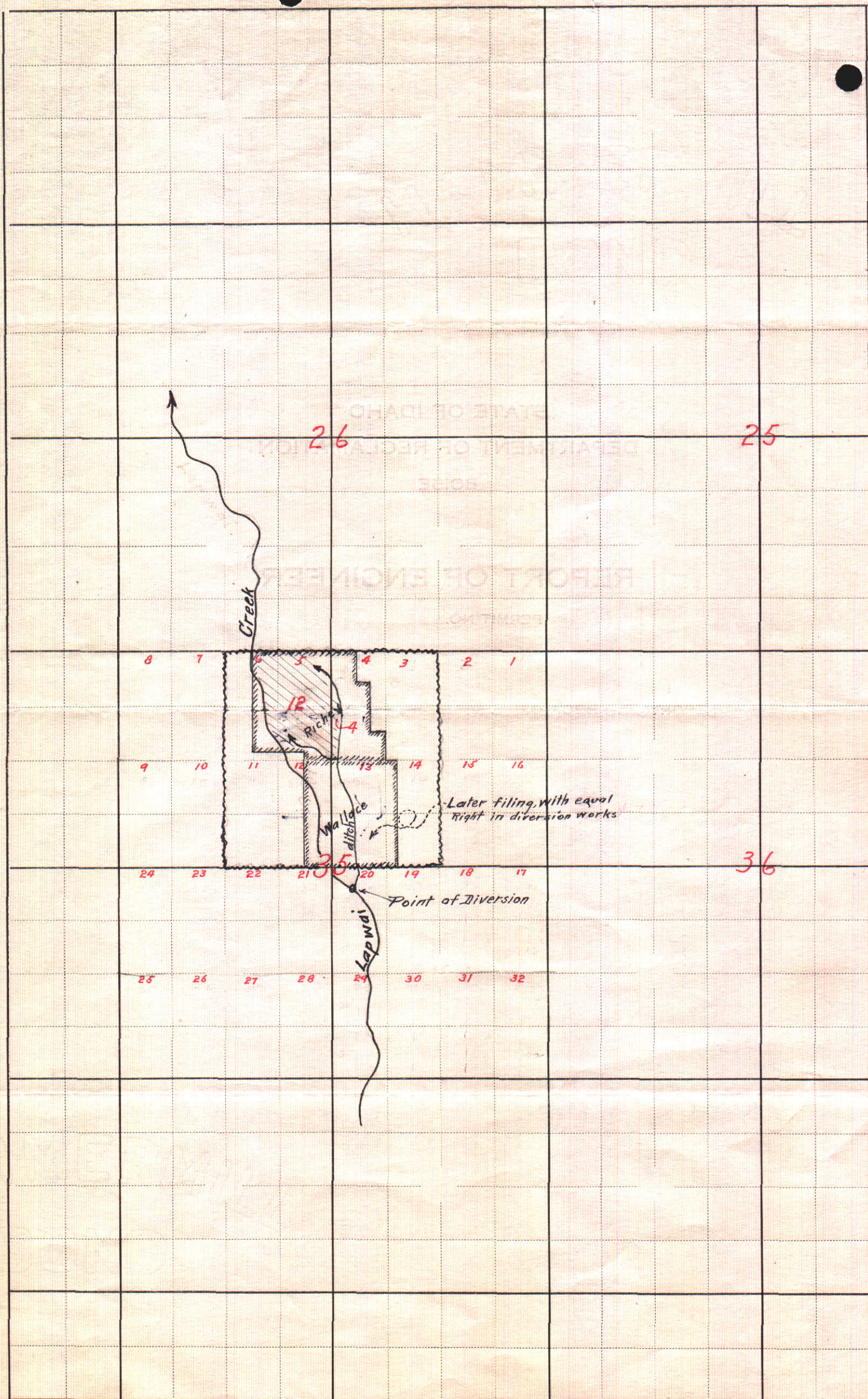
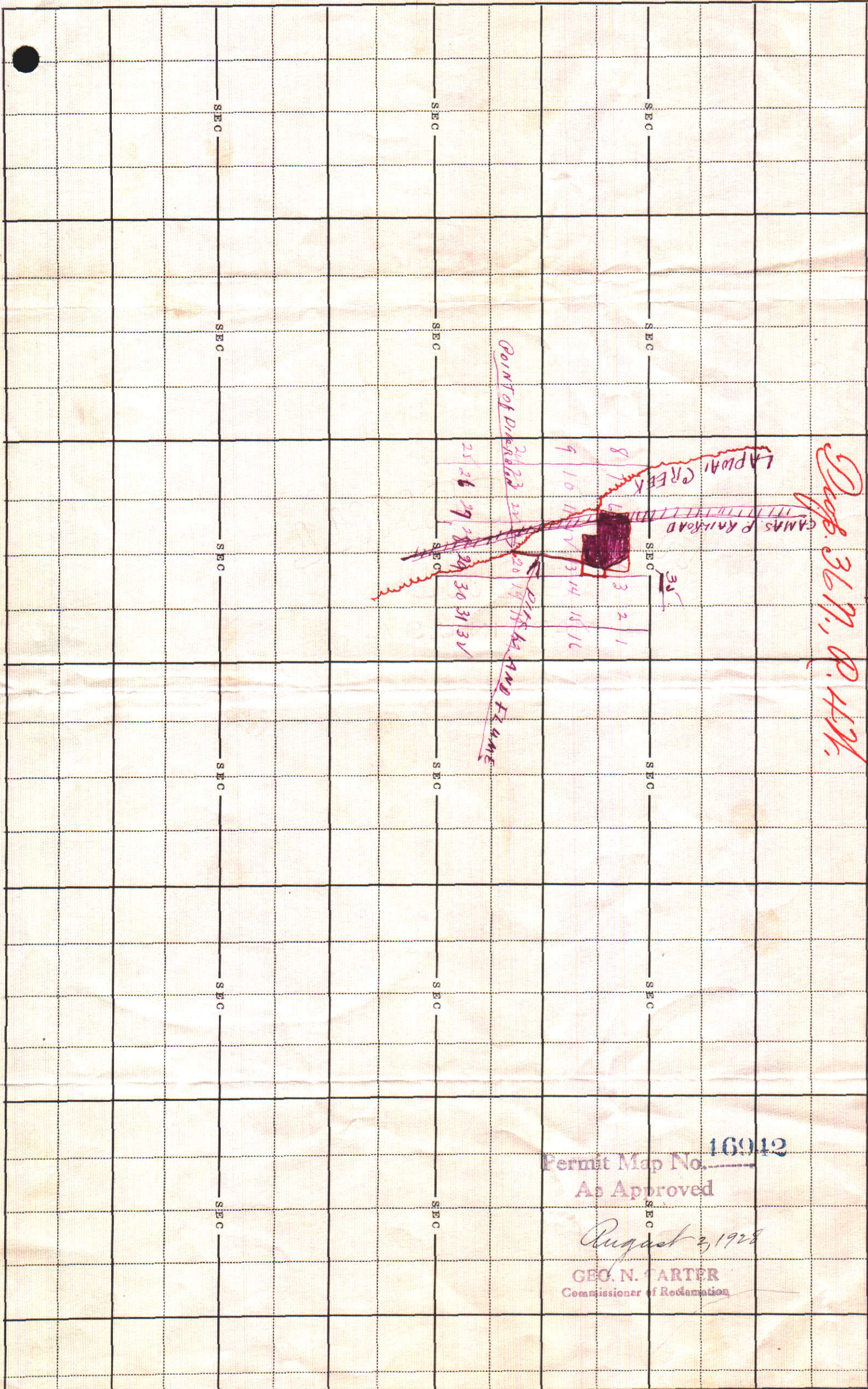




SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16942



Permit Map No. 16942
As Approved
August 3, 1928
GEO. N. CARTER
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 16942 Amount 0.32 Sec. Ft.
Water District No. Priority Sept. 5, 1928

THIS IS TO CERTIFY that Earl W. Richey of Lapwai, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 28, 1928; that Permit No. 16942 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4 second feet, was issued thereunder on June 30th, 1930, showing that said works were completed on the 26th day of June, 1930; and that on the 10th day of September, 1930,

Earl W. Richey of Lapwai, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Lapwai Creek, a tributary of Clearwater River, for the purpose of Irrigation & Domestic use, under Use Permit No. 16942 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 3698, on the 15th day of April, 1932; The right hereby confirmed dates from September 5, 1928;

The Point of Diversion is located in the Lot 20 1/4, Sec. 35, Tp. 36 N., R. 4 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 0.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
36 N.	4 W.	35	NW 1/4 NE 1/4 NE 1/4 NW 1/4	4 12	4 12
				Total	16

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 15th day of April, 1932

R. W. FARIS
Commissioner of Reclamation

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 16039
 Water District No. _____

Amount 1.6
 Priority June 30, 1924

THIS IS TO CERTIFY that **C. Shaw**
 of **McCall, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **June 30th**, 19 **24**; that Permit No. **16039**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on **July 2nd**, 19**29**, showing that said works
 were completed on the **22nd** day of **June**, 19**29**; and that on the **8th**
 day of **July**, 19 **31**,

C. Shaw
 of **McCall**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Shaw Reservoir**
 , a tributary of **E. Fk. of Lake Creek** for the purpose of **Irrigation & Domestic**
 , under Use Permit No. **16039** 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 **3897**, on the **30th** day of **March**, 19**32**;

The right hereby confirmed dates from **June 30th**, 19 **24**;

The Point of Diversion is located
 in the **NW 1/4** **NW 1/4**, Sec. **22**, Tp. **18 N.**, R. **4 E.**, B. M. Valley 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 **1.6**
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
18 N.	3 E.	24	SE 1/4 SW 1/4	25	25
		24	SW 1/4 SE 1/4	15	15
		25	NW 1/4 NE 1/4	20	20
		25	NE 1/4 NW 1/4	20	20
					Total

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 **30th** day of **March**, 19**32**

MANS H. COFFIN
 Ass't. Commissioner of Reclamation

(SEAL)

~~86-2012~~

85-2155

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

Application No. 23921
Permit No. 16942
District No.

1. Name of Applicant: Earl W. Richey.

Postoffice address: Lapwai, 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: two-fifths cubic feet per second.

3. Source of water supply: Lapwai Creek, which is a tributary of Clearwater River.

4. Location of point of diversion: 400 feet south ~~feet distant~~ from the center of ~~corner of~~ Section 35, T. 36 N., R. 4 West B. M., and is in the lot 20 of Section 35, T. 36 N., R. 4 W., B. M., County of Nezperce.

5. Water is to be used for: Irrigation.

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

(a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.

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

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 100.00.

8. Kind of works: 425 feet flume, balance open ditch.

9. Height of dam one feet; length of dam at top thirteen feet; length of dam at bottom thirteen feet; material used in dam: Lumber and brush.

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

11. Ditch: Width at bottom $1-\frac{1}{2}$ feet; width at water line two feet; depth of water one feet; dimensions of flume 11 inches high, 12 inches wide;

Diameter of pipe inches; length of conduit one-fourth miles.

Average grade per mile flume, one-half inch per rod. feet.

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

13. The time required for the complete application of the water to the proposed use is none additional years.

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

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

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

Earl W. Richey *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9 A. M., July 28, 1928.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16942.

Recorded in Book 61, Page 16942, Approved August 2, 1928.

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

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

Work to begin on or before October 1, 1928, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 2, 1929.

The whole of said work to be completed on or before August 2, 1930.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 2, 1930.

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

GEO. N. CARTER
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36 N.	4 W.	35		4	3			12			1							20	
I am constructing flume and ditch to carry water for the land I show, and W. H. Wallace, owner of land in lots 11, 12, 13 of same section, is to use flume jointly; he is filing. Have written permission from Bartlett estate to construct flume on their land and permission from W. H. Wallace to construct ditch across his 30 acre tract. The agreement on water taken in this joint flume and ditch is: Wallace to use water all odd number calendar days and I use water all even numbered calendar days. ----- Permit No. 16942 CERTIFICATE OF COMPLETION OF WORKS ----- To All Whom It May Concern: This is to certify that Earl W. Richey, of Lapwai, County of Nez Perce, and State of Idaho, the holder of Permit No. 16942, issued upon Application No. 23921, bearing date of priority of July 28, 1928, authorizing the diversion of 0.4 second feet of the waters of Lapwai Creek, County of Nez Perce, 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 0.4 second feet of the waters of Lapwai Creek; that the point of diversion of said waters is in Lot 20, Sec. 35, Twp. 36 N., R. 4 W., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW¼NE¼, SW¼NE¼, NE¼NW¼ and SE¼NW¼, Sec. 35, Twp. 36 N., R. 4 W., B.M., containing 20 acres. Witness my hand this 30th day of June, A. D. 1930. GEO. N. CARTER Commissioner of Reclamation. Proof of Completion of Works made June 26, 1930. Certificate of Completion of Works issued June 30, 1930. LICENSE ISSUED FOR 0.32-SEC. FT. Vol 7, Page 3698																			

WATER RIGHT JMBER 85-2155

WATER RIGHTS EDIT REPORT

10/03/79

PAGE 150

ACT
ION

N OWNER LAST NAME - RICHEY

FIRST NAME - EARL W.

N SOURCE - LAPWAI CREEK

CITY - LAPWAI

STATE - ID

N STAGE - LICENSE

TRIBUTARY OF - CLEARWATER RIVER

N DIVERSION POINT - 35 36N 04W LOT 20

PRIORITY - 09-05-1928

COUNTY - NEZ PERCE

TOTAL DIV. RATE -

.3200CFS

N USE - IRRIGATION

USE DIV. RATE -

.3200CFS

N USE - DOMESTIC

N USE - IRRIGATION

PLACE OF USE - TWN 36N RNG 04W SEC 35 TRACT NWNE

AC 04 TRACT NENW

AC 12

OLD NO. - 16942

IDENT. NO. 85-2155

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

1. Original Owner: Earl W. Lacey

Present Owner: _____

2. Address:

3. City: Lapwai State: ID Zip:

4. A. Source of Water: *Lapwai Creek*
B. Tributary of: *Clearwater River*

5. A. Stage (A,P,L,D,S,J): L
B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 9-5-1928

D. County: 69

E. Total Diversion Rate: 32

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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion		35	36 N	4W	20	

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

[illegible]

8. Use Code: 1

14. Diversion Means (brief narrative):

April 15, 1932

MR. EARL W. RICHKY
Lapwai, Idaho

Dear Sir:

Enclosed herewith is License and Certificate of Water Right, No. 16942; also your office receipt in the amount of \$5.00.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Clerk

LP

16942

February 5, 1932

Re: Permit No. 16942

EARL W. RICHY
Layton, Idaho

Dear Sir:

The Engineer's report covering his examination for the application of water to BENEFICIAL USE under the above permit has been filed in this Department.

Upon the receipt of an \$8.00 fee your license will be issued. The fee for BENEFICIAL USE is computed at the rate of \$2.00 for each 40 acre legal subdivision or portion thereof that is being irrigated.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Chief Clerk

FR/LP

16942

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

Permit No. 16942

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: Earl W. Richey
2. Source of water supply: Lapwai creek
3. Location of point of diversion: Is in the Lot 20 of Section 35
T. 36 N R. 4 W.B.M. County of Nez perce
4. Describe works as they exist, giving dimensions and capacities of same: Temporary rock
check diverts water into a box flume 12"x12" x 500ft long.
Ditch is 2ft wide x 1.5 ft. deep
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 36 N., R. 4 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? Clearwater River
- Remarks: Fluctuating creek conditions require seasonal change in point of diversion and dams

This examination was made on the 22nd day of Sept. 1931

(Signed)

Frank T. Dolman
16942

Examiner.

Earl W. Richey
Lapwai

78

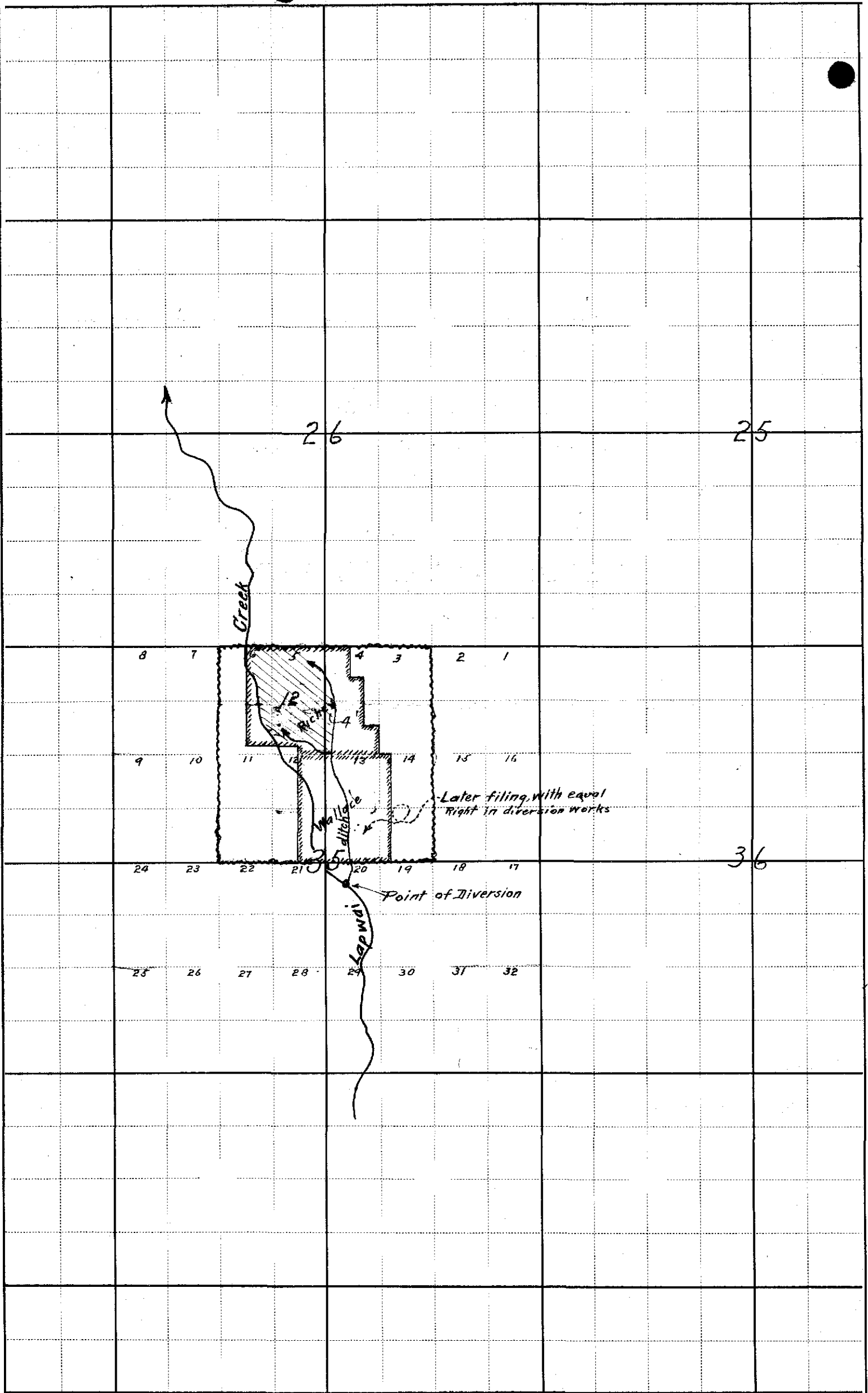
Permit No. 16942

Examination for BEN. USE

County NEZPERCE

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.
-



REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

September 13, 1930

Re: Permit 15942.

Mr. E. W. Richey
Box 124
Lapwai, Idaho

Dear Sir:

We are in receipt of depositions of yourself and two witnesses, together with the affidavit of publication, for proof of beneficial use of water under your above numbered permit. These will be placed on file here and held until the examination and report can be made by our field engineer, at which time you will be further advised in the matter.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/ee

16942

TELEGRAM—BE BRIEF

TIME FILED

M

Lapwai, Ida
Sept 11, 1930.

State of Idaho
Dept of Reclamation.
Mr. Geo. W. Carter Commissioner,
Boise, Ida.

Dear Sir:

I hand you herewith the completed papers in
connection with my water right, under permit No. 16942
Please advise what is further required.

Yours truly

Geo. W. Carter
Box 124, Lapwai, Ida.

16942

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 11:45 a.m. on the 10th day of September, 1928, at Lapwai, County of Nez Perce, State of Idaho, before Starr Maxwell, notary public, proof will be submitted of the application to beneficial use of two-fifths cubic feet per second of the waters of Lapwai Creek in accordance with the terms and conditions of Permit No. 16942 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 Earl W. Richey, Lapwai, Idaho.

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

The amount to beneficial use is two-fifths second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 35, Twp. 36 N., R. 4 W., B. M., containing 20 acres.

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

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

The date of the priority which said user is prepared to establish is July 28, 1928.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Nez Perce } ss.

I, Allen C. McDonald, do solemnly swear that I am the Section of 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 of Proof of Water to Beneficial use, a copy of which is attached hereunto, and which is a part of this affidavit; and was published in said newspaper for four consecutive weeks, the first publication having been made on the 15 day of August, 1920, and last publication on the 5 day of September, 1930; 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.

Allen C. McDonald

Subscribed and sworn to before me this 10 day of Sept, 1930

R. E. Storker

Notary Public

16942

Residing at Lewiston
Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 16942

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Earl W. Richey, Lapwai, Ida. Railroad Station Agent, Lapwai Idaho.

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

Ans. _____

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

Ans. No. 16942 ~~August 2, 1928~~ ^{July 28}, ~~Aug 2, 1928~~ ^{July 28}

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

Ans. Lapwai Creek, 400 feet south from center of section 35 T 26 N
4 West BM in lot 20 of sec 35, T 36N R 4 west BM Nezperce 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. Dam, made of brush, gravel and boards. .04 cu ft per second. Private
ditch and flume.

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, Cultivated land, located in section 35 TWP 36
N Range 4 WBM 20 acres, Land was in alfalfa, now being cultivated to
Melons, Strawberries, Potatoes and General truck farming.

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

Ans. _____

16942

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

Ans. One and one half acre feet per acre per season.

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. Used later part of August 1928, to close of september 1928. used from May 15, 1929 to sept 15, 1929, and from May 15, 1930 to and including Sept 10, 1930 and still in use.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Have a pumping plant in an old spring that I used as an emergency supply on strawberries during 1929, this is used in case of failure of ditch, but supply only lasts about 2 hours a day for pumping, and only sufficient for about one acre of used continually, not used at all during 1930.

(Sign) _____

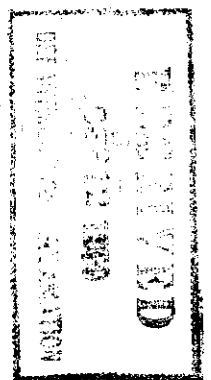
Earl W. Riskey

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 Lapwai, County of Nez Perce State of Idaho, on this 10th day of September, A. D. 1930.

My commission expires _____

Dec. 28, 1932.

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT LAPWAI, NEZ PERCE COUNTY, IDAHO
MY COMMISSION EXPIRES DEC. 28, 1932



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 16942

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. W.C. Marsh, age 40, Lapwai Idaho
Farmer.

Ques. 2. Are you acquainted with Earl W. Richey, the holder of Permit No. 16942? How long have you known him and where does he reside?

Ans. seven years. Lapwai, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16942, 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. Lapwai Creek, 400 feet south of center of section 35 T36N R4
West BM. in lot 20 of section 35 T36 NR 4 West BM Nezperce county
Idaho. 425 feet flume 11 inches high, 12 inches wide, one fourth
mile open ditch.

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. two fifths cu ft. Two fifths cu ft.

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. Irrigation. Cultivated land, located in section 35 TWP 36 N
Range 4 WBM 20 acres, Land was in alfalfa now being cultivated to Melons
Strawberries, Potatoes and general truck farming.

16942

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. Sandy loam, and black loam with gravel lying underneath, soil runs from 2 to 10 feet deep. One and one half acre feet per acre per season.

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. From August 1928 to close of irrigation season 1928, from May 15 to Sept 15, 1929 and from May 15 1930 up to and including present time has used full amount allotted, and irrigated berries and general truck garden.

(Sign) W. C. Marsh

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 Lepuwa County of Nez Perce State of Idaho, on this 10 day of September A. D. 1930

Stan J. Maxwell
Notary Public.

My commission expires Dec. 28, 1932.

RECEIVED
SEP 12 1930
DEPARTMENT OF RECLAMATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 16942

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. F. Maden, Age 38, Lapwai Idaho
Farmer.

Ques. 2. Are you acquainted with Earl W. Riohey, the holder of Permit No. 16942? How long have you known him and where does he reside?

Ans. 12 Years., Lapwai Ida.

Ques. 3. Have you read or heard read said Permit No. 16942, 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. Lapwai Creek, 400 Feet south of center of section 35 T 36 N R4 west
B.M. in lot 20 of section 35 T 36 N R 4 west BM Nezperce county Ida
425 Feet flume 11 inches high, 12 inches wide, one fourth mile open ditch

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. two fifths cu ft. two fifths cu ft.

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. Irrigation. Cultivated land, located in section 35, Twp 36
N range 4 WBM 20 acres, Land was in alfalfa, now being cultivated
to Melons, strawberries, potatoes and general truck farming.

16942

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. sandy loam, and black loam with gravel lying underneath, soil runs from 2 to 10 feet deep. one and one half acre feet per acre per season.

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. From August 1928, to close of irrigation season 1928, from May 15 to Sept 15, 1929 and from May 15, 1930 up to and including present time has used full amount allotted, and irrigated berries and general truck garden.

(Sign) _____

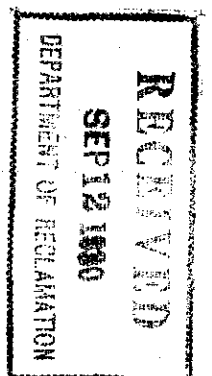
J. F. Morlan

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 Lapwai County of Blaine State of Idaho,

on this 10th day of September, A. D. 1930

Stark J. Maxwell
Notary Public.

My commission expires Dec. 28, 1932.



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

August 29, 1930.

Mr. Earl W. Richey
C/o Starr Maxwell, Notary Public
Lapwai, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16942.

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

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

1. On September 10, 1930, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Lapwai, Idaho, before Starr Maxwell, Notary Public.

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

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

Yours truly,

GEO. N. CARTER

Commissioner of Reclamation.

16942

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date Aug. 9, 1930

LEWISTON BANNER

Lewiston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to Sept. 10, 1930, the date set for proof, the expense of the publication to be paid by the applicant, Earl W. Richey, of Lapwai

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. N. CARTER

Commissioner of Reclamation

16942

BU

August 9, 1930

Re: Permit No. 16942.

Mr. Earl W. Richey
Lapwai, Idaho

Dear Sir:

Referring to your proof under the above numbered permit, would say that through some oversight the notice was not sent to the paper for the required publication in time for proof to be made on August 27. We have, therefore, changed the date for proof to September 10, and notice has been mailed to the Lewiston Banner for publication.

Deposition blanks will be mailed to Starr Maxwell, Notary Public at Lapwai.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/co

16942

July 1, 1930

RE: Permit No. 16942

Mr. Earl W. Richey
Lapwai, Idaho

Dear Sir:

We are inclosing herewith Certificate of Completion of Works issued to you under the above numbered permit, together with receipt for fee.

Very truly yours,

GEO. W. CARTER
Commissioner of Reclamation

By

G

16942

Re: Permit No. 16942.

16942

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 1145 a. m. on the 27 day of August, 1930,
at Lapwai Idaho., County of Nezperce, State of Idaho,
before _____, proof will be submitted
of the application to beneficial use of Two fifths cubic feet per second of the
waters of Lapwai Creek in accordance with the terms and conditions of
Permit No. 16942 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

Earl W Richey

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

Lapwai Ida.

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

The amount applied to beneficial use is Two fifths Cuft per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) The south thirty acres less 10 acres in the south hf of the
E hf of the south hf of lot 4, E hf of the N hf of the E hf of the S hf
of lot four. The W hf of the S hf of the E hf of the N hf of lot four. The
S hf of the W hf of the N hf of lot four. The W hf of the S hf of lot four
and the N hf of the N hf of the N hf of lot thirteen and the S hf of lot five
and the east hf of the N hf of lot six and the E hf of the N hf of the N hf
of lot six and the E hf of the N hf of the N hf of the N hf of lot twelve
See 35 Twp 36 Range 4 N 1 E

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

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

The source of supply from which such water is diverted is Lapwai Creek

The date of the priority which said user is prepared to establish is Aug 2, 1928

July 28
28

Commissioner of Reclamation.

Lot 20, Sec 35-36 N-4 W

Nez Perce Co -

16942

Lands NW NE, SW NE, NE NW, SE NW, Sec 35-36 N-4 W - Cont, 20 ac

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 26, 1930

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

Carl W. Richey

(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.

16942

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:45 a. m. on the 10th day of September, 1930,
at Lapwai, County of Nezperce, State of Idaho,
before Starr Maxwell, notary public, proof will be submitted
of the application to beneficial use of two-fifths cubic feet per second of the
waters of Lapwai Creek in accordance with the terms and conditions of
Permit No. 16942 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
Earl W. Rickey, Lapwai, Idaho

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

The amount applied to beneficial use is two-fifths second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 36 N., R. 4 W., B.M.,
containing 20 acres.

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

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

The source of supply from which such water is diverted is Lapwai creek

The date of the priority which said user is prepared to establish is July 28, 1928.

Geo. N. Carter,

Commissioner of Reclamation.

16942

Permit No. 16942STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Nezperce.

} SS

Earl W Richey

, 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. 16942, and that his postoffice address is Lapwai Idaho State of Idaho.

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

Lapwai Creek

Third: That the point of diversion of said water is 400 Feet south from the center of Sec 35 T 36 R 4 WBM county of Nezperce

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 2, 1930, 19

Fifth: That the use for which said water is intended is Irrigation.

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

I. Kind of works: Lumber and brush dam, 425 feet wooden flume and open ditch
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 1 feet, length of dam at top 13 feet, length of dam at bottom 13 feet. Material used in construction Lumber & Brush
Gravel bottom.

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir None acre feet.

(c) Size of headgate: Width 1 feet, height 1 feet.

(d) Conduit Flume width at bottom 1 feet, width at water line 1
(State whether ditch, flume or pipe.)

feet, depth of water 2/3 feet; diameter of pipe _____ inches, average grade
1/2 inch per rd
per mile is _____ feet. Length of conduit is 1/4 miles.

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

Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: The south thirty acres less 10 acres, situated in the south half of the east half of the south half of lot four, the W hf of the N hf of the E hf of the S hf of lot four, the W hf of the S hf of the E hf of the N hf of lot four, The S hf of the W hf of the N hf of lot four, the West hf of the south hf of lot four, and the north hf of the north hf of the north hf of lot thirteen, and the south half of lot five, and the east half of the south half of lot six, and the south half of the east half of the north half of lot six, and the east half of the north half of the north half of the north half of lot twelve. Sec 35 Twp 36 Range 4 WBM

Ninth: Remarks: That

of the north half of lot six, and the east half of the north half of the north half of the north half of lot twelve. Sec 35 Twp 36 Range 4 WBM

Earl W Richey
(Sign here)

Subscribed and sworn to before me this twenty sixth day of June, 19 30

My commission expires

Dec. 28/1932

Notary Public.

16942

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

May 12, 1930

Earl W. Richey
Lapwai, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16942....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is August 2, 1930....., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

16942

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Earl W. Richey
Lapwai, Idaho

Boise, Idaho,
May 12, 1930

Dear Sir:—

Under the terms of your permit No. 16942.....you are required to complete your diversion works on or before August 2, 1930. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

GEO. N. CARTER
Commissioner of Reclamation.

16942

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16942

August 3, 1928

Earl W. Richey
Lapwai, Idaho

Boise, Idaho,

Dear Sir:

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

GEO. N. CARTER

Commissioner of Reclamation.

16942

