

# PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED  
SEP 27 1954

STATE OF IDAHO,  
County of Nez Perce } ss.

Department of Reclamation

## Notice For Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a. m. on the 16th day of September, 1954, at Lewiston, County of Nez Perce, State of Idaho, before Carl Malmgren, Notary Public, proof will be submitted of the application to beneficial use of 6/50 cubic feet per second of the waters of un-named stream in accordance with the terms and conditions of Permit No. 24548 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Earl L. Tracy, Route 1, Lenore, Idaho.

The use to which said water has been applied is 80% Irrigation, 20% stock. The amount applied to beneficial use is 6/50 c.f.s.

The place where said water is used SE 1/4 of SW 1/4 Section 34, Township 37 North, Range 2 West B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Ditch No. 1, Ditch No. 2.

The right to take water from such works is based upon Permit No. 24548.

The source of supply from which such water is diverted is un-named stream.

The date of priority which said user is prepared to establish is October 31, 1953.

MARK R. KULP,  
State Reclamation Engineer.

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The date of priority which said user is prepared to establish is October 31, 1953.

MARK R. KULP,  
State Reclamation Engineer.

A. L. Alford

, being duly sworn

deposes and says. I am the President 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

Application of Water attached hereto and

which is made a part of this affidavit was published in the said

Lewiston Morning Tribune, once a week for four

consecutive weeks, the first publication thereof being on

the 18th day of August, A. D. 1954,

and the last publication thereof being on the 8th day of

September, A. D. 1954, and said

Application of Water 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 num-

ber 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

8th day of September, 1954.

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

24548

9-1-54

R-2W

60' x 6" light pipe  
at ditch head

T.  
37  
N.

←  
To Lewiston

34 Clearwater R.

Surface Highway

house

5a.

P.D.

P.D.

Unnamed Stream

T.  
36  
N.

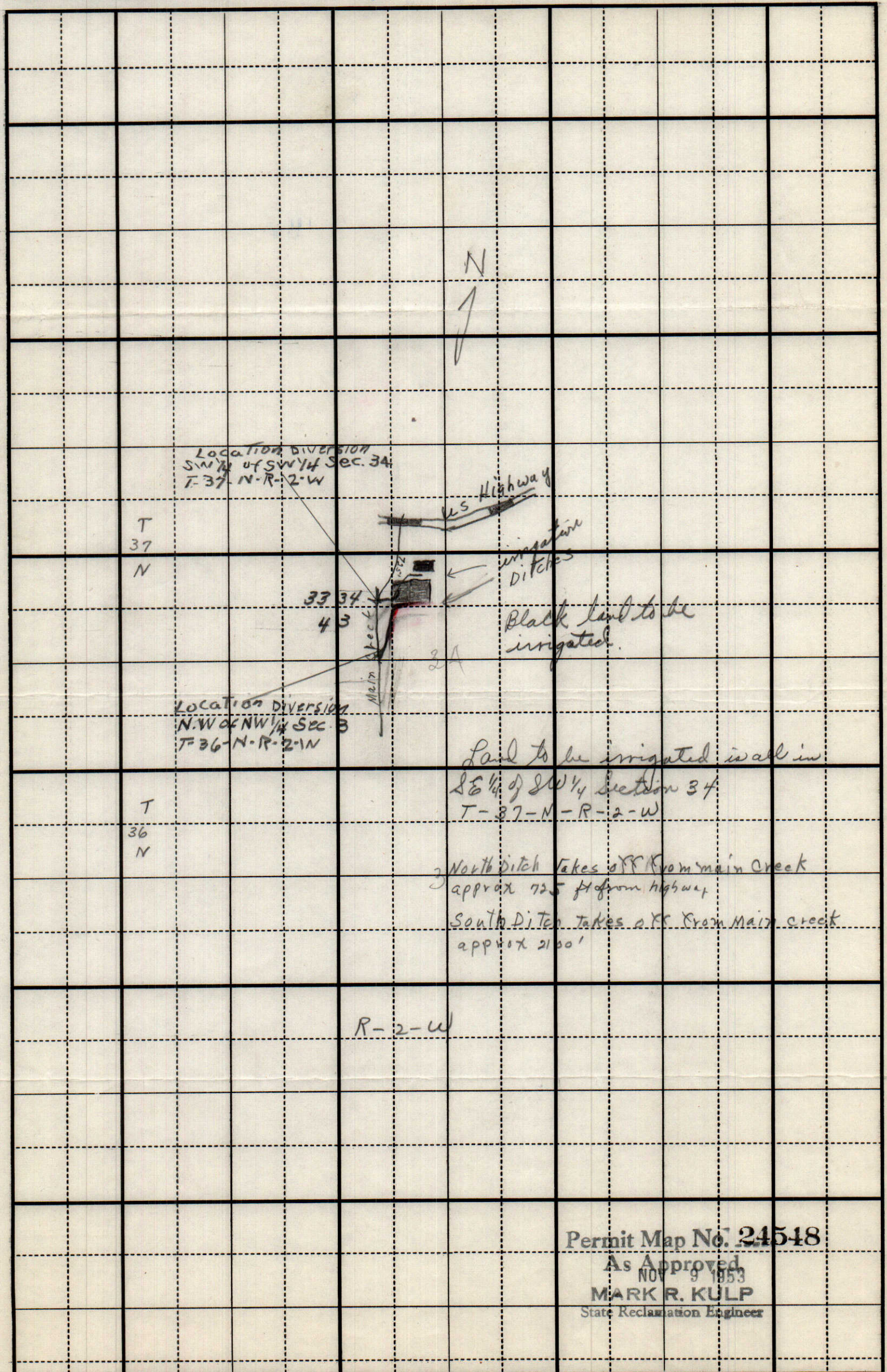
3

approx. 6a. irrigated.

Sub divisions = One

Area = 5 acres

Q = 5 inches.



State of Idaho  
License and Certificate of Water Right

Water License No. 24548

Amount 0.12 second foot

Water District No.

Priority October 31, 1953

THIS IS TO CERTIFY that EARL L. TRACY  
of Lenore, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated October 31, 1953; that Permit No. 24548  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
0.12 second foot, was issued thereunder on July 26, 1954, showing that said works  
were completed on the 2nd day of June, 1954; and that on the 16th  
day of September, 1954,  
EARL L. TRACY

of Lenore, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named  
stream, a tributary of Clearwater River, for the purpose of irrigation and stock  
water use, under Use Permit No. 24548 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  
9 of Licenses at page 5416, on the 27th day of November, 1954;  
The right hereby confirmed dates from October 31, 1953;  
The Points of Diversion are located in the NW 1/4 Section 3, Twp. 36 N., Rge. 2 W., B.M. and  
in the SW 1/4 SW 1/4, Sec. 34, Tp. 37 N., R. 2 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 0.12 cubic foot per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|------------------|----------------------------------|---------------------------------|
| 37 N. | 2 W.  | 34   | SE 1/4 SW 1/4    | 6                                | 5                               |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
27th day of November, 1954.

(SEAL)

MARK R. KULP  
State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 21492 Amount 1.88 second feet
Water District No. Priority April 29, 1950

THIS IS TO CERTIFY that WILLIAM D. SMITH
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 29, 19 50 ; that Permit No. 21492
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
four second feet, was issued thereunder on November 24, 19 50, showing that said works
were completed on the 20th day of November, 1950 ; and that on the 20th
day of July, 19 53,

WILLIAM D. SMITH
of American Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, (subterranean flow), for the purpose of irrigation
, under Use Permit No. 21492 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
9 of Licenses at page 5415, on the 27th day of November, 1954 ;

The right hereby confirmed dates from April 29, 19 50 ;
The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 7, Tp. 7 S., R. 32 E., B. M. Power 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 1.88 cubic feet per second.

| Description and location of use: |       |      |                                        |                                  |                                 |
|----------------------------------|-------|------|----------------------------------------|----------------------------------|---------------------------------|
| Twp.                             | Range | Sec. | Forty-acre Tract                       | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
| 7 S.                             | 32 E. | 7    | SE $\frac{1}{4}$ NE $\frac{1}{4}$      | 40                               | 3                               |
|                                  |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$      | 40                               | 17                              |
|                                  |       |      | NE $\frac{1}{4}$ SE $\frac{1}{4}$      | 40                               | 40                              |
|                                  |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$      | 40                               | 27                              |
|                                  |       |      | SE $\frac{1}{4}$ SE $\frac{1}{4}$      | 40                               | 7                               |
|                                  |       |      | Number of Acres Actually Irrigated - - |                                  |                                 |

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
27th day of November, 19 54 .

(SEAL) MARK R. KULP
State Reclamation Engineer.

85-210

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 32348  
PERMIT No. 24548  
DISTRICT No.

1. Name of Applicant: EARL L. TRACY

Postoffice address: Rt. 1, Lenore

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:
- (c) Bonds to be issued:

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

2. Quantity of water claimed: 6/50 cubic feet per second.

3. Source of water supply: Unnamed stream which is a tributary of Clearwater River  
See Under Remarks

4. Location of point of diversion: Diversion No. 1, in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, Twp. 37 N. R. 2 W.  
feet distant from the  
Diversion No. 2, in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 3, Twp. 36 N. R. 2 W.  
corner of Section , T. , R. , B. M., and is in the  
of Section , T. , R. , B.M., County of Nez Perce

5. Water is to be used for 80% irrigation, 20% stock watering

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

7. Estimated cost of works: \$

8. Kind of works: 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

11. Ditch: Width at bottom 1 feet; width at water line 1 feet; depth of water 1/4

dimensions of flume:

Diameter of pipe inches; length of conduit

Average grade per mile feet.

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

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

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

ing Basin  
) Is reservoir to be used? Small silt clear- If so, fill in (b) and (c) below:  
) Name of Reservoir and number of Storage Permit:  
) Date of filing of Application for Storage Permit and Name of Applicant:

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

EARL L. TRACY

Applicant.

By

Agent.

of first receipt at Department of Reclamation: 9:00 a.m. October 31, 1953

ned to applicant for correction:

sted application received:

## Approval of State Reclamation Engineer

umber of this permit is 24548  
ded in Book 87 Page 24548 Approved November 9, 1953  
s to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and  
ereby approve he same, subject to the following limitations and conditions:  
in the sum of \$ to be filed on or before  
to begin on or before Completed and to continue diligently and uninterruptedly to completion  
less temporarily interrupted by circumstances over which permit holder has no control.  
fth of the work above specified to be completed on or before - -  
hole of said work to be completed on or before November 9, 1954  
cial use of water appropriated in accordance herewith, to be made on or before November 9, 1954

ESS My hand this 9th day of November, 1953

MARK R. KULP  
State Reclamation Engineer.

TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho

IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

cut in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 9th

November, 1953

Countersigned:

STATE OF IDAHO

By LEN JORDAN

Governor.

By IRA H. MASTERS  
Secretary of State.

MARKS: The water from this stream has been used on this land for approx. 44 yrs.  
The diversion for irrigation ditches is rebuilt each year as creek run-off washes it out.

| Range                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Sec. | NE <sup>1</sup> / <sub>4</sub>                                                                                                 | NW <sup>1</sup> / <sub>4</sub>                                                                                                 | SW <sup>1</sup> / <sub>4</sub>                                                                                                 | SE <sup>1</sup> / <sub>4</sub>                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> |
| 2 W.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 34   |                                                                                                                                |                                                                                                                                | 6                                                                                                                              |                                                                                                                                |
| Permit No. 24548<br>CERTIFICATE OF COMPLETION OF WORKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |
| L WHOM IT MAY CONCERN:<br>This is to certify that EARL L. TRACY of Lenore, County of Nez Perce, and State of Idaho, the holder of<br>, issued upon Application No. 32348 bearing date of priority of October 31, 1953, authorizing the dive<br>second feet of the waters of an un-named stream, tributary to Clearwater River, County of Nez Perce, S<br>rrigation and stock watering purposes, has fully complied with the provisions of the laws of the State<br>to the proof of Completion of the Works of diversion set out and described in said Permit; that said<br>ate for diverting and conveying to the place of intended use 6/50 second feet of the waters of said un<br>the points of diversion of said waters are in the SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 34, Twp. 37 N., Range 2 West, B. M.,<br>W <sup>1</sup> / <sub>4</sub> Section 3, Twp. 36 N., Range 2 West, B. M. and that the lands proposed to be irrigated by the use o<br>described as follows, to-wit: SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 34, Township 37 North, Range 2 West, B. M. |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |
| Witness my hand this 26th day of July, A. D. 1954.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |
| MARK R. KULP<br>State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |
| of Completion of Works made June 2, 1954.<br>ificate of Completion of Works issued July 26, 1954.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |
| LICENSE ISSUED FOR D. 12 SEC. EL.<br>Page 5416                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |

WATER RIGHT NUMBER 85-2101

WATER RIGHTS EDIT REPORT

10/03/79

PAGE 96

ACT  
ION

N OWNER LAST NAME - TRACY

FIRST NAME - EARL L.

N SOURCE - UNNAMED STREAM

CITY - LENORE

STATE - ID

N STAGE - LICENSE

TRIBUTARY OF - CLEARWATER RIVER

N DIVERSION POINT - NWNW 03 36N 02W

PRIORITY - 10-31-1953

COUNTY - NEZ PERCE

TOTAL DIV. RATE -

.1200CFS

N USE - IRRIGATION

SWSW 34 37N 02W

USE DIV. RATE -

.1200CFS

N USE - STOCKWATER

N USE - IRRIGATION

PLACE OF USE - TWN 37N RNG 02W SEC 34 TRACT SESW

AC 05

OLD NO. - 24548

IDENT. NO. 85-2101

WATER RIGHT  
DATA ENTRY LOG

[illegible]

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 84548 1 85-2101  
 OTd No. New No.

## Record

1. Original Owner: Earl L. Tracy

Present Owner: \_\_\_\_\_

2. Address:

3. City: Lenore State: ID Zip: 83401

4. A. Source of Water: unnamed stream

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: 10-31-1953

D. County: 69

E. Total Diversion Rate: .12

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>NW1/4</u> | <u>3</u>  | <u>36N</u> | <u>2W</u> |           |        |
|                          | <u>SW1/4</u> | <u>34</u> | <u>37N</u> | <u>2W</u> |           |        |
|                          |              |           |            |           |           |        |
|                          |              |           |            |           |           |        |
|                          |              |           |            |           |           |        |

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

from \_\_\_\_\_ to \_\_\_\_\_ for A purposes. Amount .12  
 (cfs or ~~AC-Ft/yr~~)

from \_\_\_\_\_ to \_\_\_\_\_ for S 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

11819

| 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 |        |
| 37N  | 24    | 34   |        |        |        |        |        |        |        |        |        |        | 5      |        |        |        |        |        | 5      |
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|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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: 24548

F. Proof Made (P or blank):

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

H. Conditions of Approval: \_\_\_\_\_

14. Diversion Means (brief narrative):

✓  
December 1, 1954

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We enclose License and Certificate of Water Right issued under Permit No. 24548 confirming your right to the use of 0.12 second foot of water from an un-named stream, tributary to Clearwater River with priority of October 31, 1953, and points of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 3, Township 36 North, Range 2 West B.M. and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 34, Township 37 North, Range 2 West B.M., for irrigation and stock water use on the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34.

We also enclose departmental receipt No. 27059 for the \$2.00 license fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl1  
Enc.

24548

*Seniore 9da.*

RECEIVED  
NOV 19 1954

*16-54*

*Reclamation Dept.*

Department of Reclamation

*Dear Sirs:*

*Inclosed find \$2<sup>00</sup> for*

*Statutory fee -*

*yours truly*

*Earl L. Tracy*

*Rt. 1 Seniore- 9da.*

*24548*

✓  
November 13, 1954

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

The report of our field engineer on examination for beneficial use on Permit No. 24548 shows that you have irrigated 5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 34, Township 37 North, Range 2 West B.M. from an unnamed stream with points of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 3, Township 36 North, Range 2 West B.M. and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 34, Township 37 North, Range 2 West B.M.

A License can therefore be issued for .12 second foot of water from said stream upon receipt of the statutory fee of \$2.00.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

24548

November 1, 1954

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

State law requires an inspection in connection with each and every permit being brought to license in the State of Idaho.

I hope to make inspection in connection with your Permit No. 24548 on Monday, November 8.

Please be prepared to accompany me on this inspection.

Yours truly,

MARK R. KULP  
State Reclamation Engineer  
By

E. N. Humphrey  
Deputy State Reclamation Engineer

H:hll

24548

✓  
September 29, 1954

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We now have the affidavit of publication in the Lewiston Morning Tribune which completes your proof of beneficial use on Permit No. 24548.

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

We cannot tell just when this examination will be made but our field engineer will try and contact you at the time he makes the examination in order that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

24548

# PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO, }  
County of Nez Perce }

SEP 27 1954

Department of Reclamation

.....A. L. Alford....., being duly sworn

deposes and says. I am the.....President.....  
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 imme-  
diately preceding the first publication of this notice, and has been  
so published uninterruptedly for said period; that the.....

Application of Water..... attached hereto and  
which is made a part of this affidavit was published in the said  
Lewiston Morning Tribune, once a.....week.....for.....four.....  
consecutive.....weeks....., the first publication thereof being on  
the.....18th.....day of.....August....., A. D. 1954.,  
and the last publication thereof being on the.....8th.....day of  
.....September....., A. D. 1954., and said.....

Application of Water..... 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 num-  
ber 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

8<sup>th</sup> day of September 1954.

*J. H. Ferris*  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein.

As of the 18th day of August, 1954, at Lewiston, County of Nez Perce, State of Idaho, before me, Notary Public, duly sworn, appeared the publisher of the application to beneficial use of 6750 cubic feet per second of the waters of the Snake River in accordance with the terms and conditions of Permit No. 12114 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and permanent address of the person or persons having said permit is: A. L. Alford, 1111 1/2 1st Ave.

The law to which said water has been applied is: 1954, Reclamation Act, which is the amount applied to beneficial use is 6750 cfs.

The point where said water is used is: 1111 1/2 1st Ave., Lewiston, Idaho.

The name of the land to which or other waters by which said water is conveyed to such place of use is: 1111 1/2 1st Ave., No. 1.

The right to take water from such water is based upon Permit No. 12114.

The source of water from which such water is taken is: Snake River.

The date of publication of this notice is: September 11, 1954.

24548

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

Permit No. 24548This proof is for Beneficial Use In Water District No. \_\_\_\_\_1. Name of applicant Earl L. Tracy, Route 1, Lenore, Idaho2. Source of water supply: Un-named stream R. 2 W., B.M. and SW $\frac{1}{4}$  SW $\frac{1}{4}$ 3. Location of point of diversion: Is in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 3, T. 36 N./ of Section 34T. 37 N. R. 2 W. County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same: Both ditches are small, 8" w. in bottom, made with a shovel. At upper P.D. there is 60' x 6" thin pipe extends up into stream. A cloud burst has washed so that more dam is needed than he wishes to build. Lower P.D. has very low rock dam.

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

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

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

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, Twp. 37 North, Range 2 West, 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

Remarks: \_\_\_\_\_

Part of his place was not included.Some of his place had been laid out for a townsite at one time.Crops are orchard - garden - & pasture.This examination was made on the 8 day of Nov., 1954(Signed) E. M. Humphrey Examiner.

24548

Earl L. Tracy  
Rt. 1, Lenore, Idaho  
Permit No. 24548

Examination for Beneficial use

County **Max Perce**

3-36 N. - 2 W  
34-37 N. - 2 W

*Dr. 0.12 a.s.*

*S = Un-named stream*

*P.L. = #1: SW. SW. Sec. 34, T. 37 N. - R. 2 W.  
#2: NW. NW. " 3, " 36 " - " "*

*Use = Irrigation (80%)  
Storage water (20%)*

*P.D. not given in notice*

*Prepared = 24.31.1953  
Filed = Jan. 9, 1954*

*C/W = 7-26-54*

# 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.

RECEIVED  
NOV 10 1954

Department of Reclamation

R-2W

60' x 6" Right of Way  
old T.R. Road

T.  
37  
N.

←  
To Lewiston

34 Clearwater R.

Surface Highway

house

5a

P.D.

P.D.

Unroad stream

T.  
36  
N.

3

approx 6a. irrigated

Sub divisions = One

Area = 5 acres

Q = 5 inches

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 24518

REPORT ON PROOF OF Beneficial use

EARL L. TRACY, Route 1, Lenore, Idaho

1/2 of  
same

app. 0.12 cfs.

same -

✓  
September 20, 1954

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of beneficial use on Permit No. 24548.

However the affidavit of publication is a necessary part of this proof and the Lewiston Morning Tribune was instructed to send this to you. If you have not received it, we suggest you take the matter up with them at once.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

24548

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

**RECEIVED**  
SEP 18 1954  
Department of Reclamation

Permit No. 24548

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Earl L. Tracy - Rt. 1 Lemore - 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. 24548 9:00 AM OCT. 31-1953 1LA-53 OCT. 31-1953

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

Ans. SOURCE: APPROX SECTION 10 TWP 36-N. R. 2-W. DIVERSION 2 NW 1/4 NW 1/4 SECTION 3,  
TWP 36-N. R. 2-W. 810 FT. FROM OUR SOUTH LINE FENCE.  
\* 1. DIVERSION: SW 1/4 SW 1/4 SECTION 34, TWP 37-N. R. 2-W. 725 FT. FROM SOUTH BOUNDARY  
OF STATE HIGHWAY.

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

Ans. WATER IS CONVEYED FROM EARTH DAM THRU DITCH TO POINT OF USE-  
NAME: DIVERSION NO. 1 & DIVERSION NO. 2  
AMOUNT OF WATER THESE DITCHES CAN CARRY: 6/50 C.F.S.

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

Ans. WATER IS USED FOR 80% IRRIGATION 20% FOR STOCK. LOCATION OF  
IRRIGATED LAND SE 1/4 SW 1/4 SECTION 34, TWP 37-N. R. 2-W. ACRES  
IRRIGATED 6. AT PLACE OF USE LAND IS CULTIVATED. ORCHARD,  
GARDEN, SMALL AMOUNT OF ALFALFA MOST OF WHICH WAS  
PLANTED WHEN WE BOUGHT THE PROPERTY, AS WATER FROM THE  
CREEK WAS BEING USED FOR IRRIGATION.

24548

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

Ans. \_\_\_\_\_

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

Ans. \_\_\_\_\_

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. HAVE PERSONALLY USED THE WATER SINCE 1949. DIVERTED BY  
EARTH DAM. APPROX. 6/30 C.F.S. ALL WATER DIVERTED IS USED.

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) Earl L. Jerny

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 Lewiston, County of New Perce, State of Idaho, on this 2nd day of September, A. D. 1954.

Betty Gerdle

My commission expires Sept. 15, 1957

24548

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 24548

## 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. Frank L. Gullett. 823 - 13<sup>th</sup> Ave.

Age. 43 - Parts Mgr.

Ques. 2. Are you acquainted with Earl L. Tracy, the holder of Permit No. 24548? How long have you known him and where does he reside?

Ans. 30 years.

at. Lemmon Idaho.

Ques. 3. Have you read or heard read said Permit No. 24548, 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. Source APPROX. SECTION 10 TWP. 36 N. R. 2 W. DIVERSION #2  
N 1/4 N 1/4 SECTION 3, TWP. 36 N. R. 2 W. 810 FT. FROM THE SOUTH  
LINE FENCE - DIVERSION #1 SW 1/4 SECTION 34, TWP. 37 N. R. 2 W.  
725 FT. FROM SOUTH BOUNDARY OF STATE HIGHWAY -

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. 6/50 CFS.

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. 80% for irrigation 20% for stock - location of  
irrigated land SE 1/4 SW 1/4 SECTION 34, TWP. 37 N. R. 2 W.  
6 acres irrigated - Land is cultivated orchard  
Gardens, small piece alfalfa - most of these  
improvements were made when property was  
bought, as water from the creek was being used  
to irrigate with -

24548

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. Cultivated Land 6/50 P.E.S.

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

Ans. No

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

Ans. Aug. 1953 - By observation - By visits to Property.

(Signed) Frank E. Gillett

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 Sumpter

County of Myzoree, State of Idaho, on this 25<sup>th</sup> day of August  
A. D. 1954.

Carl Malmgren  
Notary Public.

My commission expires 1-17-55

24548

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 24548

## 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. Mrs. Etta M. Tumelson 79 House wife  
Lenore Idaho

Ques. 2. Are you acquainted with Earl L. Tracy, the holder of Permit No. 24548? How long have you known him and where does he reside?

Ans. Six years  
Lenore Idaho

Ques. 3. Have you read or heard read said Permit No. 24548, 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. Source APPROX. SECTION 10 TWP 36 N. R. 2 W. DIVERSION #2  
N. W. 1/4 N. W. 1/4 SECTION 3 TWP 36 N. R. 2 W. 810 FT. FROM THE SOUTH LINE  
FENCE. DIVERSION #1 SW 1/4 SW 1/4 SECTION 34 TWP 37 N. R. 2 W. 725 FT.  
FROM SOUTH BOUNDARY OF STATE HIGHWAY

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. 650 CFS.

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. 80% for irrigation 20% for stock. Location of  
irrigated land SE 1/4 SW 1/4 SECTION 34. Twp 37 N. R. 2 W. - 6  
acres irrigated. Land is cultivated, orchard. Garden  
small piece Alfalfa. most of these improvements were  
made when property was bought. The creek was  
being used to irrigate.

24548

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. Cultivated land - 6/50 C.F.S.

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

Ans. No

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

Ans. Aug. 1953 - By observation - By right of way to property being irrigated

(Signed) Mrs. Etta Turnelson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Lewiston

County of New Perce, State of Idaho, on this 2nd day of September  
A. D. 1954

Betty Geidl

Notary Public.

My commission expires Sept. 15, 1957

24548

August 23, 1954

RE: Permit No. 24548

Lewiston Morning Tribune  
Lewiston  
Idaho

Gentlemen:

On August 10 we sent you notice for publication in connection with Permit No. 24548 in the name of Earl L. Tracy.

To date we have received no acknowledgment of this notice nor a copy of your paper containing same as requested.

Please advise if the notice is being published and if so, send us a copy.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Ashll

24548

✓  
August 10, 1954

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We have sent to the Lewiston Morning Tribune, notice for beneficial use proof to be made on your Permit No. 24548 on September 16, 1954 with instructions to publish once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Carl Malmgren, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl1  
Enc.

24548

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Re: Permit No. 24548

Date: August 10, 1954

**Lewiston Morning Tribune**

**Lewiston, Idaho**

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 16, 1954** the date set for proof, the expense of the publication to be paid by the applicant, **Earl L. Tracy** of **Rt. 1, Lenore, 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, in order that we may check same.

Very truly yours,

**MARK R. KULP**  
State Reclamation Engineer  
By

**Chief Clerk**

24548

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

Notice is hereby given that at 11:00 A. M. on the 16th day of September, 1954,  
at Lewiston, County of Nez Perce, State of Idaho, before  
Carl Malmgren, Notary Public, State of Idaho, proof will be submitted of the  
application to beneficial use of 6/50 cubic feet per second of the waters of un-named  
stream in accordance with the terms and conditions of Permit No. 24548  
heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

Earl L. Tracy, Route 1 Lenore, Idaho

The use to which said water has been applied is 80% Irrigation 20% stock

The amount applied to beneficial use is 6/50 c.f.s.

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

SE 1/4 of SW 1/4 Section 34, Township 37 North, Range 2 West B.M.

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

Ditch No. 1, Ditch No. 2

The right to take water from such works is based upon Permit No. 24548

The source of supply from which such water is diverted is un-named stream

The date of priority which said user is prepared to establish is October 31, 1953

MARK R. KULP

State Reclamation Engineer.

24548

Snore  
8/6/54

Dept. of Reclamation.

Dear Sir:

Can make my beneficial use proof Sept. 16 '54.  
The July 15<sup>th</sup> was a mistake -

Yours truly  
Earl L. Tracy

RECEIVED  
AUG 9 1954  
Department of Reclamation

24548

✓  
August 4, 1954

RE: Permit No. 24548

Rt.1  
Mr. Earl L. Tracy  
Lenore  
Idaho

Dear Mr. Tracy:

We enclose Certificate of Completion of Works on Permit No. 24548 for the diversion of 6/50 second foot of water from an un-named stream for irrigation and stock watering purposes on the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 34, Township 37 North, Range 2 West B.M. Also enclosed is departmental receipt No. 26797 for the \$5.00 paid in connection with completion of works proof.

Your notice for beneficial use proof, which reached the office on July 26 stated that proof would be made on July 15. As you know, this notice must be published once a week for four weeks prior to the date set for proof and if you will set another date far enough ahead to allow for four weeks publication, we will complete the notice and send a copy to the Lewiston Morning Tribune with instructions in regard to publishing.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll  
Enc.

24548

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 7-24-'54  
(P. O.) At. 1 Lenore 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  
LEWISTON MORNING TRIBUNE - of LEWISTON - IDAHO published in  
the county in which the works are situated.

Earl L. Tracy.

(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.

24548

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

Notice is hereby given that at 11:00 A. M. on the 15 day of Sept - JULY, 1954,  
at Lewiston, County of Nez Perce, State of Idaho, before  
Carl Malmgren - Notary State of Idaho proof will be submitted of the  
application to beneficial use of 6/50 cubic feet per second of the waters of unnamed  
Stream - in accordance with the terms and conditions of Permit No. 24548  
heretofore issued by the State Reclamation Engineer - of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Earl L. Jany  
Rt. 1 Lenore - Idaho -

The use to which said water has been applied is 80% Irrigation 20% Stock -

The amount applied to beneficial use is 6/50 C.F.S.

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

SE 1/4 of SW 1/4 Section 34 - TWP 37 N - R. 2 W -

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

Ditch No 1 Ditch No 2

The right to take water from such works is based upon Permit No. 24548.

The source of supply from which such water is diverted is the main source of this creek  
is located approx. 2 miles south of the place where I am using this water.  
which would probably be in section 10 TWP 36 - N R. 2 W -

The date of priority which said user is prepared to establish is AFFIDAVIT of former  
owner that water has been used continuously since 1906  
for irrigation.

10-31-53

State Reclamation Engineer.

24548

Permit No. ....

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

**RECEIVED**  
JUL 26 1954  
Department of Reclamation

STATE OF IDAHO

SS.

County of Nez. Perce

Earl L. Tracy, 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. 24548, and that his postoffice address is Pat. Lenore State of Idaho

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

Third: That the point of diversion of said water is DIVERSION No. 1 in the SW 1/4 SW 1/4 SECTION 34, TWP. 32 N. R. 2 W. DIVERSION No. 2 in the NW 1/4 NW 1/4 SECTION 3, TWP. 36 N. R. 2 W.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by NOV 9, 1954

Fifth: That the use for which said water is intended is 80% Irrigation 20% Stock

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

I. Kind of works: Ditch  
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: .....

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir ..... acre feet.

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

(d) Conduit Ditch width at bottom ..... feet, width at water line 6.0  
(State whether ditch, flume or pipe)

feet, depth of water 1/4 feet; diameter of pipe ..... inches, average grade per mile is 1.11 ft feet. Length of conduit is 7.50 miles. No. 2 2180 ft.

Seventh: That said works are capable of conducting to the place of intended use ..... 6.50 second feet of water.

Eighth: That water appropriated under said permit is available for 6 acres of land described as follows: SE 1/4 of SW 1/4 SECTION 34, TWP. 32 N. R. 2 W.

Ninth: Remarks: That The diversion for irrigation ditches is rebuilt each year as creek run off washes it out - Also dimensions of diversions change after each high water.

Earl L. Tracy  
(Sign Here)

Subscribed and sworn to before me this 2nd day of June, 1954

My commission expires 1/12/55

Carl Malmgren  
Notary Public.

24548

✓  
May 11, 1954

RE: Permit No. 24548

Mr. E. L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We have your letter of May 3 requesting the forms to make the proofs necessary to complete your water right on Permit No. 24548.

Proof of completion of works should be made on Form 6 enclosed, executed before a notary public and returned to this department with the statutory fee of \$5.00.

Before proof of beneficial use is made, the law requires publication in a county newspaper, once a week for four weeks prior to the date set for making proof. This notice 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.

Both copies of Form 10 to be returned to this department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making the proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl1  
Enc.

24548

Lenore Ida.  
5/3/54

DEPT. of Reclamation:

Dear Sir:

Would you kindly  
send me the necessary forms in  
order that I may complete my water  
right - At present I have Permit  
No. 24548.

Yours Respect-

E. L. Tracy  
Rt. 1 Lenore  
Idaho.

W H -

86 h 11-9-54

24548

November 10, 1953

RE: Permit No. 24548

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We enclose Permit No. 24548 together with departmental receipt No. 26308 for the \$5.00 filing fee.

You will note that we have allowed one year or until November 9, 1954, within which to make the statutory proofs of completion of works and beneficial use required to complete the water right. However, these proofs may be made at any earlier date that you are prepared to make them and we shall be glad to send you the necessary forms upon request.

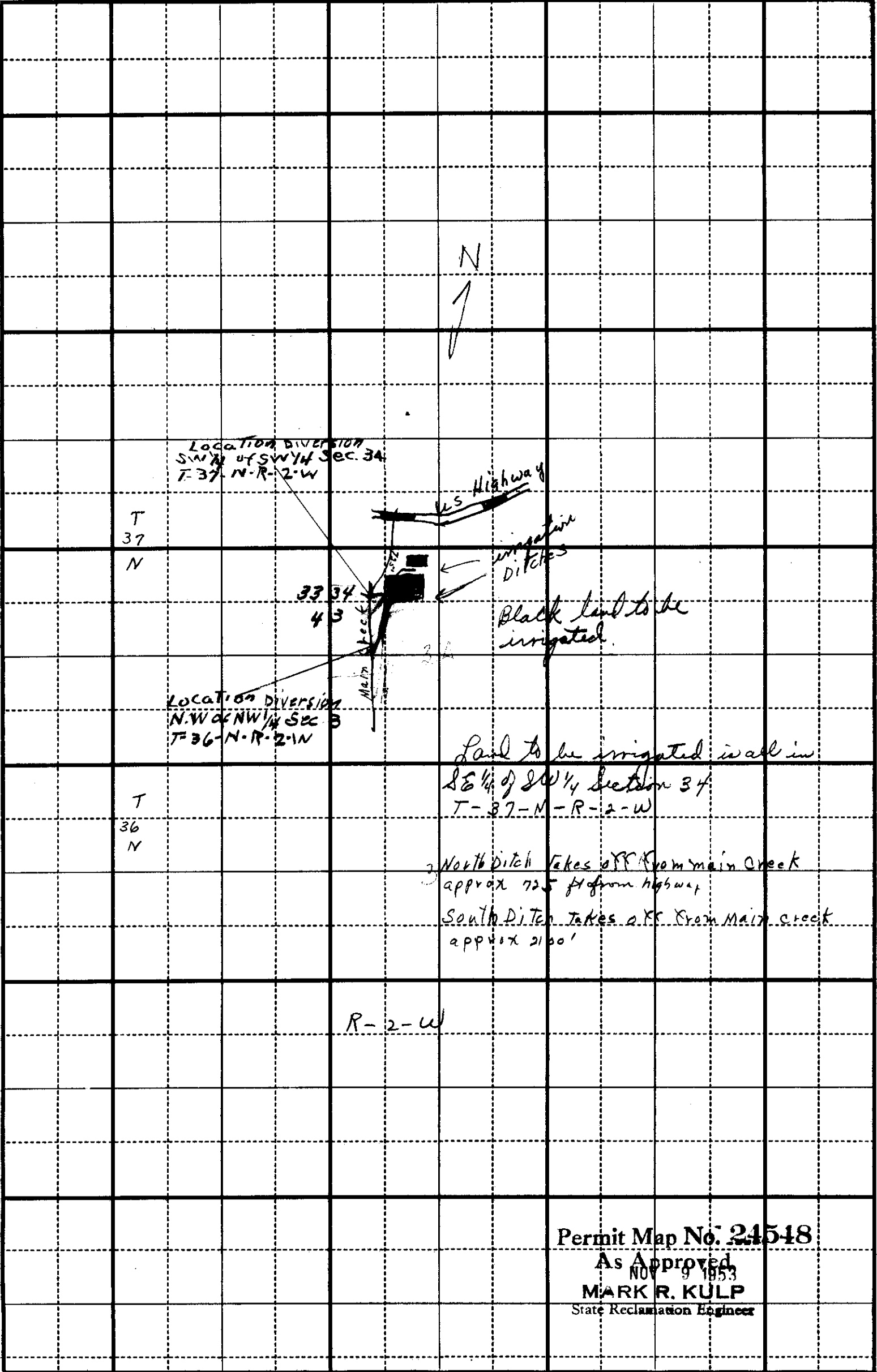
Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

24548



October 5, 1953

Mr. Earl L. Tracy  
Route 1  
Lenore, Idaho

Dear Mr. Tracy:

We acknowledge receipt of your application for permit to appropriate 6/50 second foot, or 6 inches, of water, accompanied by your check for the \$5.00 filing fee.

Under Question 3 you state that you do not know the source of water supply, but we assume this can be described as an unnamed stream.

Question 4 should give the location of the two points of diversion to a 40 acre subdivision, section, township and range. We assume from the sketch map that one point of diversion is in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 3, Township 36 North, Range 2 West, B.M., and possibly the other point of diversion is in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said section. If so, this should be clearly marked on the sketch map.

The application should also be signed on the line indicated on the third page.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

24548

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

Notice is hereby given that at 11:00 a. m. on the 16<sup>th</sup> day of September, 1954, at Lewiston, County of Nez Perce, State of Idaho, before Carl Malmgren, Notary Public, proof will be submitted of the application to beneficial use of 6/50 cubic feet per second of the waters of un-named stream in accordance with the terms and conditions of Permit No. 24548 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Earl L. Tracy, Route 1, Lenore, Idaho.

The use to which said water has been applied is 80% Irrigation, 20% stock.

The amount applied to beneficial use is 6/50 c.f.s.

The place where said water is used SE $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 34, Township 37 North, Range 2 West B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Ditch No. 1, Ditch No. 2.

The right to take water from such works is based upon Permit No. 24548.

The source of supply from which such water is diverted is un-named stream.

The date of priority which said user is prepared to establish is October 31, 1953.

MARK R. KULP,  
P-18-54 State Reclamation Engineer.