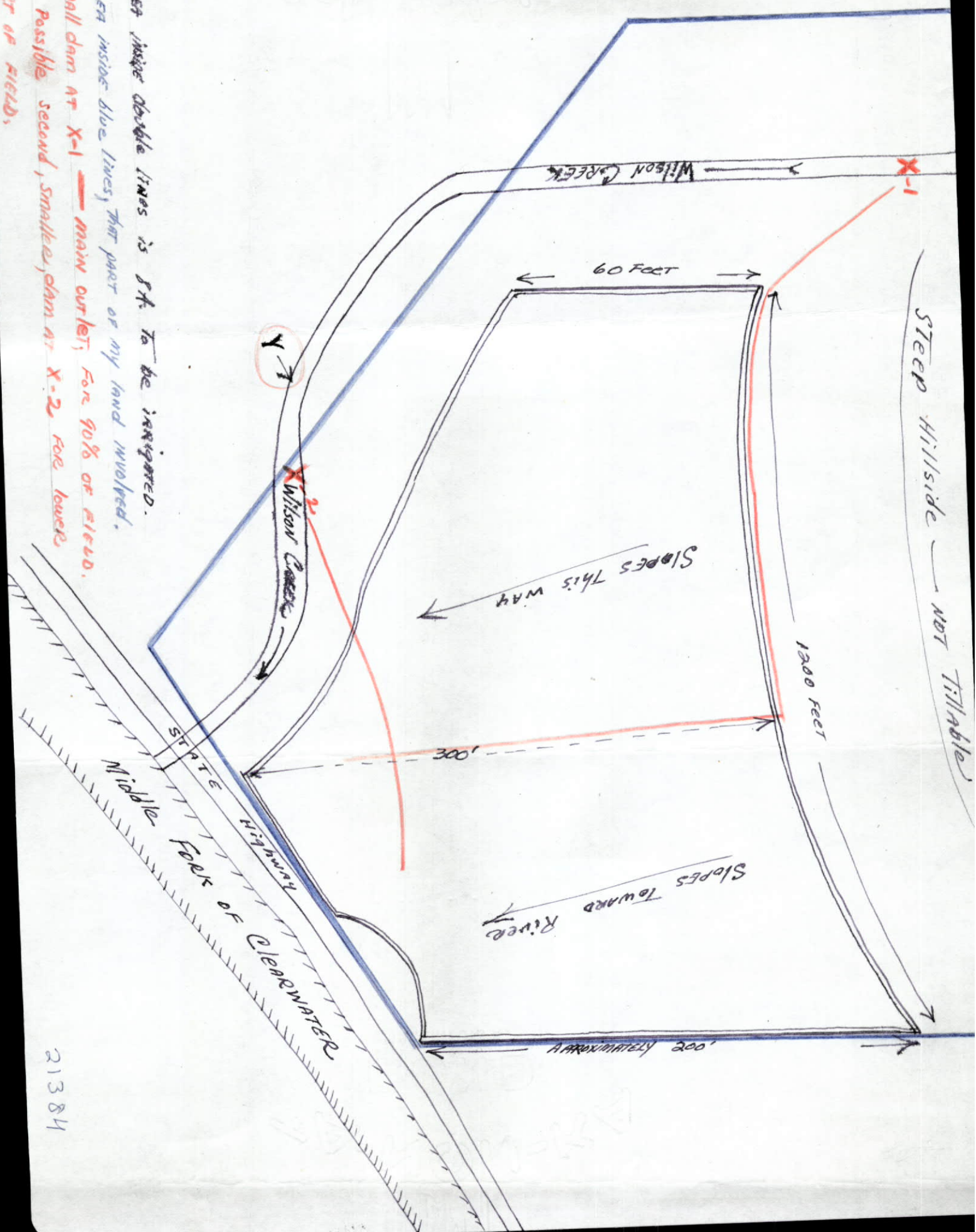
21384

T.32N., R.5E.

Points of Diversion



Permit Map No. 21384
As Approved
MAR 13 1950
MARK R. KULP
State Reclamation Engineer



First inside double lines is 8 ft to be irrigated.
Area inside blue lines, that part of my land involved.
Small dam at X-1 — main outlet, for 90% of field.
Possible second, smaller, dam at X-2 for lower
part of field.



Kooskia, Idaho
October 15, 1949

Idaho Bureau of Reclamation
Boise, Idaho

Gentlemen:-

The following is the description of my place on the Middle Fork of the Clearwater River, in Idaho County:-

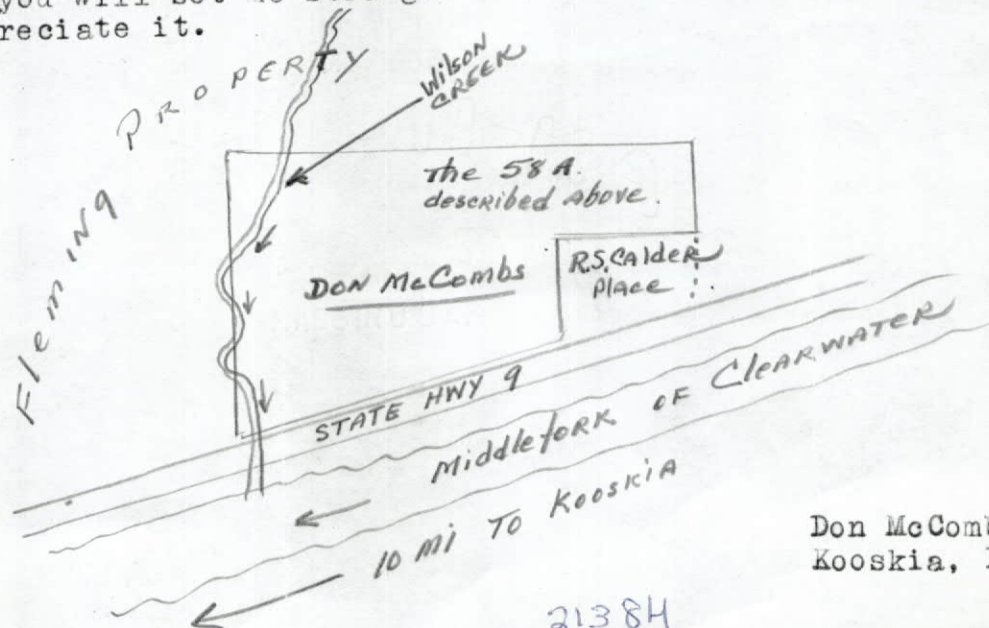
"Lots 2 and 5 of Sec. 3, Twp 32, NR 5 EBM, except beginning at a point whence the NE corner of Lot 5, Sec. 3, Twp 32 NR 5 EBM, bears South 151 ft, thence west 418 ft, thence south 369 ft, thence Southeasterly 533 ft along the arc of a 4 degree curve on the North boundary of the State Highway #9, thence North 697 ft to the point of beginning, containing 5 acres and being a portion of said Lot 5 and Lot 2 of Sec. 3, Twp 32, NR 5 EBM."

Wilson Creek meanders back and forth across the west boundary of this ranch, being somewhat as the sketch at the bottom of the page.

No one at the Idaho County Court House was able to tell me anything about the water rights on Wilson Creek. They suggested that I write your department.

I want to know about using water from the creek for irrigating. I have no intention of diverting the stream itself. My neighbor, Mr. Fleming, says he has some kind of water right on the creek. If so, does this interfere with my using the creek where it runs across my land?

I realize this entails a lot of work on your part, but if you will set me straight on this matter, I surely shall appreciate it.



Don McCombs
Kooskia, Idaho

21384

State of Idaho

License and Certificate of Water Right

Water License No. 21384

Amount 0.1 second foot

Water District No.

Priority February 17, 1950

THIS IS TO CERTIFY that DON McCOMBS of Kooskia, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 17, 19 50 ; that Permit No. 21384 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.16 second foot, was issued thereunder on June 21, 19 50 , showing that said works were completed on the 9th day of June, 19 50 ; and that on the 7th day of July, 19 50 ,

DON McCOMBS

of Kooskia, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Wilson Creek, Clearwater River, a tributary of middle fork of the /, for the purpose of irrigation, under Use Permit No. 21384 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 4773, on the 28th day of June, 19 51;

The right hereby confirmed dates from February 17, 19 50 ;

The Point of Diversion is located in Lot 5

~~in the~~ Sec. 3, Tp. 32 N., R. 5 E., B. M. Idaho 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 0.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
32 N.	5 E.	3	Lots 2 & 5 Lot 5	5.23	7

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 28th day of June, 1951 .

MARK R. KULP
State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 20300 Amount 2.4 second feet
Water District No. Priority February 10, 1948

THIS IS TO CERTIFY that RICHARD E. ARMACOST
of New Meadows, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 10, 1948; that Permit No. 20300
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
three second feet, was issued thereunder on December 18, 1948, showing that said works
were completed on the 3rd day of December, 1948; and that on the 18th
day of March, 1950,

RICHARD E. ARMACOST
of New Meadows, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Little Salmon
River, a tributary of main Salmon River, for the purpose of irrigation
, under Use Permit No. 20300 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 4774, on the 28th day of June, 1951;
The right hereby confirmed dates from February 10, 1948;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 25, Tp. 20 N., R. 1 E., B. M. Adams 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 2.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N.	1 E.	25	NW 1/4 NW 1/4	20	20
			SW 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	35
			NW 1/4 SW 1/4	40	40
			Number of Acres Actually Irrigated	-	135

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
28th day of June, 1951.

(SEAL) MARK R. KULP
State Reclamation Engineer

81-2014

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29076
 PERMIT No. 21384
 DISTRICT No.

1. Name of Applicant: DON McCOMBS

Postoffice address: Kooskia

County: Idaho

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 8 inches or 0.16 cubic feet per second.

"Enough to keep a 4" pipe flowing full during July, August and part of Sept. in dry years.

3. Source of water supply: Wilson Creek which is a tributary of Middle fork Clearwater River.

4. Location of point of diversion: Creek from its mouth
 Approx. 1300 ft. up Wilson/ feet distant from the

corner of Section , T. , R. , B.M., and is in ~~the~~ Lot 1

of Section 3 , T. 32 N. , R. 5 E. , B.M., County of Idaho

5. Water is to be used for Irrigation of alfalfa crop. Present intent is to use sprinkler system.

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: \$ 1,000 to \$1,200

8. Kind of works: Small dam supplying 4" pipe to sprinkler system.

9. Height of dam 4 or 5 feet; length of dam at top 12 to 15 feet; length of dam at bottom 8 to 10 feet; material used in dam: Logs and dirt and rock.

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 4 inches; length of conduit Expect to need about 1100 ft. 4" pipe. miles

Average grade per mile Total fall about 25 feet.

12. The time required for the completion of such work is Short time only required to make small dam and lay sections of pipe

13. The time required for the complete application of the water to the proposed use is 2 or 3 mo. each 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: None known of

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.

Applicant. DON McCOMBS

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 17, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21384

Recorded in Book 76

Page 21384

Approved March 13, 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 **May 13, 1950**

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 September 13, 1950

The whole of said work to be completed on or before **March 13, 1951**

Beneficial use of water appropriated in accordance herewith, to be made on or before March 13, 1952

WITNESS My hand this 13th day of March, 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 13th.....

day of March 19 50

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
Legal description of total ranch: "Lots 2 and 5 of Section 3, Twp. 32 N., R. 5 E., B.M., except beginning at a point whence the N. E. corner of Lot 5, Sec. 3, Twp. 32 N. R. 5 E., B.M. bears South 151 ft., thence West 418 ft., thence South 369 ft., thence Spatheasterly 533 ft. along the arc of a 4 degree curve on the North boundary of State highway No. 9, thence North 697 ft. to the point of beginning, containing 5 acres, and being a portion of said Lot 5 of Sec. 3, Twp. 32 N., R. 5 E. B.M." Area I intend to irrigate has been approximated as 8 acres, which is the only tillable land on this 58 acres, is approximately 1200 ft. long and from 60' to 300' in width, and from which was harvested 9 ton of alfalfa hay in 1948, whereas with irrigation there should be some twenty to thirty tons. Permit No. 21384 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that DON McCOMBS of Kooskie, County of Idaho, and State of Idaho, the holder of Permit No. 21384, issued upon Application No. 29076 bearing date of priority of February 17, 1950, authorizing the diversion of 0.16 second foot of the waters of Wilson Creek, a tributary of the Middle Fork of the Clearwater River, County of Idaho, State of Idaho, for irrigation 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 0.16 second foot of the waters of Wilson Creek; that the point of diversion of said waters is in Lot 1, Section 3, Township 32 North, Range 5 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit; A portion of Lots 2 and 5, Section 3, Township 32 North, Range 5 East, B.M. Witness my hand this 21st day of June, A. D. 1950. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made June 9, 1950. Certificate of Completion of Works issued June 21st, 1950. LICENSE ISSUED FOR 0.16 SEC. FT. LICENSE ISSUED FOR 0.1 SEC. FT. Page 4773																			

ACT

LDN

X DIVERSION POINT - 03 32N 05E LOT 05

L DIVERSION POINT - SONE 03 32N 05E LOT 05

AC1

LDN

X DIVERSION POINT - 22 32N 07E LOT 01

D DIVERSION POINT - NENE 22 32N 07E LOT 01

ACT
ION

N OWNER LAST NAME - MC COMBS

FIRST NAME - DON

N CITY - KOOSKIA STATE - ID

N SOURCE - WILSON CREEK TRIBUTARY OF - CLEARWATER RIVER, MIDDLE FORK

N STAGE - LICENSE

N DIVERSION POINT - 03 32N 05E LOT 05

PRIORITY - 02-17-1950 COUNTY - IDAHO

TOTAL DIV. RATE - .1000CFS

N USE - IRRIGATION

USE DIV. RATE - .1000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 32N RNG 05E SEC 03

LOT 05 AC 07

OLD NO. - 21384

IDENT. NO. 81-2014

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 21384 / 81-2014
Old No. New No.

Record

1. Original Owner: Don McCombs

Present Owner: _____

2. Address:

3. City: Koozhia State: ID Zip: _____4. A. Source of Water: Wilson CreekB. Tributary of: Clearwater River, Middle fork5. A. Stage (A,P,L,D,S,J): L

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

C. Priority Date: 2-17-1950D. County: 49E. Total Diversion Rate: 0/

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>3</u>	<u>32N</u>	<u>5E</u>	<u>55</u>	

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

from _____	to _____	for <u>A</u> purposes.	Amount <u>0.1</u> (cfs or AC-FT/yr)
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.
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: 21384

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

July 5, 1961

License No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

Your letter of July 3 concerning water rights on Wilson Creek has been received.

We find no other right of record on Wilson Creek in Idaho County except your water license. That was true when you filed your application for permit. There may be any number of water rights obtained by diversion and beneficial use of the water. Those rights are not recorded, however if the right to the water is involved in a dispute and action is started in the District Court, the use rights can become recorded water rights with priority and amount of water dating back to the time of first beneficial use of the water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT/no

21384

RECEIVED

JUL 5 1961

Department of Reclamation

Kooskia, Idaho
July 3, 1961

Department of Reclamation
State House
Boise, Idaho

Dear Sir:-

Re: Water License No. 21384 issued
to Don McCombs, Kooskia, Idaho.

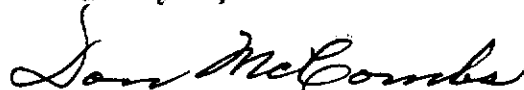
Perhaps this inquiry is unnecessary, yet I feel that I should make sure about the validity of my Water Right on Wilson Creek, Idaho County, Idaho.

At the present time I am unable to find the original correspondence that I had from your department, when I first inquired about getting a water right on Wilson Creek back in 1949 or 1950. If I remember correctly I was told that no valid right then existed on the creek. Application for a water right was enclosed with the answer to my inquiry. I eventually acquired the existing right.

The party who then owned the adjoining property had said that he had a water right, but I am sure your Dept. made the above statement; namely, that no valid right then existed. What I would like to know is whether anyone else has a water right on the creek and if so, does mine come first (which I assume it does) or not. I do not anticipate trouble with the present neighbor, but I do want to guard against such in advance. I am quite concerned about my having the prior right, because the creek is lower than usual at this time of year, with two dry months ahead of us still. Water means everything to us---irrigation for the fields, water for the livestock and our own household use, since more water apparently filters through the ground to the well from the creek than from other sources.

I will be pleased if you will find time to answer this inquiry.

Thank you,



Don McCombs
Kooskia, Idaho

21384

June 17, 1957

Re: Permit No. 21384

Mr. Don McCombs
Kooskia
Idaho

Dear Mr. McCombs:

Thank you for noting my error. Idaho
County is correct.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

MRK/nls

21384

Kooskia, Idaho
June 7, 1957

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
JUN 10 1957
Department of Reclamation

Dear Mr. Kulp:

I wish to thank you for your letter of May 31st and for forwarding copies of my letter to the Division Engineer and also to Admiral Specht.

Any help they may give will certainly be appreciated, I can say for sure.

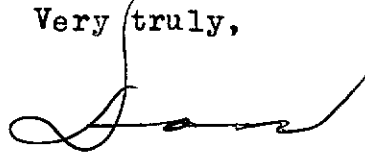
Quoting your second paragraph: "Your Permit No. 21384 from Wilson Creek with priority of diversion in Section 3, Township 32 North, Range 5 E., B. M. is in Clearwater County and Wilson Creek is a tributary of the Middle Fork of the Clearwater River."We have gone over the permit and it reads, as to location "Section 3, Tp. 32 N. R 5 E, BM Idaho County."

According to a map of Idaho which we have, all of Wilson Creek, as well as our ranch is situated in IDAHO county rather than Clearwater County. And, as you state, Wilson Creek is a tributary of the Middle Fork of the Clearwater River.

Perhaps the above statement that this location is in Clearwater County is only a typographical error, but I felt that it should be mentioned, for clarification of recorded correspondence and for the information of the Division Engineer and Admiral Specht.

Thank you for your consideration.

Very truly,



Don McCombs
Kooskia, Idaho

21384

May 31, 1957

Mr. Don McCombs
Kooskia
Idaho

Dear Mr. McCombs:

I have your letter calling attention to damage done your farm by high water in Wilson Creek on May 29, 1957.

Your Permit No. 21384 from Wilson Creek with priority of diversion in Section 3, Township 32 North, Range 5 E., B.M. is in Clearwater County and Wilson Creek is a tributary of the Middle Fork of the Clearwater River.

The State has sovereign ownership of the beds of navigable streams and in the same capacity controls the appropriation and regulation of public water in all streams in the State, but the State does not assume responsibility for flood damage.

While I am doubtful if there are any funds available for repaying you for your efforts in preventing further damage or for the damage done, I am forwarding copies of your letter to the Division Engineer, Corps of Engineers, U. S. Army, Walla Walla, Washington for his information as to flood damages in this district and to Admiral Wm. C. Specht, Coordinator of Civil Defense for the State of Idaho who may have some information or advice to offer.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

MRK/nls

cc: Division Engineer
Corps of Engineers, U. S. Army
Walla Walla, Washington

Admiral Wm. C. Specht
Coordinator of Defense
Boise, Idaho

21384

Kooskia, Idaho
May 29, 1957

RECEIVED
MAY 31 1957
Department of Reclamation

Bureau of Reclamation
State House
Boise, Idaho

Gentlemen:

Wilson Creek, which runs through my place and on which I have a water right, went on a rampage at the time of the excessive rains in this vicinity, May 20th.

Considerable damage was done. The Creek made a new bed through my potato patch, taking out at least half of it, leaving a ditch approximately 5 feet deep and ten to fifteen feet across. Erosion was terrific throughout the entire length of the place, as well as on the neighbor's place.

Several rods of fence were torn out. Besides many hours spent rebuilding fences, there has been \$81.25 bulldozer expense putting the creek back in its original channel and filling approximately half the new channel it made.

Since I understand that water courses such as this Creek are property of the State, I am wondering if we are entitled to any recompense for the damage done and the expense and labor we have been put to. Most of the time since the flood has been spent in correcting the situation.

This creek has overflowed its banks a time or two prior to this, due to heavy rains at the headwaters, but this is the first time damage to any extent has been caused. If a bull-dozer hadn't been right handy (on the neighboring ranch) we feel that we would have lost most, if not all, of our buildings.

Shall appreciate having your reply at your earliest convenience.

Very truly,



Don McCombs
Kooskia, Idaho

cc/ Corps of Engineers Walla Walla, Wn.

Admiral Wm. C. Specht, Civil Defense

21384
HMC

Kooskia, Idaho
May 29, 1957

Bureau of Reclamation
State House
Boise, Idaho

Gentlemen:

Wilson Creek, which runs through my place and on which I have a water right, went on a rampage at the time of the excessive rains in this vicinity, May 20th.

Considerable damage was done. The Creek made a new bed through my potato patch, taking out at least half of it, leaving a ditch approximately 5 feet deep and ten to fifteen feet across. Erosion was terrific throughout the entire length of the place, as well as on the neighbor's place.

Several rods of fence were torn out. Besides many hours spent rebuilding fences, there has been \$81.25 bulldozer expense putting the creek back in its original channel and filling approximately half the new channel it made.

Since I understand that water courses such as this Creek are property of the State, I am wondering if we are entitled to any recompense for the damage done and the expense and labor we have been put to. Most of the time since the flood has been spent in correcting the situation.

This creek has overflowed its banks a time or two prior to this, due to heavy rains at the headwaters, but this is the first time damage to any extent has been caused. If a bull-dozer hadn't been right handy (on the neighboring ranch) we feel that we would have lost most, if not all, of our buildings.

Shall appreciate having your reply at your earliest convenience.

Very truly,

/s/ Don McCombs
Don McCombs
Kooskia, Idaho

cc/ Corps of Engineers Walla Walla, Wn.

Admiral Wm. C. Specht, Civil Defense

21384

May 20, 1955

RE: Permit No. 21384

Mr. Don McCombs
Kooskia
Idaho

Dear Mr. McCombs:

We have read, with interest, your letter of May 17 in regard to the benefits you are deriving from your water right from Wilson Creek.

Your license is a perfectly good water right as long as the water is used beneficially and we hope it will continue to give you the same amount of pleasure and enjoyment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

21384

RECEIVED
MAY 20 1955

Kooskia, Idaho
May 17, 1955
Department of Reclamation

Bureau of Reclamation
State House
Boise, Idaho

Gentlemen:

Several years back I secured a water right on our small ranch here on the Middle Fork of the Clearwater River, in Idaho County, deriving the water from Wilson Creek, which flows through our place.

We have derived a great deal of good and pleasure out of the use of this water. Producing three cuttings of alfalfa, a bumper garden and green grounds around the house during the dry summer months---has changed this place from a parched and desolate-looking area in July and August, to a green oasis. We have been complimented many, many times on having such a nice place, when the hillsides are so burnt-up looking during the hot months.

So you can see that your issuance of the water right to us means a great deal and we want your department to know that we appreciate it.

Our present concern is wondering if our right is in good standing each season. We continue to derive beneficial use of the water, even the year 'round, since our horses and cattle water at the creek twelve months a year.

If you have the time, would appreciate your dropping us a line as to the status of our existing permit.

Thank you,



Don McCombs
Kooskia, Idaho

L 4773 (21384)

a. 10 p. -

2-17-50

21384

July 2, 1951

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

We enclose License and Certificate of Water Right issued under Permit No. 21384, confirming your right to the use of 0.1 second foot of water from Wilson Creek, with priority of February 17, 1950, point of diversion being in Lot 5, Section 3, Township 32 North, Range 5 East, B.M., for the irrigation of 7 acres in said Lot 5.

We also enclose Departmental Receipt No. 23500 for the \$2.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21384

Kooskia, Idaho
June 21, 1951

State of Idaho
Department of Reclamation
Mark R. Kulp, Engineer

Attn: Jeanne L. Anderson:

As per your letter of a couple of days ago, I
am enclosing my check for the \$2.00 statutory fee to
cover issuance of License for the 0.1 of a second
foot of water from Wilson Creek, to be used on my 7
(seven) acres of tillable land.

Very truly,



Don McCombs
Kooskia, Idaho

RECEIVED
JUN 25 1951
Department of Reclamation

21384

21384

June 19, 1950

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

The report of our Field Engineer shows that you have irrigated approximately 7 acres of land in Lots 2 and 5, Section 3, Township 32 North, Range 5 East, B.M.

Therefore, upon receipt of the statutory fee of \$2.00, a License will be issued for 0.1 of a second foot of water from Wilson Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21384

Kooskia, Idaho
June 11, 1951

E. N. Humphrey
Deputy State Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
JUN 13 1951
Department of Reclamation

Dear Mr. Humphrey:

Since your visit here, we have gone to Grangeville and to the Court House to check the land which lays in our Lots 2 and 5.

The Assessor's Office has conclusively proved for us that all our tillable land is in Lot 5. So, to answer your questions:

(1) All the land to be irrigated, approximating 7 (seven) acres, is in Lot 5 (five).

(2) The pump sets in Lot 5, at Wilson Creek, and 215 feet up from the mouth of Wilson Creek, measuring from dead tree marking high water point of the Middle Fork of the Clearwater River.

(3) How many gallons per minute from each sprinkler? According to the specifications, each sprinkler throws 2.44 gallons per minute, or 324.52 gallons for the thirteen sprinklers, there being an outlet near the house for lawn and yard use. This thirteenth sprinkler runs most of the time that the system is being used in the fields and garden.

I trust this will complete the information you desired.

Very truly,

Don McCombs

Don McCombs
Kooskia, Idaho

21384

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21384

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Don McCombs, Kooskia, Idaho

2. Source of water supply: Wilson Creek

mouth of Wilson Creek, in

3. Location of point of diversion: Is ~~in~~ the 200 ft. or 1300 ft. from / at Section 3

T. 32 N. R. 5 E. County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same: This is a sprinkler system for irrigation on the North side of the Middle Fk of the Clearwater. There is no pump house, curbing, nor protection of any kind. Pump and motor is a unit. Pump is a Pacific, Model 14, A 3-LU: serial 5P12151. Size 1 1/2" in. x 1 1/2" outlet. Horizontal, centrifugal type. Motor is a single phase, 2-hp. Century, 220 v. 10 amps, 60 cycle, 3500 rpm. Pump and motor are mtd on a short piece of plank 3" x 12" x 26" long. The intake is a 2" pipe approx. 6' long with rt angle bend extends down into a barrel sump (screened). There is 990' of 2" aluminum pipe with 12 No 20A Rainbird nozzles and one open 3/4" outlet. The lift for the greater part is approx. 18 to 20 feet and a 30' lift for a small additional portion.

5. Water is used for: Irrigation Irrigation and stock water

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 other than irrigation):

5.23 acres in Lots 2 and 5, Section 3, Twp. 32 North, Range 5 East, B. M.

Intend to irrig. 8 a.

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

8. What large stream would the water here appropriated finally reach? Middle Fk Clearwater R.

Remarks: Irrigation is for pasture, hay, and garden. They are developing a herd of Brown Swiss cattle.

Each of the 12 nozzles delivers 2.44 gpm. other nozzle more.

allow some additional for house and stock

This examination was made on the 1 st day of June, 1951

(Signed)

E. H. Humphrey

Examiner.

21384

6 acres irrigated
from the main line

P.D. = approx 64 yds from
bank of Clearwater

From Blackman Valley
in Spokane

P.D. 27 yds east of

Prop. T. Jones

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.

Don McCombs
Kooskia, Idaho

Permit No. 21384

Examination for Beneficial use

County Idaho

3

32 1/2 - 5 E

Q = 8" or 16 cfs

S. = Wilson Cr.

P.D. = 1300' from mouth of

Wilson Cr.

in Lot 1 Sec 3.

Use = grazing

Area = 1200' long x
60' to 300' wide.

P.D. #1 = approx. 60' from
bank to work.

Pump = Pacific #5P12151

Model 1 1/4 A3-LU

Size 1 1/2" x 1 1/4"

Motor = Century 1 ph.

2 h.p. 3500 rpm. 60

220 V. - 10 amps

Serial #AEC6.

Water & pump are in

field on 3" x 12" x 26" wood.

No cover - no curb.

2" intake pipe 6' long
approx. 2 1/4" h to pump.

12 sprinkler heads

Rain Bird #20A.

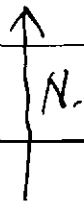
Size 1/2" or 3/4"

30-2" x 20' to 1" pipe.

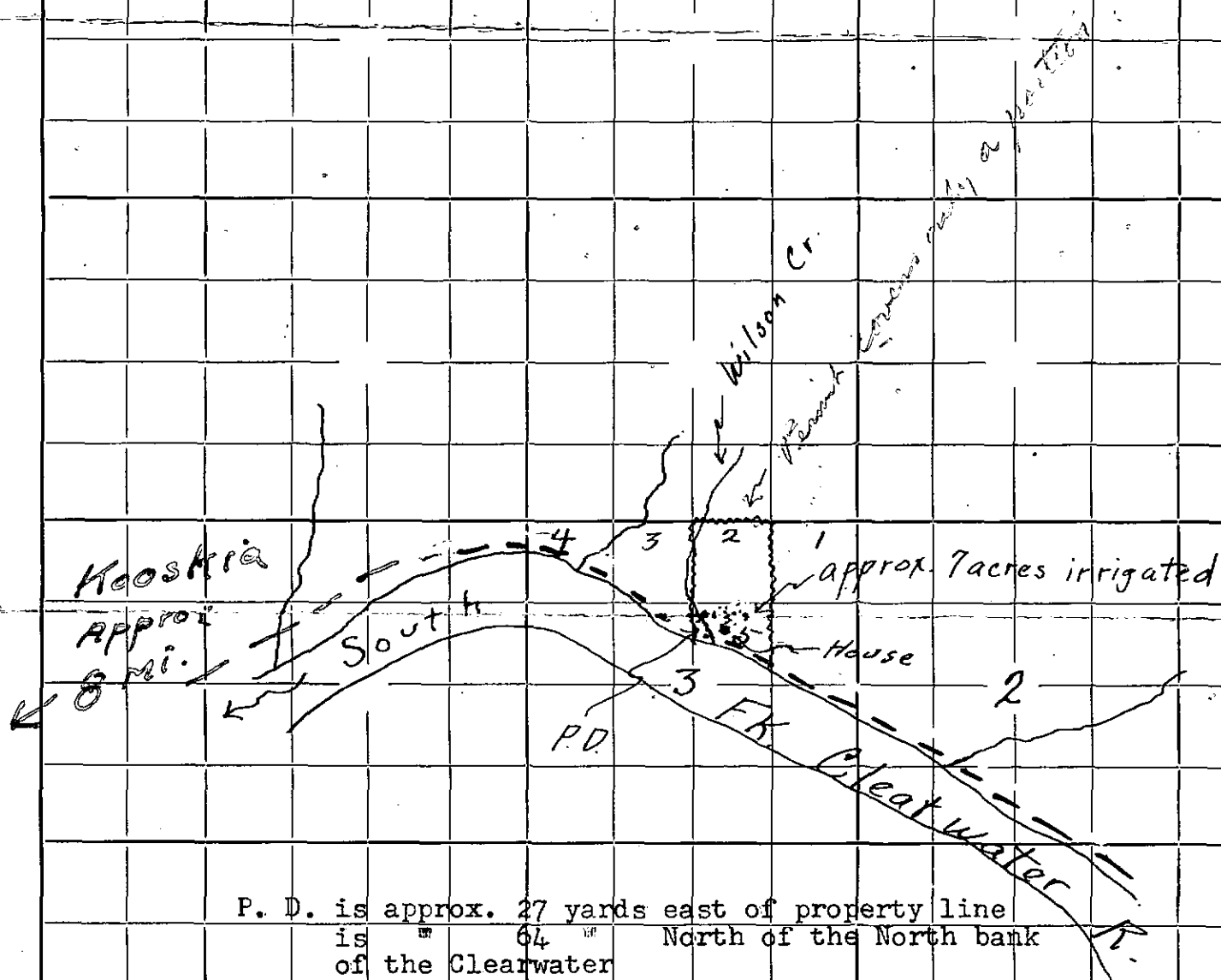
in the portion of the line -

2 1/2" to 3" pipe.

and as indicated.



Twp 32N. R 5E



P. D. is approx. 27 yards east of property line
is 64 North of the North bank
of the Clearwater

10

Area irrigated = approx 7 acres

allow 5" of water.

244
12
48
48
91 2.28 (P.)
18
18

will send in a map showing location of
acres.

Kooskia, Idaho
May 21, 1951

E. N. Humphrey
Deputy State Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
MAY 24 1951
Department of Reclamation

Dear Mr. Humphrey:

I have before me your letter of August 25, 1950, in which you stated it would be impossible to inspect my sprinkler system during 1950.

I advised in my letter of August 29th of that year, that I would notify you when I had put the system into operation in 1951. I have this date done so, with beneficial effect.

You also stated; "We will make the inspection as soon as possible and will advise you when we will be there, if possible."

Due to the fact that I have stopped working away from home in order to catch up with the farm work and the first cutting of alfalfa, I expect to be at home most of the time during the next 30 or 40 days. Will be pleased to have the person making the inspection call on me during this time.

Very truly,

Don McCombs

Don McCombs
Kooskia, Idaho

P. S.: My place will be found just ten miles from the Kooskia Post Office right where Wilson Creek empties into the Middle Fork of the Clearwater. A large set of elk antlers on the front porch railing will help identify the place.

21384

21384

RECEIVED
AUG 31 1950
Department of Reclamation

Boothia, Idaho
August 27, 1950

E. N. Humphreys,
Deputy State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Humphreys:

Thank you for your letter of August 25th. I am
sorry that you will not be able to inspect the
sprinkler this season. However, I realize your situation,
with only a few working sprinklers for the entire season.

I hope that you will make the inspection as soon as
possible, and that you will advise me when you will be back.

In the event that you have not been able to do so,
I am at the sprinkler system going next week, I will
advise you when it is in operation.

Thank you for your letter of inquiry.

Very truly,

Low McCombs

Don McCombs
Boothia, Idaho

Received
aug 31 1950

21384

Kooskia, Idaho
August 29, 1950

E. N. Humphrey
Deputy State Reclamation Engineer
Boise, Idaho

Dear Mr. Humphrey:

Thank you for your letter of August 25th. Am sorry that you will not be able to inspect my sprinkler system this season. However, I realize your situation, with only one man making inspections for the entire state.

I note that you will make the inspection as soon as possible, and that you will advise when you will be here.

In the event that you have not been here by the time I start the sprinkler system going next June, I shall notify you when it is in operation.

Thank you for reply to my inquiry.

Very truly,

/s/ Don McCombs

Don McCombs
Kooskia, Idaho

21384

August 25, 1950

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

I am sorry that we have been unable to find time to make an inspection of your sprinkler system earlier this season.

We are actually so snowed under with inspection work and only one person making inspections, that it is probable that we will not be able to make inspection until next year.

However, I wish to assure you that the delay in inspection will not in any way effect your priority.

We will make the inspection as soon as possible and will advise you when we will be there, if possible.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bh

21384

Permit 21384

RECEIVED
AUG 25 1950
Department of Reclamation

Kooskia, Idaho
August 24, 1950

Department of Reclamation
State House
Boise, Idaho

Jeanne T. Anderson:

Am writing again relative to visit by Field Engineer. Since writing you July 19th, I have had no word from your department as to when he might wish to inspect this irrigation system.

As stated in my letter of above date, I am very desirous of having the Engineer see the benefits derived from this sprinkler system. To best observe such benefits, it should be seen while in operation. The third cutting of alfalfa will start in just a few days now; therefore the sprinklers will be used only a short time after the last crop is harvested, then discontinued for this season.

If you have any idea at all as to when he may be up this way, will you please let me know during the next week?

Thank you.

Very truly,

Don McCombs

Don McCombs
Kooskia, Idaho

21384

No. 21384

RECEIVED
JUL 21 1950
Department of Reclamation

Kooskia, Idaho
July 19, 1950

Department of Reclamation
State House
Boise, Idaho

Jeanne L. Anderson:

Thanks for your letter of July 14th, acknowledging receipt of depositions, etc.

Shall welcome the examination to be made by the Field Engineer. Realizing that he must be a very busy person, having the entire state to cover, I still earnestly hope he will be able to see this project in operation some time during the next thirty days.

My second crop of alfalfa is just now ready to harvest. During the next thirty days the third cutting will be growing, and the Engineer will have an opportunity to really see the benefit of the water being applied to the land.

If it were at all possible, I should like to know at least a day in advance of his visit, since there is always a slight possibility that we might be away during the middle of the day. However, we are certain to be at home every day at milking time-----morning and evening.

Very truly,

Don McCombs
Kooskia, Idaho

Don McCombs

21384

July 14, 1950

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

We acknowledge receipt of the depositions of yourself and two witnesses, also Affidavit of Publication in the Idaho County Free Press, all submitted in Proof of Beneficial Use under Permit No. 21384.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

21384

Affidavit of Publication

STATE OF IDAHO,
County of Idaho—ss.

John L. Olmsted

being first duly sworn, says he is the co-publisher

of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 4 weeks, being published 1 times, the first publication being on the 15 day of June, 1950, and the last publication on the 7 day of July, 1950; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

John L. Olmsted

Subscribed and sworn to before me this 6

day of July, 1950.

H. L. Cone, Notary Public,
for State of Idaho, residing at Grangeville, Idaho.



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

Notice is hereby given that at 9:00 a.m. on the 7th day of July, 1950, at Kooskia, County of Idaho, State of Idaho, before G. E. Cleveland, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Wilson Creek in accordance with the terms and conditions of Permit No. 21384 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 Don McCombs, Kooskia, Idaho.

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

The amount applied to beneficial use is 1.6 cubic feet per second.

The place where said water is used, 5.23 acres, contained within Lots 2 and 5 of Section 3, Twp 32, NR 5 EBM.

The name of the canal or ditch or other works by which said water is conducted to such place of use is 2" pipe line.

The right to take water from such works is based upon Permit No. 21384.

The source of supply from which such water is diverted is Wilson Creek, a tributary to the Middle Fork of the Clearwater River.

The date of priority which said user is prepared to establish is February 17, 1950.

MARK R. KULP

Jn15-J7 State Reclamation Engineer.

21384

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 10 1950
Department of Reclamation

Permit No. 21384

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Don McCombs - Wilson Creek, Middle Fork of Clearwater
Farmer - Kooskia, 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. Acting on behalf of myself

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

Ans. Permit Number 21384, dated February 17, 1950. 3-13 Priority date: February 17, 1950

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

Ans. Wilson Creek, tributary to Middle Fork of Clearwater River.
Present point of diversion approximately 200' from mouth of creek with
point 1300' from mouth of creek as possible supplementary point of div.

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 being taken from steel barrell (screened on one side) set
in creek. Canable of diverting all or part of the allowed .16
cu. ft. per second. No name has been applied to project.

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 used for irrigation, irrigating 5.23 acres contained within
lots 2 and 5 of Section 5, Twp 32, NR 5 ESM. Land irrigated is
cultivated, most of it being alfalfa.

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

Ans. _____

21384

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

Ans. At present, continuous flow being pumped through 2" pipeline suffices. Balance of 16 cu. ft. per sec. may be necessary if above system fails to prove satisfactory.

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. System has been in use approximately a week. Water being pumped into 2" pipeline sprinkler system by centrifugal pump from creek, supplying 2.56" of water to crop when entire acreage is covered.

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. Water from Wilson Creek was diverted by previous owner by small ditch to a small portion of above acreage. I ran some water through same ditch to small plot of alfalfa last August and September with only moderately successful results. Wilson Creek also flows through barnyard, furnishing water to stock.

(Sign) _____

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 Kooskia, County of Idaho,

State of Idaho, on this 7th day of July, A. D. 19 50.

My commission expires May 1, 1953.

21384

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21384

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. Charles A. Rice, 73, Kooskia Idaho, Farmer

Ques. 2. Are you acquainted with Don McCombs, the holder of Permit No. 21384? How long have you known him and where does he reside?

Ans. One year, Kooskia Idaho (Wilson Creek)

Ques. 3. Have you read or heard read said Permit No. 21384, 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. Wilson Creek, Water diverted some 200 feet from mouth of Creek, Water being pumped through pipeline sprinkler system.

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. Syster furnishes 12 sprinklers having one-eighth inch opening through 2" pipeline, Have seen said 12 sprinklers in operation.

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

Ans. Purpose of irrigating 5.23 acres, contained within lots 2 and 5 of Sec. 3, Twp. 32, NR 5 E.B.M, land in cultivation being planted to alfalfa.

21384

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

Ans. _____

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

Ans. Dry land production last year is understood to have been but 9 tons of hay, whereas with the present system of irrigation, an estimated 6 tons per acre, or a total of 30 tons is very possible.

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

Ans. None

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

Ans. July 6th, by observation, saw total output of system now being used, applied to ground. Twelve overhead sprinklers were running at the time at capacity, being furnished by a 2" pipeline.

(Signed) Charles A. Rice

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 Kooskia,

County of Idaho, State of Idaho, on this 7 day of July,
A. D. 1950

E. J. Cleveland

Notary Public.

My commission expires May 1, 1953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21384

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. Ralph S. Graves, 26, Clerk, Kooskia Idaho

Ques. 2. Are you acquainted with Don McCombs, the holder of Permit No. 21384? How long have you known him and where does he reside?

Ans. Eleven Years

Ques. 3. Have you read or heard read said Permit No. 21384, 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. Wilson Creek, which empties into the Middle Fork of the Clearwater River, Present point of diversion approximately 200' from mouth of creek with point 1300' from mouth of creek as possible supplementary point of diversion.

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. System furnishes twelve sprinklers having one-eighth inch opening through 2" pipeline, have seen the 12 sprinklers in operation.

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

Ans. For irrigation, 5.23 acres, contained within lots 2 and 5, of Sec. 3, Twp. 32, NR 5 E.B.M., land now planted to alfalfa.

21384

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

Ans. _____

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

Ans. Dry land production last year is understood to have been but 9 tons of hay, it is estimated with the present irrigation system the production will possibly in excess of 30 tons.

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

Ans. None

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

Ans. July 5th. by observation, saw total output of present system being applied to land, 12 sprinklers being supplied by 2" pipeline.

(Signed) Ralph J. Graves

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 Kooskia,
County of Idaho, State of Idaho, on this 7 day of July,
A. D. 1950.

J. F. Chaffin
Notary Public.

My commission expires May 1, 1953

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

BOISE, IDAHO, June 26, 1950

Re: Permit No. 21384
Don McCombs

Mr. G. F. Cleveland, Notary Public,
Kooskia, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 21384

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On ~~July 7, 1950~~, 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 ~~Kooskia, Idaho~~ before ~~G. F. Cleveland, 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

21384

June 26, 1950

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

We enclose Certificate of Completion of Works issued under your Permit No. 21384 for the diversion of 0.16 of a second foot of water from Wilson Creek, for irrigation of land located in Lots 2 and 5, Section 3, Township 32 North, Range 5 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bm
Enc.

P.S. We also enclose Departmental Receipt No. 22416.

21384

RECEIVED
JUN 19 1950
Department of Reclamation

Kooskia, Idaho
June 16, 1950

State of Idaho
Dept. of Reclamation
Boise, Idaho

Attn: Chief Clerk

Regarding your question relative to point of diversion of water from Wilson Creek.

Original plan was to take water at point approximately 1300 feet from mouth of Wilson Creek, flowing by gravity to sprinklers. There was also a second point of diversion shown on map, which is the approximate location of the one I am forced to use, due to the fact that it was necessary to use an electric pump to get the water to the sprinkler heads because of lack of elevation for a gravity system.

By the time the peak of efficiency is reached with this sprinkler system, it may be necessary to change the exact point of diversion slightly, or even to use the point at 1300 feet some, to reach all of the area to be watered. For that reason, I wish to retain the right to use two points of diversion, as shown on map furnished by your office, if the need requires it.

Thank you,

Don McCombs
Kooskia, Idaho

Don McCombs

21384

Idaho County Free Press "Your Home Town Paper" Grangeville, Idaho

Re: Permit No. 21384

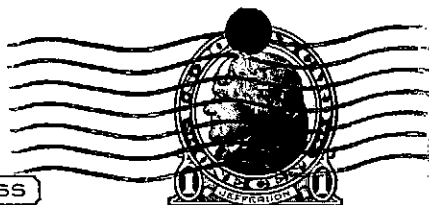
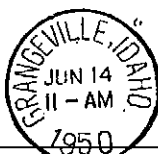
This will acknowledge receipt of Notice for Publication which will be run in our paper, June 15, 22, 29 & July 6, to be paid by applicant, Combs, Kooskia, Idaho. 4 copies of the first issue of paper carrying Notice will be mailed you Thursday.

Respectfully,

John L. Olmsted

21384

RECEIVED
JUN 16 1935
Department of Registration



THIS SIDE OF CARD IS FOR ADDRESS

Dept. of Reclamation
State House
BOISE, IDAHO

Jeanne L. Anderson

21384

✓
June 13, 1950

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

We are in receipt of your affidavit in proof of completion of works under Permit No. 21384, also notice of beneficial use proof to be made on July 7th.

In checking your proof of completion of works, we note that you describe the point of diversion as approximately 200 feet from the mouth of Wilson Creek, while the original application and permit describes it as approximately 1300 feet up Wilson Creek from its mouth, and in Lot 1, Section 33, Twp. 32 North, Range 5 East. Which location is correct?

We have sent a copy of the notice to the Idaho County Free Press, with instructions to publish it once a week for four consecutive weeks prior to July 7th, and to send you the affidavit of publication, together with statement of costs.

We shall send Mr. Cleveland, the Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, and at the time set for proof you should appear before him, 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

21384

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: June 12, 1950

Re: Permit No. 21384

Idaho County Free Press

Grangeville, Idaho

Gentlemen:

Enclosed you will find notice for publication once
a week for four consecutive weeks prior to **July 7, 1950**,
the date set for proof, the expense of the publication to be
paid by the applicant, **Don McCombs, Kooskia, of 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

21384

Note:

Under section seven---I have
left this for you to fill in.

Explanation: Works are capable
of supplying somewhat more than the
2" pipe line and 12 sprinklers, al-
though I do not know just how much
more. Therefore, I am leaving the
answer to this question at your
discretion.

John McComb

PD - 200'

or 130'

441? 21384

Permit No. 21384

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
JUN 12 1950
Department of Reclamation

STATE OF IDAHO

County of Idaho

ss.

Don McCombs

, 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. 21384, and that his postoffice address is Kooskia, State of Idaho

Second: That the name of the stream which said water is to be directed is Wilson Creek, tributary to Middle Fork of the Clearwater River

Third: That the point of diversion of said water is approximately 200' (two hundred feet) from the mouth of Wilson Creek.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 13, 1951

Fifth: That the use for which said water is intended is sprinkler system by which to irrigate fields.

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

I. Kind of works: screened steel barrel set in Wilson Creek.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: No dam.

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

Dam was not necessary. Barrel merely set in depression in creek.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit pipe width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe 2 inches, average grade
Greatest footage of 2" pipe to be in use at one time: 990 feet.
per mile is feet. Length of conduit is miles.

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

0.16 second feet of water.

Eighth: That water appropriated under said permit is available for 5.23 which is part of ranch Lots 2 and 5 of Section 3, Twp 32. NR 5 EBM, acres of land described as follows: except beginning at a point whence the NE corner of Lot 5, Sec. 3, Twp 32 NR 5 EBM bears wouth 151 feet, thence west 418 ft., thence south 369 ft., thence southeasterly 533 ft. along the arc of a 4 degree curve on the north boundry of State Highway No. 9, thence North 697 feet to the point of beginning, containing 5 acres and being a portion of said Lot 5 and Lot 2 of Sec. 3, Twp 32, NR 5 EBM.

Ninth: Remarks: That Permit 21384 allows 8 inches or .16 cu. ft. per second. Agricultural Engineer who suggested and designed present plan, using only a 2 hp pump and supplying 12 sprinkler heads on a 2" pipe, suggests retaining permission to use the original figure (.16 cu. ft. per second) in the event that I find the present setup insufficient for my needs.

Don McCombs

(Sign Here)

Subscribed and sworn to before me this 9 day of June, 1950

My commission expires May 1-1953

Notary Public.

21384

Note

Please supply correct number of cubic feet per second, as under section SEVEN, form 6.

"The amount applied to beneficial use is" same as above.

"The date of priority which said user is prepared to establish is....."

I do not understand what is wanted in answer to this question. Permit was approved March 13, 1950. Work was started May 2nd. Work was completed June 9th, pumping system being installed and ready for use, proof application of water to beneficial use to be made after the necessary 4 notices have been run in Idaho County Free Press.

For Mr. Corbin

21384

FRANK H. LAWTON & SON
Creative Printers



608 N. MONROE STREET
PHONES: BR. 0150-0151

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... June 9, 1950

(P. O.)..... Kooskia, 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
Idaho County Free Press of Grangeville, Idaho published in
the county in which the works are situated.

Lawrence McCombs

(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.

21384

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

Notice is hereby given that at 9:00 A. M. on the 7th day of July, 1950,
 at Keosauqua, County of Idaho, State of Idaho, before
G. F. Cleveland, Notary Public, proof will be submitted of the
 application to beneficial use of 1.6 cubic feet per second of the waters of Wilson Creek
 in accordance with the terms and conditions of Permit No. 21384
 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
Don McCombs, Keosauqua, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1.6 cubic feet per second.

The place where said water is used (~~in for irrigation~~ give full and accurate description of the
 lands irrigated) 5.25 acres, contained within Lots 2 and 5 of Section 3,
Twp 32, NR 5 E3M

The name of the canal or ditch or other works by which said water is conducted to such place of
 use is by 2" pipe line

The right to take water from such works is based upon Permit No. 21384

The source of supply from which such water is diverted is Wilson Creek, a tributary
to the Middle Fork of the Clearwater River

The date of priority which said user is prepared to establish is February 17, 1950

MARK R. KULP

State Reclamation Engineer.

21384

21384

May 4, 1950

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

Reference is made to your letter of May 2, 1950, reporting progress of work under Permit No. 21384.

It is not necessary to file any report of commencement of work or completion of one-fifth of work; but when the work is completed, proof may be made on Form 6 enclosed. This should be executed before a Notary Public and returned to this Department with the statutory fee of \$5.00.

Since you have changed your method of irrigation, the affidavit of completion should describe the works which you have constructed and this does not necessarily have to conform with the works originally described in the application.

Proof of Beneficial Use requires publication once a week for four consecutive weeks before the proof is made. This should be made in duplicate on Form 10 enclosed, setting the 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 weeks 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 county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21384

RECEIVED
MAY 4 1950
Department of Reclamation

Kooskia, Idaho
May 2nd, 1950

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

RE: Water permit No. 21384.

In accordance with instructions in the "Approval of State Reclamation Engineer", I must have started work on my water system on or before May 13th, 1950.

This letter is to inform the Department that work has this date been started on said project.

To date I have: Purchased and installed receptacle in Wilson Creek from which to pump the water into the pipelines for the sprinkler system. Placed order with Dickerson Machinery Company of 423 W. First Avenue, Spokane, Washington for pump, main line piping, laterals and sprinkler heads, total order to cost in the neighborhood of \$900 and for June 1st, 1950 delivery.

The last three steps necessary; namely, one-fifth of work to be completed, whole of said work to be completed; and beneficial use of water, all will have been completed shortly after the first cutting of alfalfa, sometime in June, at which time the pipes will be laid, connected, the pump installed and wired, and sprinkling commenced.

In what manner do you wish proof of above steps shown, including the present one, "work begun"?

The Agricultural Engineer, who checked my original plans as submitted to your department, found that there was not enough elevation for gravity to operate the sprinklers, so I was forced to revise my system, necessitating the purchase of an electric pump. Therefore, water will come from the lower "point of diversion" at least to begin with. This point is approximately equidistant between the two ends of the field, making it possible to run laterals each way from the middle of the field.

Trusting this meets with your approval, and that I will have your answer to the above questions at an early date, I remain

Very truly,

Don McCombs

21384

March 29, 1950

Re: Permit No. 21384

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

Reference is made to your letter of March 23, 1950, making several inquiries as to your Permit No. 21384.

1. The \$5.00 fee paid by you is the filing fee on the application. When your Proof of Completion of Works is made, there will be another \$5.00 fee due and there will be another fee due when your Proof of Beneficial Use had been made.

2. There is no termination date for the Permit, but if the proofs are made as called for under the terms of the Permit and a License issued, it will be a permanent water right as long as the water is beneficially used.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

21384

RECEIVED
MAR 25 1950

Department of Reclamation

Kooskia, Idaho
March 23, 1950

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Yesterday I received the water permit No. 21384, for which I am very grateful. And I wish to thank you for your quick response to my inquiry.

There are just two items I would like to ask about, having the answers to which will put me quite at ease:-

(1) Does the five dollar (\$5.00) fee cover the permit only for a year, or indefinitely?

(2) I find dates concerning time work is to be commenced on the project, the time one-fifth of the work is to have been done, and the time it is to have been completed; also date when beneficial use of water is to have been made. Now the question: Is there a termination date of permit, or will continuous seasonal use keep it in force?

If you will kindly answer the two questions, I shall again thank you.

Very truly,

Don McCombs

Don McCombs
Kooskia, Idaho

21384

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. 21384

Date March 20, 1950

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

Mr. Don McCombs
Kooskia, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 22090

21384

Kootenai, Idaho
March 10, 1950

RECEIVED
MAR 20 1950

Department of Reclamation

State of Idaho
Dep't. of Reclamation
Boise, Idaho

Gentlemen:

On February 14th, I mailed you application
for water right on Wilson Creek.

Intend going to Spokane in a week or ten days,
and while there could go into more detail with the
manufacturer of overhead sprinkling systems that I
have been corresponding with, if I knew how my water
right application is coming along.

If you have any information as to the progress
of my application, I shall greatly appreciate it if
you will write me by return mail about it.

I know these things take time, and am sorry
to bother you now about it, but the information will
help a lot if you will be so kind as to relay it to
me.

Thanking you in advance, I remain

Very truly yours,

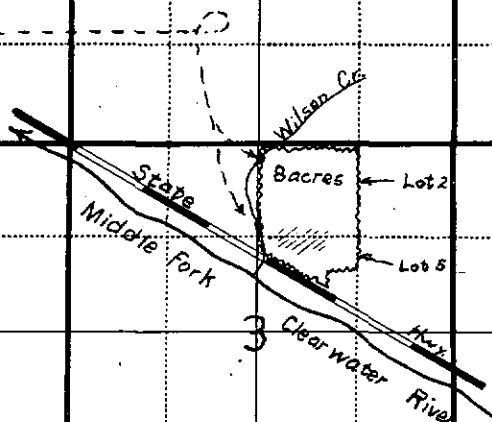
Don McCombs

Don McCombs
Kootenai, Idaho

21384

T.32N., R.5E

Points of Diversion



Permit Map No. 21384

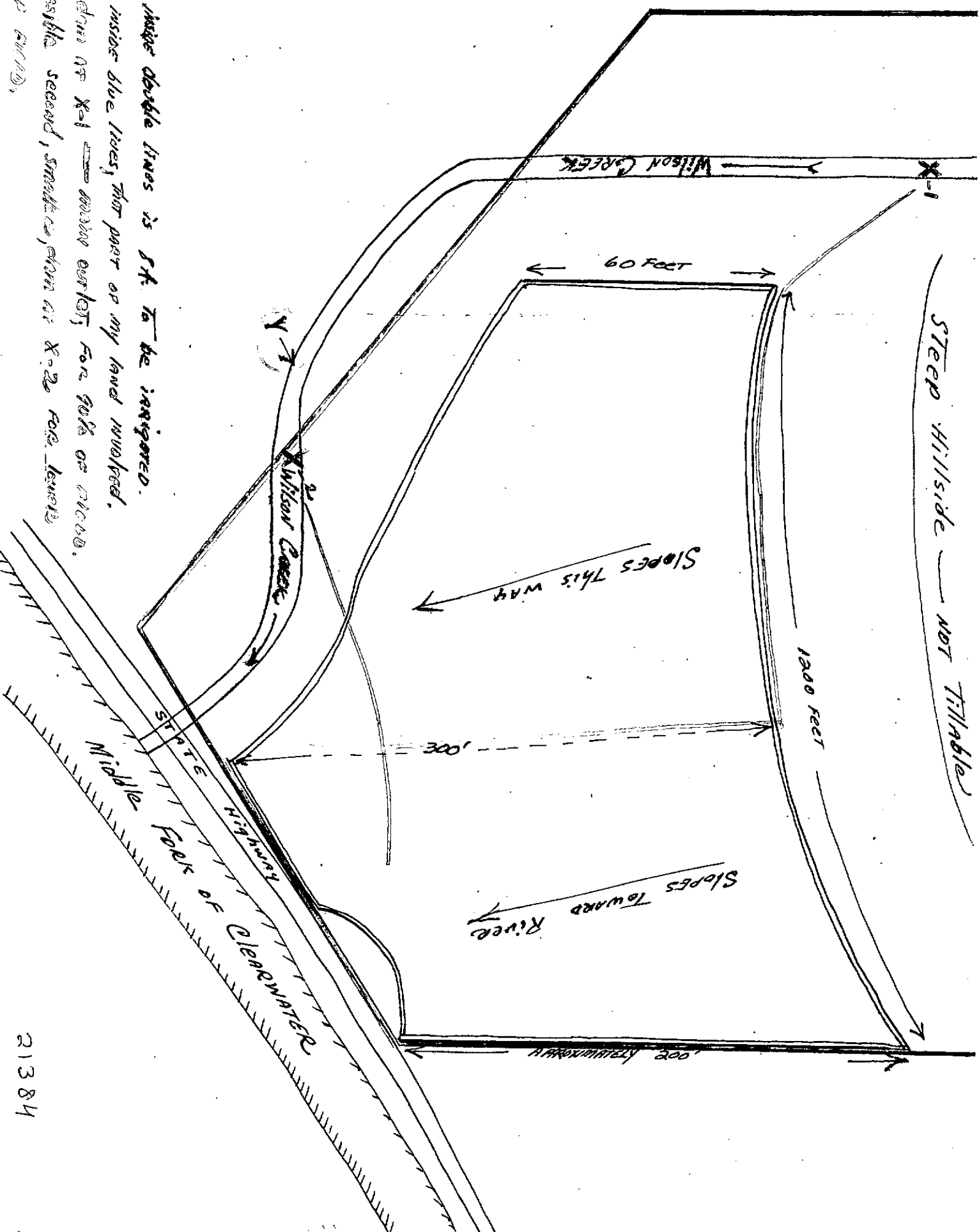
As Approved

MAR 13 1950

MARK R. KULP

State Reclamation Engineer

These inside double lines is 8 ft. to be irrigated.
 Area inside blue lines, that part or my land involved.
 Small dam at X-1 — across creek, for 90 ft. or more.
 Possible second, small dam at X-2 for 100 ft. length
 part of ground.



Steep Hillside — not Tillable

RECEIVED
FEB 17 1950
Department of Reclamation

Kooskia, Idaho
February 14, 1950

State of Idaho
Dep't. of Reclamation
Boise

Gentlemen:

Acknowledging your letter of October 18,
1949.

Have made contact with a company that can furnish necessary equipment to irrigate my eight (8) acres of alfalfa, providing I can meet their price and providing I am granted a water right out of Wilson Creek.

Enclosed is application, filled out to the best of my ability, with sketch showing relation of land to creek, also legal description of the entire ranch, and my intended use of the water. It might be that it will not be necessary to take water at point "X 2", but would like permission to take it from that point if necessary. A dam a couple of feet high at that point would suffice.

One question: Would it be legal for the adjoining land owner to divert the entire contents of Wilson Creek at point "Y"? I understand it was done several years ago by a previous owner. If that were permissible, there would be no water in the part of the creek below "X 2" for that stock which I pasture in that area.

Enclosed check for the \$5.00 fee. Shall await your action on this application before going ahead with the purchase of sprinkler equipment.

Very truly,

Don McCombs
Kooskia, Idaho

Don McCombs

21384

October 18, 1949

Mr. Don McCombs
Kooskia, Idaho

Dear Mr. McCombs:

Reference is made to your letter of October 15, 1949, in regard to water right out of Wilson Creek.

The records in this Department fail to show any valid filing on Wilson Creek, although it is possible that such a right may have been acquired by continuous use. The laws of this state recognize a right that is acquired by continuous beneficial use over a period of years, but such right would have to be established in the District Court by proving such continuous use.

All water permits are issued for unappropriated water only and if you wish to file an application for the use of water from Wilson Creek for use on your own land, you may do so on the form enclosed. The pamphlet also enclosed gives the regulations and instructions in regard to filing same.

The fact that the water runs across your land would in itself give you no right to the use of the water without obtaining a water right either through the Permit method or through the District Court by showing continuous use as mentioned above.

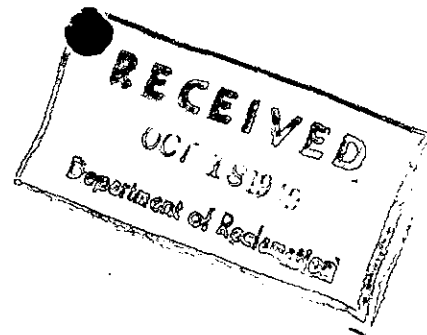
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21384



Kooskia, Idaho
October 15, 1949

Idaho Bureau of Reclamation
Boise, Idaho

Gentlemen:+

The following is the description of my place on the Middle Fork of the Clearwater River, in Idaho County:-

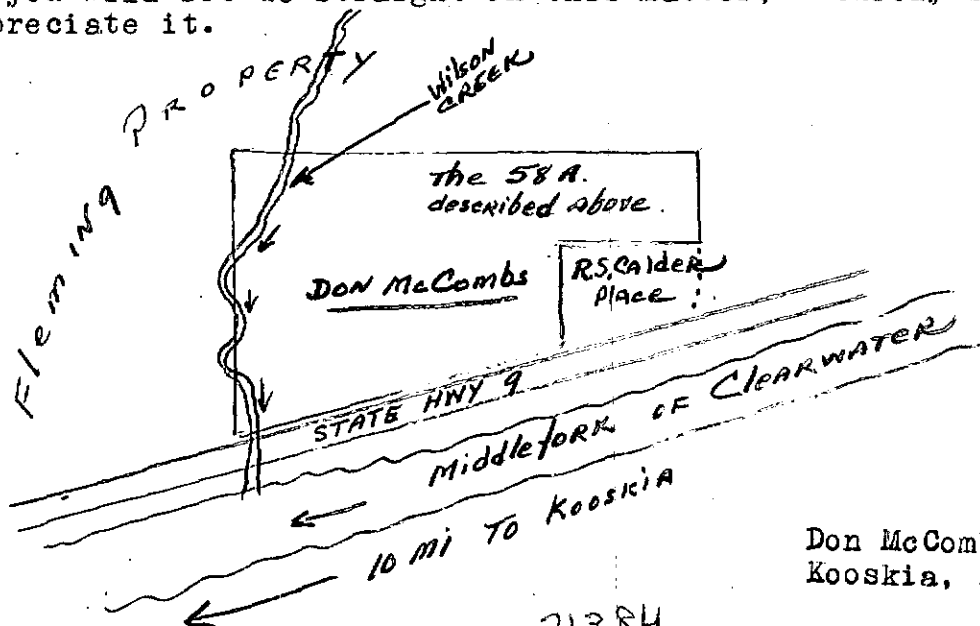
"Lots 2 and 5 of Sec. 3, Twp 32, NR 5 EBM, except beginning at a point whence the NE corner of Lot 5, Sec. 3, Twp 32 NR 5 EBM, bears South 151 ft, thence west 418 ft, thence south 369 ft, thence Southeasterly 533 ft along the arc of a 4 degree curve on the North boundary of the State Highway #9, thence North 697 ft to the point of beginning, containing 5 acres and being a portion of said Lot 5 and Lot 2 of Sec. 3, Twp 32, NR 5 EBM."

Wilson Creek meanders back and forth across the west boundary of this ranch, being somewhat as the sketch at the bottom of the page.

Nowone at the Idaho County Court House was able to tell me anything about the water rights on Wilson Creek. They suggested that I write your department.

I want to know about using water from the creek for irrigating. I have no intention of diverting the stream itself. My neighbor, Mr. Fleming, says he has some kind of water right on the creek. If so, does this interfere with my using the creek where it runs across my land?

I realize this entails a lot of work on your part, but if you will set me straight on this matter, I surely shall appreciate it.



Don McCombs
Kooskia, Idaho

21384

6-15-50

Page Sever

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

Notice is hereby given that at 9:00 a.m. on the 7th day of July, 1950, at Kooskia, County of Idaho, State of Idaho, before G. F. Cleveland, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Wilson Creek in accordance with the terms and conditions of Permit No. 21384 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 Don McCombs, Kooskia, Idaho.

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

The amount applied to beneficial use is 1.6 cubic feet per second.

The place where said water is used, 5.23 acres, contained within Lots 2 and 5 of Section 3, Twp 52, NR 5 EBM.

The name of the canal or ditch or other works by which said water is conducted to such place of use is 2" pipe line.

The right to take water from such works is based upon Permit No. 21384.

The source of supply from which such water is diverted is Wilson Creek, a tributary to the Middle Fork of the Clearwater River.

The date of priority which said user is prepared to establish is February 17, 1950.

Jun 15-57 MARK R. KULP
State Reclamation Engineer.