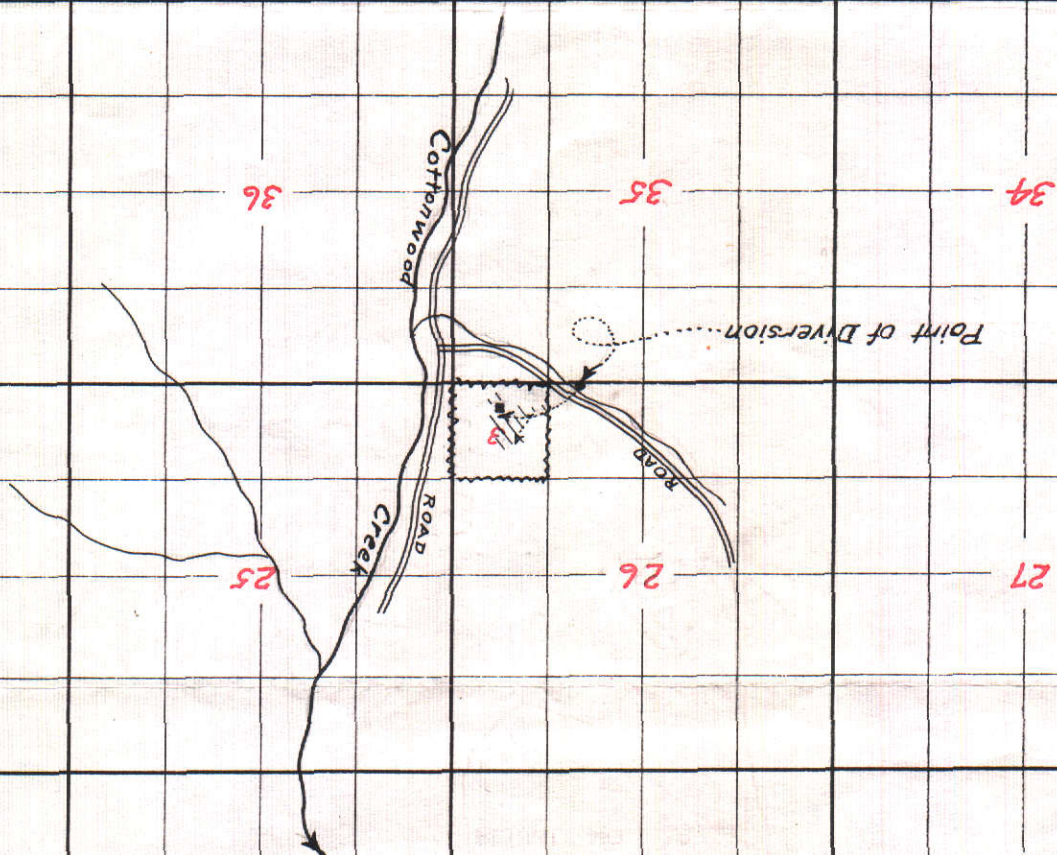


18731



Publisher's Affidavit of Publication

STATE OF IDAHO, }
County of Nez Perce. } ss.

RECEIVED

AUG 4 1941

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 21st day of July, 1941, at Culesac, Idaho, County of Nez Perce, State of Idaho, before F. A. Hopkins, Notary Public, proof will be submitted of the application to beneficial use of 3/50 cubic feet per second of the waters of an unnamed spring in accordance with the terms and conditions of Permit No. 18721 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postal address of the person or corporation holding said permit are Jack Lucas, Culesac, Idaho.

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

The amount applied to beneficial use is 3/50 second feet.

The place where said water is used is the NE three acres in S¹/₄ SE¹/₄ SE¹/₄ Sec. 26, Twp. 36 N., Rge. 3 W. B. M., which land is about a quarter of a mile from the spring in question.

The right to take water from such works is based upon Permit No. 18721.

The source of supply from which such water is diverted is an unnamed spring located to-wit: SW¹/₄ SE¹/₄ Sec. 26, Twp. 36 N., Rge. 3 W. B. M.

The date of priority which said user is prepared to establish is Jan. 16, 1939.

E. V. BERG, 18721
Commissioner of Reclamation.

A. L. Alford, being duly sworn deposes and says: I am the Vice-President and Principal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the

Notice of Proof
attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 4 consecutive weeks, the first publication thereof being on the 24th day of June, A. D. 1941, and the last publication thereof being on the 15th day of

July, A. D., 1941, and said *Notice of Proof* was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

A. L. Alford

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

1st day of August, 1941

Emerson C. Stewart

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

18721

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 26

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

proposed ditch
spring
Co Road
applicant's land

Permit Map No. 18721

As Approved
Jan. 21-1939
JAMES SPOFFORD
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 18721

Amount .06 c.f.s.

Water District No. -

Priority Jan. 16, 1939

THIS IS TO CERTIFY that **JACK J. EUGAS**
of **Culdesac, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **Jan. 16, 1939**, 19 ; that Permit No. **18721**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.06 second feet, was issued thereunder on **August 5, 1940**, 19 , showing that said works
were completed on the **17th** day of **July**, 19 **40**; and that on the **21st**
day of **July**, 19 **41**,

JACK J. LUCAS

of **Culdesac**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **an unnamed**
spring, tributary of **-**, for the purpose of **irrigation & domestic**
use, under Use Permit No. **18821** 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 **4119**, on the **27th** day of **March**, 19 **42**;

The right hereby confirmed dates from **January 16, 1939**, 19 ;

The Point of Diversion is located
in the **SW 1/4** **SE 1/4** Sec. **26**, Tp. **36 N**, R. **3 W**, B. M. **Hes** **Parce** 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 **.06**
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	3 W	26	SE 1/4 SE 1/4	3 1/2	3.0 Acres

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **27th** day of **March**, 19 **42**

E. V. BERG

Commissioner of Reclamation

(SEAL)

85 2150

~~84-2024~~

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

85-2150

Application No. 26083
Permit No. 18721
District No.

1. Name of Applicant: JACK J. LUCAS

Postoffice address CULDESAC

County: Nez Perce

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

All water of spring hereinafter claimed

2. Quantity of water claimed: amounting to 3/50ths cubic feet per second.

3. Source of water supply: Unnamed spring in the SE corner which is a tributary of SW 1/4 of Section 26, Twp. 36 N., Range 3 W. of Boise Meridian

4. Location of point of diversion: About 200 feet distant from the Southeast corner of Section 26, T. 36 N., R. 3 W., B. M., and is in the SW 1/4 of SE 1/4 of Section 26, T. 36 N., R. 3 W., B. M., County of Nez Perce

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

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

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

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

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

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

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

7. Estimated cost of works: \$ 150.00

8. Kind of works: Reservoir, pipes and ditch

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

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

11. Ditch: Width at bottom See / remarks feet; width at water line feet; depth of water feet; dimensions of flume:

Diameter of pipe 2 inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is 1 additional years.

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

15. (a) Is reservoir to be used? **No; except spring** / 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.

Applicant.

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M., January 16, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **18721**
 Recorded in Book **68** Page **18721** Approved **January 21, 1939**

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 March 22, 1939 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 **October 21, 1939**

The whole of said work to be completed on or before **July 21, 1940**

Beneficial use of water appropriated in accordance herewith, to be made on or before July 21, 1941

Witness my hand this 21st day of January , 1939

JAMES SPOTFORD

Commissioner of Reclamation.

Remarks: The applicant has purchased 11 acres in the S¹ SE¹ SE¹ of Section 26, Township 36 N., Range 3 W., B. M., which land is about a quarter of a mile from the spring in question. He intends to build a home and develop the water as funds are available. The spring lies about 75 feet south of a country road. The water will be diverted by pipe to the north side of the road and then by ditch to the property of the applicant. As funds are available it is expected that pipe will be used the entire distance. It is expected that

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.	3 W.	26													3½				3½
			In testimony whereof, we, C. A. BOTTOLFSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have hereunto 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 21st day of January, 1939.																
			Countersigned: GEO. H. CURTIS Secretary of State																
			STATE OF IDAHO By C. A. BOTTOLFSEN Governor																
			AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS																
			I, Vernie D. Simmons, of Culdesac, County of Nez Perce, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of Jack J. Lucas is located, to-wit: SW¼ of the SE¼ of Section 26, Township 36 North, Range 3 W., B. M., and that I do hereby grant unto the said Jack J. Lucas permission to file on the said spring as set forth in the foregoing application.																
			(Signed) VERNIE D. SIMMONS																
			STATE OF IDAHO) ss. COUNTY OF NEZ PERCE)																
			On this 13th day of January, 1939, before me, a Notary Public for the State of Idaho, residing at Lewiston, personally appeared Vernie D. Simmons known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.																
			Witness my hand and seal the day and year in this certificate first above written.																
			(Signed) John W. Craner																
			Notary Public in and for the State of Idaho																
			Residing at Lewiston.																
			My commission expires February 15, 1941																

the water will be used in the summer of 1939 that the pipe line will be completed by the summer of 1941

PERMIT NO. 18721
Certificate of Completion of Works.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Jack J. Lucas, of Culdesac, County of Nez Perce, and State of Idaho, the holder of Permit No. 18721, issued upon Application No. 26083, bearing date of priority of January 16, 1939, authorizing the diversion of 3/50 second foot of the waters of a spring located in the S E corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 36 North, Range 3 West, B. M., 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 3/50 second foot of the waters of said spring; that the point of diversion of said waters is about 200 feet distant from the Southeast corner of Section 26, Township 36 North, Range 3 West, B. M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 36 North, Range 3 West, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 3 $\frac{1}{2}$ acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 36 North, Range 3 West, B. M.

Witness my hand this 5th day of August, A. D. 1940.

JAMES SPOFFORD
Commissioner of Reclamation

Proof of completion of works made July 17, 1940
Certificate of Completion of Works issued August 5, 1940.

LICENSE ISSUED FOR .06 SEC. FT.
MAR 22 1942 # 4119

RECEIVED

FEB 20 1986

Department of Water Resources
Northern District Office

51 E. 2th

Moscow, Ida. 83843

Feb. 19, 1986

Department of Water Resources

Rt. #5 Box 203

Coeur d'Alene, Idaho 83814

Dear Sirs,

This inquiry is being made at the request of my mother, Bertha C. Lucas of Lewiston, Idaho. On Jan. 16, 1939, J. J. and Bertha Lucas of Caldwell, Idaho, filed for a water right permit on the following described property:

SW $\frac{1}{4}$ $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1}{4}$, Sec. 26, Tp. 36N,
R. 3W, B.M. Nez Perce

No. Acres Described in Permit - $3\frac{1}{2}$

No. Acres Actually Irrigated - 3

Unnamed spring

Recorded in Book 68 of
Permits, p. 18721

85-2150

MICROFILMED

A short time ago, a well was dug in the drainage way below the spring in question. We would like to know if another Use Permit has been filed on this water, and if so, is there a priority for users in case the water supply becomes limited?

If possible, would you send a copy of all material you have concerning the J. J. Lucas water use permit?

Your assistance will be appreciated. Thank you.

Sincerely,
Kena L. McGroun

copy sent
3/4/86
CW

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

February 24, 1986

RECEIVED
FEB 28 1986

Ms. Vena L. McProud
851 E. 7th
Moscow, Id. 83843

Department of Water Resources

Dear Ms. McProud:

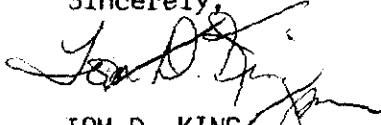
I have searched the Department's files for a groundwater permit within or near the SWSE Sec. 26, Township 36 North, Range 3 West and have found that none have been issued within one-half mile of the described tract. This does not mean that there are no water rights on the well, since a groundwater right can be developed for a single family unit without a permit.

Idaho water right priorities are based on "first in time is first in right", so your right to the water would be prior to any newcomers.

→ I have forwarded your request for a copy of License No. 85-2150 (formerly 18721) to our Boise Office for further action.

If we can be of any further assistance, please contact me at this office.

Sincerely,


TOM D. KING
Senior Water Resource Agent

TDK/pms

✓ cc: IDWR--State Office w/enc.

RECEIVED
MAR 1 1986

WATER RIGHTS EDIT REPORT

10/03/79

PAGE 145

N OWNER LAST NAME - LUCAS

N SOURCE - SPRING
N STAGE - LICENSE

N DIVERSION POINT - SWSE 26 36N 03W

N USE - IRRIGATION
N USE - DOMESTIC

FIRST NAME - JACK J.
CITY - CULDESAC

STATE - ID

PRIORITY - 01-16-1939

COUNTY - NEZ PERCE

TOTAL DIV. RATE -

.0600CFS

USE DIV. RATE -

.0600CFS

PLACE OF USE - TWN 36N RNG 03W SEC 26 TRACT SESE

AC 03

OLD NO. - 18721

IDENT. NO. 85-2150

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 18721 1852150
Old No. New No.

Record

1. Original Owner: Jack J. Lucas

Present Owner: _____

2. Address:

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

B. Tributary of: _____

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

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

C. Priority Date: 1-16-1939D. County: 69E. Total Diversion Rate: .06

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>SWSE</u>	<u>26</u>	<u>36N</u>	<u>3W</u>		

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

from _____ to _____ for A purposes. Amount .06
(cfs or AC-FT/yr)from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

NO 9-18

8. Use Code: *A*

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<i>36N</i>	<i>36W</i>	<i>26</i>																<i>3</i>	<i>3</i>
																			<i>/</i>

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: *18721*

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

April 7, 1942

Re: 18721

Mr. Jack J. Lucas
Caldwaco, Idaho

Dear Mr. Lucas:

We are enclosing a License and Certificate of Water Right issued on the above numbered permit for .06 cubic feet per second of the waters of an unnamed spring to be used for irrigation purposes on the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 36 N., Rge 3 W with a priority date of January 16, 1939.

Very truly yours,
E. V. BERG
Commissioner of Reclamation

BY: Chief Clerk.

ml.
R#18148, \$2.00.

18721



CHASE A. CLARK
GOVERNOR

ROY W. THOMPSON
DEPUTY COMMISSIONER

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

E. V. BERG, COMMISSIONER

BOISE

March 4, 1942

Re: 18721

Mr. Jack J. Lucas
Culdesac, Idaho

Dear Mr. Lucas:

We have received the engineer's report for Beneficial Use proof on the above numbered permit. The fee is \$2.00 or at the rate of \$2.00 for each forty acre subdivision or fraction thereof. A License will be issued upon the receipt of your remittance.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

Maud Rile

BY: Chief Clerk.

ml.

18721

March 4, 1942

Re: 18721

Mr. Jack J. Lucas
Guldesac, Idaho

Dear Mr. Lucas:

We have received the engineer's report for Beneficial Use proof on the above numbered permit. The fee is \$2.00 or at the rate of \$2.00 for each forty acre subdivision or fraction thereof. A License will be issued upon the receipt of your remittance.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml.

18721

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18721

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Jack J. Lucas, Culesac, Idaho
2. Source of water supply: unnamed spring
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28
T. 36 N R. 3 W County of Nez Perce
4. Describe works as they exist, giving dimensions and capacities of same: Spring is enclosed
by concrete walls six inches thick; Reservoir plan is eight feet
long, four feet wide, and from two to three feet deep; covered by
plank top. Pipe line of approximately $\frac{1}{4}$ mile long, and 1 $\frac{1}{4}$ " to
3/4" diameter.
5. Water is used for: irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
SE $\frac{1}{4}$ SE $\frac{1}{4}$, 26, 36N, 3 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:

This examination was made on the 20th. day of October, 19 41.

(Signed)

W. H. Tolman
Examiner.

18721

Jack J Lucas
Culdesac, Idaho

82

Permit No. 18721

Examination for Beneficial Use

County Naz Perce

INSTRUCTIONS TO EXAMINERS

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

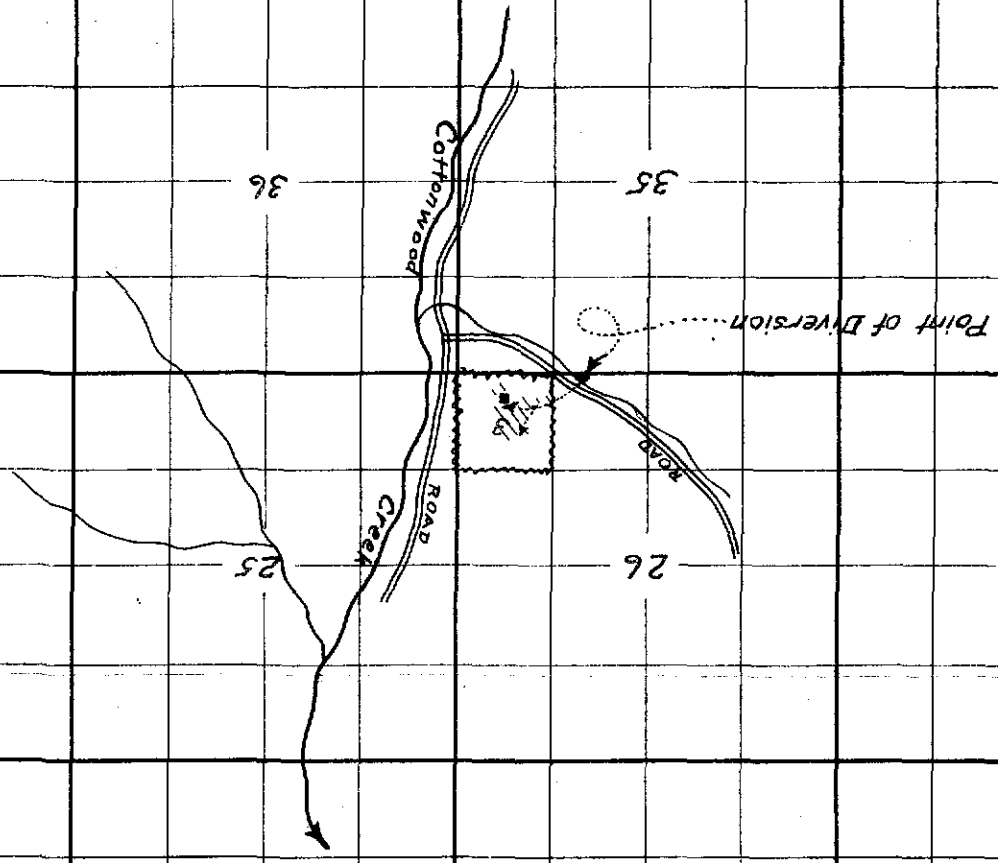
REPORT OF ENGINEER

PERMIT NO. 18721

REPORT ON PROOF OF Beneficial Use

*Ch. 40 3/50 C. 1/20.
Fees 22.00
MAY 1917.*

12721



Re: 18721

August 8, 1941

Mr. Jack Lucas
Caldesac, Idaho

Dear Mr. Lucas:

This will acknowledge receipt of the depositions of the holder, depositions of the witnesses, and the affidavit of publication from the Lewiston Morning Tribune, all in connection with Beneficial Use proof.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, field engineer for the Department, will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

When the engineer's report is filed, you will be notified of the amount due for Beneficial Use proof and upon receipt of your check, a license will be issued.

Very truly yours,
E. V. BEGG.
Commissioner of Reclamation.

BY: Chief Clerk.

ml.

18721



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

E. V. BERG, COMMISSIONER
BOISE

ROY W. THOMPSON
DEPUTY COMMISSIONER

CHASE A. CLARK, GOVERNOR

July 28, 1941

RECEIVED
AUG 4 1941
Department of Reclamation

Re : 18721

Mr. Jack Lucas
Culdesac, Idaho

Dear Mr. Lucas :

We are in receipt of the depositions of the holder and depositions of the witnesses, but need the affidavit of publication from the Lewiston Tribune. Please forward at once.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

Maud Lile

BY: Chief Clerk.

ml.

18721

Publisher's Affidavit of Publication

STATE OF IDAHO, } ss.
County of Nez Perce.

RECEIVED

AUG 4 1941

A. L. Alford, being duly sworn deposes and says: I am the Vice-President and Principal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the

Notice of Proof

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 4 consecutive weeks, the first publication thereof being on the 24th day of June, A. D. 1941, and the last publication thereof being on the 15th day of

July, A. D. 1941, and said *Notice of Proof* was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

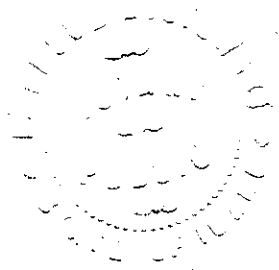
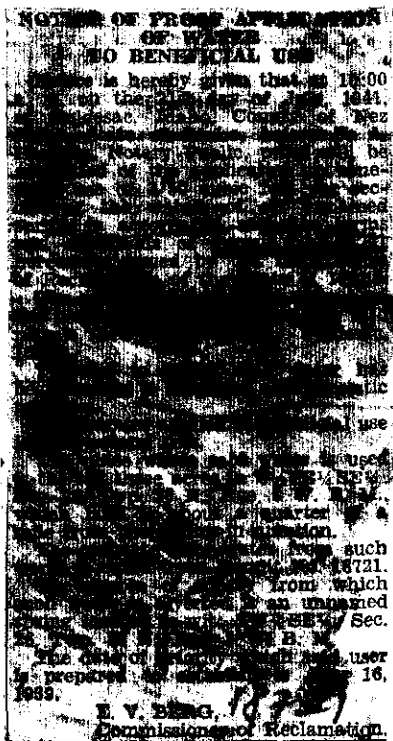
A. L. Alford

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

1st day of August, 1941

Emerson C. Stewart

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.



10721

July 28, 1941

Re : 18721

Mr. Jack Lucas
Caldesee, Idaho

Dear Mr. Lucas :

We are in receipt of the depositions of the holder and depositions of the witnesses, but need the affidavit of publication from the Lewiston Tribune. Please forward at once.

Very truly yours,
E. V. HERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml.

18721

THE TRIBUNE PUBLISHING CO.

Producers of Quality Printing with Service

LEWISTON, IDAHO

Sold to

Jack Lucas

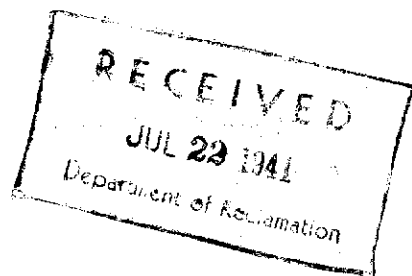
Culdesac, Idaho

Date	Folio	DESCRIPTION	Amount
7/15/41		Notice of Proof Application of Water to Beneficial Use.	
	4 times	40 lines	18.00



18721

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans.

*Jack J. Lucas, Coldsac Idaho,
Farmer,*

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.

(18721) Aug 5/40, (Jan 16, 1939).

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

Ans.

*unnamed spring, located in the
SE corner of the SW 1/4 SE 1/4 of Sec 26, Township 36, N, R 3, E, 1/4*

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.

*Spring has a concrete reservoir.
I started from the spring with an
1 1/4 pipe later reduced to five more
pressure. It will divert about 3/50 per sec
ft. of water.*

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.

*I am irrigating about 1 1/2 acre of alfalfa
a garden, 1/2 acre of corn
and am using for house, and
stock.*

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

Ans.

none

18721

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

Ans. none

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. _____

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

Ans. _____

(Sign)

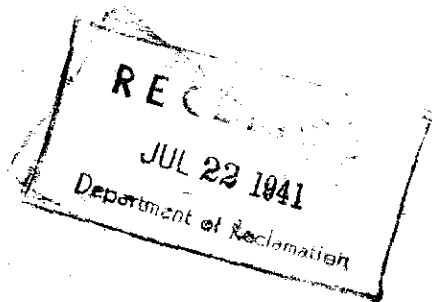
Jack I. Lucas

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 Culdesac, County of nez Perce, State of Idaho, on this 21 day of July, A. D. 1941.

W. J. Hopkins
Notary Public

My commission expires Feb. 27th 1943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18721

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. Stanley Hutchinson, 57, Culdesac, Culdesac, Idaho.

Occupation is farmer

Ques. 2. Are you acquainted with Jack Lucas, the holder of Permit No. 18721? How long have you known him and where does he reside?

Ans. for the past 10 years and he resides on a ranch near Culdesac, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18721, 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. A spring located about 200ft. distant from the Southeast corner of section 26, Township 36 N., Range 3 West, B.M., and is in the SW 1/4 of SE 1/4 of Section 26, Twonship 36 N., Range 3 W., B.M. The water is run thru a one inch pipe from the spring about 1/4 of a mile to the Jack Lucas home.

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. about 3/50 of a second ~~foot~~ feet and that is about the amount-I have saw being used.

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

Ans. The water is being used for the house and stock and also about 3 acres in irrigation on yard, garden and small alfalfa field.

18721

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

Ans. none

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. about 3 acres of land cultivated in all including yard, Garden and alfalfa field and will take all of the 3/50 second feet for this purpose.

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. I have been on the Lucas place at least 20 times this summer and have observed Mr. Lucase irrigating his garden, yard and alfalfa field and I feel the water is very necessary to him.

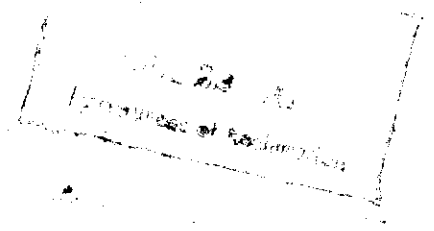
(Signed) Stanley Hutchinson

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Culdesac, County of NezPerce, State of Idaho, on this day of 21st. July, A. D. 1941.

My commission expires Feb. 27th. 1943

Jeff Hopkins
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. _____

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. George Maynard , 57, Culdesac, Idaho, Farmer.

Ques. 2. Are you acquainted with Jack Lucas, the holder of Permit No. 18721? How long have you known him and where does he reside?

Ans. I have been acquainted with Mr. Lucas for the past 8 yrs. and he lives on a ranch near Culdesac, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18721, 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. A spring located about 200 feet distant from the Southeast corner of Ection 26, Township 36 N., Range 3 West, B.M., and is in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, Township 36 N., Range 3 W., B.M. The water is run thru a one inch pipe from the spring to the Jack Lucas Home about $\frac{1}{4}$ of a mile distant.

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. about 3/50 second feet and that is about the amount I have seen being used.

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

Ans. The water is being used for House and stock use and also to irrigate about 3 acres in yard, garden and alfalfa land.

187 21

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

Ans. none

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. about 3 acres of land on the Jack Lucas farm, which includes, yard, Garden and Alfalfa Field. It will take all of the 3/50 second feet for this purpose and the house use.

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. I have been at the Jack Lucas home and pasted it at least 15 times this summer and have observed Mr. Lucas irrigating his yard, Garden and Alfalfa field and I feel he is Using the water to a very good advantage.

(Signed) George Maynard

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Guldesac, County of NezPerce, State of Idaho, on this day of 21st. July, A. D. 1941.

Notary Public.

My commission expires Feb. 23, 1943

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: 18721

Boise, Idaho,

July 11, 1941

Mr. F. A. Hopkins
Caldesac, Idaho

Proof for Jack Lucas.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18721

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 21, 1941, 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 Caldesac, Idaho before F. A. Hopkins, 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,

E. V. BERG.

Commissioner of Reclamation.

18721

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date ~~June 20, 1941~~

Re: 18721

Lewiston Morning Tribune
Lewiston, Idaho
Dear Sir:

Enclosed you will find notice for publication once a week
for four consecutive weeks prior to **July 21, 1941**, the date
set for proof, the expense of the publication to be paid by the appli-
cant, **Jack Lucas, Culesac, 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,

E. V. BERG.

Commissioner of Reclamation

18721

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

Notice is hereby given that at **10:00** A. M. on the **21** day of **July**, 19**41**,
 at **Caldesac, Idaho**, County of **Nez Perce**, State of Idaho, before
F. A. Hopkins, Notary Public, proof will be submitted of the
 application to beneficial use of **3/50** cubic feet per second of the waters of **an unnamed**
spring in accordance with the terms and conditions of Permit No. **18721**
 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.....

Jack Lucas, Caldesac, Idaho

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

The amount applied to beneficial use is **3/50 second feet**.....

The place where said water is used ~~(if for irrigation, give full and accurate description of the~~
~~lands irrigated)~~ **the NE three acres in S1SE1, Sec. 26, Twp. 36 N., Rge. 3 W., B. M.,**
which land is about a quarter of a mile from the spring in question.

~~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. **18721**.....

The source of supply from which such water is diverted is **an unnamed spring located to**
wit: SW1SE1, Sec. 26, Twp. 36 N., Rge. 3 W., B. M......

The date of priority which said user is prepared to establish is **Jan. 16, 1939**.....

E. V. BERG.

Commissioner of Reclamation.

18721



CHASE A. CLARK, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

E. V. BERG, COMMISSIONER
BOISE

ROY W. THOMPSON
DEPUTY COMMISSIONER



June 16, 1941

Re: 18721

Mr. Jack Lucas
Culdesac, Idaho

Dear Mr. Lucas:

We are in receipt of your notice of publication for Beneficial Use proof which is to be made on the 21st of July, but which you dated June 12, 1941. It is impossible for proof to have been made on the 12th, as proof must be published for four consecutive weeks before affidavit can be filed before a notary public.

We have looked through our files and have not located a notary public in Culdesac, Idaho. If you will send us the name of one in Culdesac, we will hold up the publication for another week, otherwise we will use the name of Teresa Schurmann in Lewiston.

Very truly yours,

E. V. BERG.
Commissioner of Reclamation.

Maudie Lile

BY: Chief Clerk.

ml.

Enclosure:

Mr. F. L. Hopkins, is a notary for the State of Idaho, and he resides at Culdesac, Idaho.

Jack Lucas

18721

June 16, 1941

Re: 18721

Mr. Jack Lucas
Culdesac, Idaho

Dear Mr. Lucas:

We are in receipt of your notice of publication for Beneficial Use proof which is to be made on the 21st of July, but which you dated June 12, 1941. It is impossible for proof to have been made on the 12th, as proof must be published for four consecutive weeks before affidavit can be filed before a notary public.

We have looked through our files and have not located a notary public in Culdesac, Idaho. If you will send us the name of one in Culdesac, we will hold up the publication for another week, otherwise we will use the name of Teresa Schumann in Lewiston.

Very truly yours,

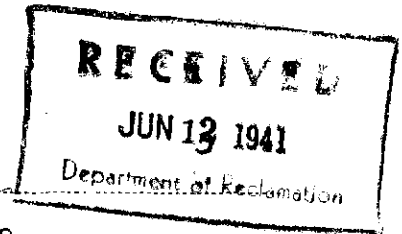
E. V. BERG.
Commissioner of Reclamation.

BY: Chief Clerk.

ml.

18721

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE



(Date) June 12 / 41

(P. O.) Caldwells 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 Morning Tribune of Lewiston Idaho, published in
the county in which the works are situated.

NezPerce County
State of Idaho:

Jack Lucas

Subscribed and sworn to before me this 12th. day of June, 1941,

W. J. Hopkins
Notary Public for Idaho
Residing at Sandpoint, Idaho.

(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.

18721

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

18721

Jack A. Lucas
Caldesac, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18721, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is July 21, 1941, 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,

E. V. BERG.
Commissioner of Reclamation

18721

August 5, 1940

Re: Permit No. 18721

Mr. Jack J. Lucas,
Caldesac, Idaho.

Dear Sir:-

We are enclosing herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 3/50 of a second foot of water from a spring located in the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 36 North, Range 3 West, B.M., Nez Perce County, for irrigation and domestic purposes.

We also enclose Departmental Receipt # 17507 for the \$5.00 fee which you paid in connection with completion of works proof.

While your Affidavit on completion of works states that the water is available for eleven acres of land in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26, the permit itself only describes 3 $\frac{1}{2}$ acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of this section.

We have made out the Certificate of Completion of Works to conform with the permit; but if you wish to apply the water to the irrigation of a larger acreage than the 3 $\frac{1}{2}$ acres described in the permit, you should file an application for amendment to the land list before you make your beneficial use proof-form for which will be furnished by us upon request.

Very truly yours,

JAM S SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encls.

18721

Culdesac Idaho
July 29/40

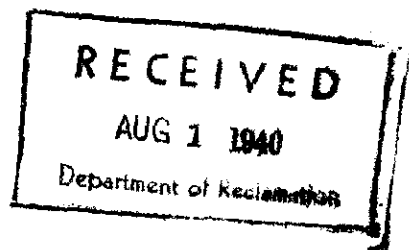
Mr. Harry Lervey
Boise Idaho.

Dear Sir :- in regard
to Permit No. 18721.

Will state I used an inch
and a quarter pipe to start
from the spring and said
pipe was large enough to
convert all the water of the
spring later I reduced to
an inch pipe to get more pressure

Hoping this will be satis-
-factory I remain

Yours Truly
Jack Lucas,



18721

Permit No. 18721STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Nez Perce } ss.Jack Lucas, 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. 18721, and that his postoffice address is Caldesac Idaho
State of IdahoSecond: That the name of the stream from which said water is to be directed is Spring.Third: That the point of diversion of said water is 200 ft. S. 1/4 Sec. 26, Township 36 N., Range 3 W., B. M. in NE 1/4 of Section 26Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March, 1941.Fifth: That the use for which said water is intended is Irrigation and domestic purposesSixth: That on the date above mentioned, the works constructed under said permit were ~~(were not)~~ fully completed and consisted of the following:I. Kind of works: Concrete spring, ditch & ditchII. Dimensions of work: 8 ft length 3 ft wide + 3 ft deep.
(Reservoir, dam, ditch, flume, pipe or otherwise.)(a) Height of dam 3 ft feet, length of dam at top 8 ft feet, length of dam at bottom 8 ft feet. Material used in construction concrete

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

(b) Capacity of reservoir 0 acre feet.(c) Size of headgate: Width 3 ft feet, height 3 ft feet.(d) Conduit 3 ft width at bottom 3 ft feet, width at water line 3 ft feet, depth of water 3 ft feet; diameter of pipe 3 in inches, average grade per mile is 0 feet. Length of conduit is 0 miles.Seventh: That said works are capable of conducting to the place of intended use all the water from spring.
second feet of water.Eighth: That water appropriated under said permit is available for 2 A acres of land described as follows: 11 Acres in the S 1/2 of the SE 1/4 SE 1/4 of Sec. 26, Township 36 N. R. 3 W. B. M.

Ninth: Remarks: That

Jack Lucas
(Sign here)Subscribed and sworn to before me this 17 day of July, 1940.My commission expires Feb. 27-1943

Notary Public.

July 22, 1940

Re: Permit No. 18721

Mr. Jack Lucas,
Culdesac, Idaho.

Dear Sir:-

We acknowledge receipt of your Affidavit for proof of completion of works under the above numbered permit; also your check for the \$5.00 fee in connection therewith.

However, the proof is incomplete, and we are returning it herewith for the following corrections:

1. Fill in Section II of Paragraph Six, giving dimensions of the works which you have constructed.

In Paragraph Seven, give the amount the works are capable of conducting to place of intended use. Your Permit calls for 3/50 of one second foot.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Deputy Commissioner

D: A
Encl.

18721

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 18721

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Jack Lucas
Culdesac, Idaho

Boise, Idaho, **May 2, 1940**

Dear Sir:—

Under the terms of your permit No. ~~18721~~ you are required to complete your diversion works on or before ~~July 21, 1940~~. 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,

JAMES SPOTFORD
Commissioner of Reclamation.

18721

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18721

Boise, Idaho, **January 21, 1939**

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.

Jack J. Lucas
Cul de sac, Idaho

JAM S SPOFFORD

Commissioner of Reclamation.

18721

Jack J. Lucas

FORM No. 0

[illegible]

18721