

T.
31
N.

5

R-4E.

STATE HWY. NO. 13
TO STILES

8 acres

house.

Spring No. 1 - P.D.

4
Spring No. 2 - P.D.

1 acre.

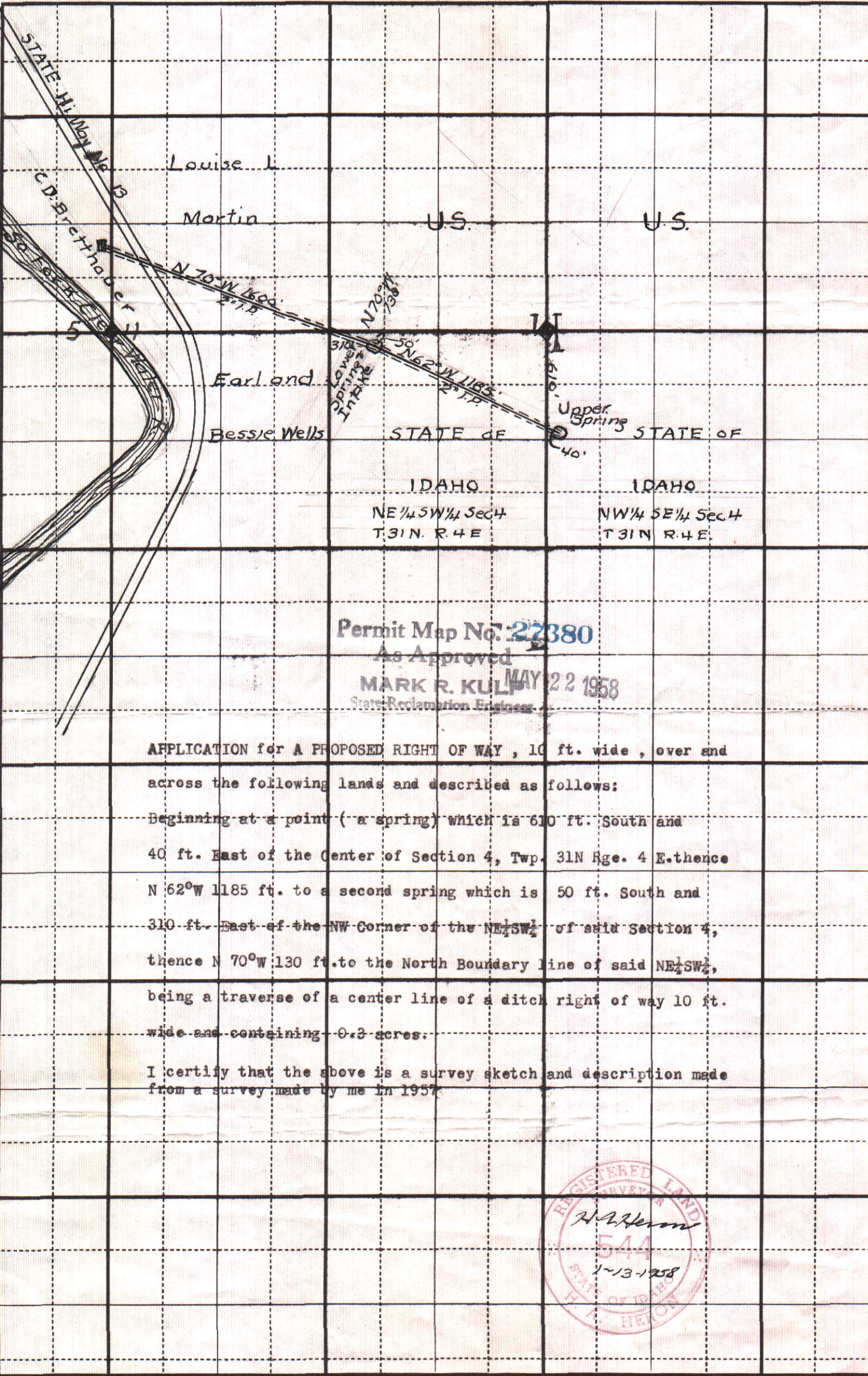
3. ER. CLE ARVA
Road

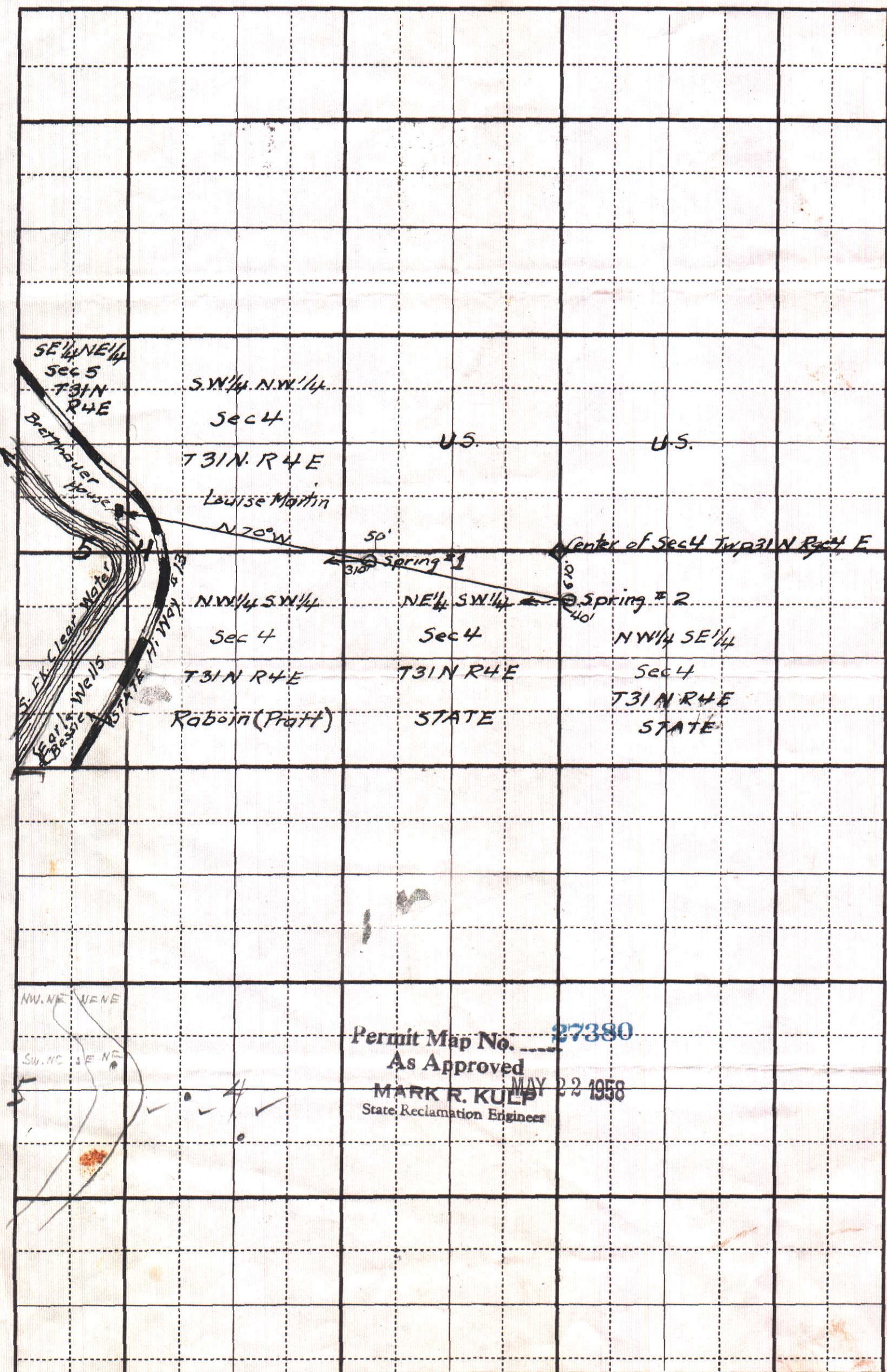
use = domestic

$Q = .01 \text{ cfs.}$

use in both HDS.

use is in both sections.





27380

State of Idaho
License and Certificate of Water Right

Water License No. 27380

Amount .01 c.f.s.

Water District No.

Priority Oct. 31, 1957

THIS IS TO CERTIFY that CHESTER D. BRETHAUER
of Stites, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 31, 1957; that Permit No. 27380
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.01 second feet, was issued thereunder on April 12, 1960, showing that said works
were completed on the 2nd day of April, 1960; and that on the 14th
day of May, 1960,

CHESTER D. BRETHAUER

of Stites, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of unnamed
springs, a tributary of, for the purpose of irrigation, &
domestic use, under Use Permit No. 27380 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
11 of Licenses at page 6983, on the 12 day of October, 1960;

The right hereby confirmed dates from October 31, 1957;

The Point of Diversion is located Spring No. 1 NE $\frac{1}{4}$ SW $\frac{1}{4}$; Spring No. 2 NW $\frac{1}{4}$ SE $\frac{1}{4}$

in the — $\frac{1}{4}$ — $\frac{1}{4}$, Sec. 4, Tp. 31 N., R. 4 E., B. M. Idaho County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .01 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
31 N.	4 E.	4 5	SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	1	1 8
			Total number of acres to be irrigated:		9

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

12th day of October, 1960

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

Application For Permit To appropriate the Public Waters of the State of Idaho

82-2056

APPLICATION No. 35308
PERMIT No. 27380
DISTRICT No.

Chester D. Bretthauer
Stites, Idaho

1. Name of Applicant: CHESTER D. BRETTHAUER

Postoffice address: Stites

County: Idaho

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: $4\frac{1}{2}$ Gal. per Min or .01 cubic feet per second.

3. Source of water supply: Un-named springs which is a tributary of
Spring in NW $\frac{1}{4}$ SE $\frac{1}{4}$.008, Spring in NE $\frac{1}{4}$ SW $\frac{1}{4}$.002 c.f.s.

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$
of section 4 , T. 31 N., R. 4 E. , B. M., County of Idaho

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 of , 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 5 , T. 31 N. , R. 4 E. , B.M.

7. Estimated cost of works: \$ 400.00

8. Kind of works: Concrete spring box and pipe-line and storage tank

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 fee; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

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

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

/s/ Chester D. Bretthauer
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. October 31, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27380

Recorded in Book 96 Page 27380 Approved May 22, 1958

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 July 22, 1958

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 May 22, 1959

The whole of said work to be completed on or before May 22, 1960

Beneficial use of water appropriated in accordance herewith, to be made on or before May 22, 1960

WITNESS My hand this 22nd day of May, 1958

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE

, Governor of the State of Idaho,

and JAS. H. YOUNG

, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd

day of May, 1958

STATE OF IDAHO

Countersigned:

(SEAL)

By /s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS:

SEE BELOW - I only now find that I should have permit to use same.
Springs located on State lands.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
31 N.	4 E.	4		1			1
	<u>REMARKS:</u>		AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS (Not to be used when spring is situated on lands owned by the applicant). I, Arthur Wilson, of Boise, County of Ada State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of Chester D. Bretthauer is located, to-wit: NE$\frac{1}{4}$SW$\frac{1}{4}$, NW$\frac{1}{4}$SE$\frac{1}{4}$, S. 4, T. 31 N. R. 4 E., and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application. /s/ Arthur Wilson State Land Commissioner STATE OF IDAHO)ss County of Ada) On this 30th day of April, 1958, before me, a Notary Public for the State of Idaho, residing at Boise, personally appeared Arthur Wilson, known to be to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same on behalf of the State Land Department. WITNESS MY HAND and seal, the day and year in this certificate first above written. /s/ M. C. Hamblin Notary Public (SEAL) My commission expires 3-5- 59				

Permit No. 27380

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CHESTER D. BRETTHAUER of Stites, County of Idaho, and State of Idaho, the holder of Permit No. 27380, issued upon Application No. 35308 bearing date of priority of October 31, 1957, authorizing the diversion of .01 second feet of waters of un-named springs County of Idaho, 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 .01 second feet of the waters of - un-named springs

that the point of diversion of said waters NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 31 N., R. 4 E.

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 31 N., R. 4 E., B.M.

Witness my hand this 12 day of April, A. D. 1960.

/s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: April 2, 1960

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 27380

Comes now CHESTER D. BRETTHAUER, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 27380, and requests that the location of the point of use as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 31 N., R. 4 E., B. M., making a total . . . acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Stites, Idaho, this Ninth (9) day of April, 1960.

s/ Chester D. Bretthauer

Date of receipt at office of Department of Reclamation April 11, 1960.

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27380. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: April 18, 1960

COPIES ISSUED FOR: 2/ SEC. FI.

Page 6983

ACTION

N OWNER LAST NAME - BRETHAUER

FIRST NAME - CHESTER D.

N

CITY - STITES

STATE - ID

N

SOURCE - SPRINGS

N

STAGE - LICENSE

N

PRIORITY - 10-31-1957 COUNTY - IDAHO

TOTAL DIV. RATE - .0100CFS

N

DIVERSION POINT - NESW 04 31N 04E

NWSE 04 31N 04E

N

USE - IRRIGATION

USE DIV. RATE - .0100CFS

N

USE - DOMESTIC

N

USE - IRRIGATION

PLACE OF USE - TWN 31N RNG 04E SEC 04 TRACT SWNW

AC 01

N

USE - IRRIGATION

PLACE OF USE - TWN 31N RNG 04E SEC 05 TRACT SENE

AC 08

N

OLD NO. - 27380

IDENT. NO. 82-2056

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 27386 182-2056
Old No. New No.

Record

1. Original Owner: Chester R. Brettbauer

Present Owner: _____

2. Address:

3. City: Stitts State: 10 Zip: _____4. A. Source of Water: Springs

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: 10-31-1957D. County: 49E. Total Diversion Rate: 001

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>NE1SW</u>	<u>4</u>	<u>31N</u>	<u>4E</u>	_____	_____
	<u>NW1SE</u>	<u>4</u>	<u>31N</u>	<u>4E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from _____ to _____ for A purposes. Amount 01
(cfs or AC-FT/yr)from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
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: 27380

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

June 23, 1971

Re: License No. 82-2056 - Chester D. Brethauer

James E. Wells
Rt. 1, Box 54-A
Grangeville, Idaho

Dear Mr. Wells:

Pursuant to your letter of June 9, 1971, please find enclosed a copy of the above referenced water license. In researching our records, we find that this is the only recorded water right appurtenant to any of the lands as described in your letter.

If you should have any further questions in reference to this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb

Enc: Copy of License

82 2056

Hammond, Idaho

June 9 - 1971

Dept of Water:

Dear Sir:

We are interested in a spring that has not been developed & is located on a steep hill in shale rock 588 feet above my line fence & 528 feet from my NE corner. Our

Property is S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ sub $\frac{1}{4}$, - FT-1 - 4-31N4E

Brethauer of Stites has developed a spring North of where this spring is. Van State Property. Our land is about 3 miles South of Stites. Please let me know what I have to do to develop this spring & buy an easement up to it.

Thank you -

82 2056

Jayne E. Wells

Hammond Idaho (owner)

Rt 1 Box 54A.

SURFACE WATER - NOTHING ON SEC. 4

SPRINGS (as called for) ONLY THING
LISTED FORT. 31 N R. 4 E SEC. 4 IS
NAME - CHESTER D. BRETTHAUER
CALLOUT - NW SE $\frac{1}{4}$ NE SW
PERMIT No. - ⁶⁹⁸³ 27360

82 2056

October 12, 1960

Re: Permit No. 27380

Chester D. Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We enclose License and Certificate of Water Right
issued on Permit No. 27380.

We also enclose departmental receipt No. 30311,
in the amount of \$4.00 covering fees.

Very truly yours,

GEN. M. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew
Enc. license
receipt

27380 RT

October 5, 1960

Re: Permit No. 27380

Chester D. Bretthauer
Stites, Idaho

Dear Sir:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 27380 shows the ~~unnamed springs are~~ capable of conveying ~~one-half~~ miner's inches, or .01 c.f.s. of water for the irrigation of 9 acres.

Upon receipt of the statutory fee of \$ 4.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of October 31, 1957 to the use of .01 second feet of surface water with the point of diversion in NW¹/₄SE¹/₄, NE¹/₄SW¹/₄, Sec. 4, for domestic use and irrigation of 9 acre in SW¹/₄NW¹/₄, Sec. 4, SE¹/₄NE¹/₄, Sec. 5, T. 31 N., R. 4 E., B. M.

Very truly yours,

GEO. E. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

27380

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

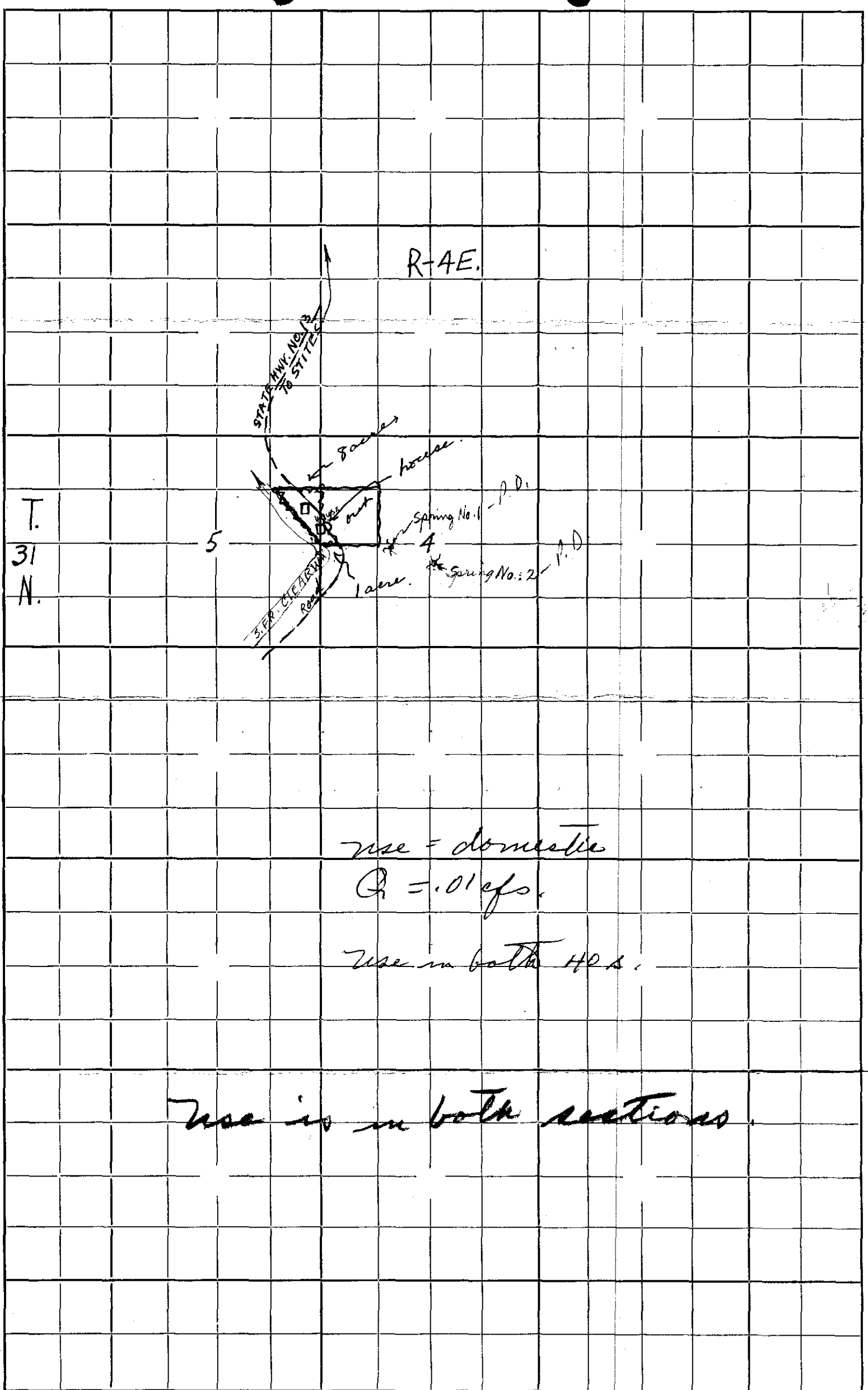
REPORT OF ENGINEER

PERMIT NO. 27380

REPORT ON PROOF OF Beneficial Use

Chester D. Bretthauer, Stites, Idaho

27380



Bert Heron = surveyor for John Heron

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 27380

This proof is for Beneficial Use

In Water District No.

1. Name of applicant. Chester D. Bretthauer

2. Source of water supply: un-named springs

3. Location of point of diversion: Is in the NW 1/4 SE 1/4, NE 1/4 SW 1/4 of Section 4

T. 31 N R. 4 E. B. M. County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same: 2" plastic pipe from high spring to lower spring. 3/4" steel pipe for lower spring x 700' 1/2" steel on down to Reservoir both springs connected in. Concrete reservoir 6' x 6' x 8' deep. approx 75' for reservoir to house. 3/4" steel pipe for res. to house. Two houses fully plumbed. Six outlets in yards.

5. Water is used for: irrigation and domestic

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

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

SE 1/4 NE 1/4 Sec. 5; SW 1/4 NW 1/4 Sec. 4; Twp. 31 N., Rge. 4 E. B. M.

Approx 9 acres in total

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

8. What large stream would the water here appropriated finally reach?

Remarks:

Has affidavit of permission from State Land Dept.

This examination was made on the 26 day of Sept., 1960

(Signed) E. M. Humphrey Examiner.

27380

Chester D. Bretthauer
Stites, Idaho

Permit No. 27380

Examination for Beneficial Use

County Idaho

4-31N.-4E.

Q 0.01 c.f.s.

S = Un-named springs

P.L. = NW. SE. } Sec. 4, T.31N.-R.4E.B.M.
= NE. SW. }

Use = Irrigation & Domestic

Filed = Oct. 31, 1957

Due = May 22, 1960

Yrs = 4-12-60
no other rights

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
OCT 4 1960

Department of Reclamation

27380

May 18, 1960

RE: Permit No. 27380

Mr. Chester D. Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Idaho County Free Press, all submitted in proof of Beneficial Use on Permit No. 27380.

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 so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rulis
Chief Clerk

27380

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

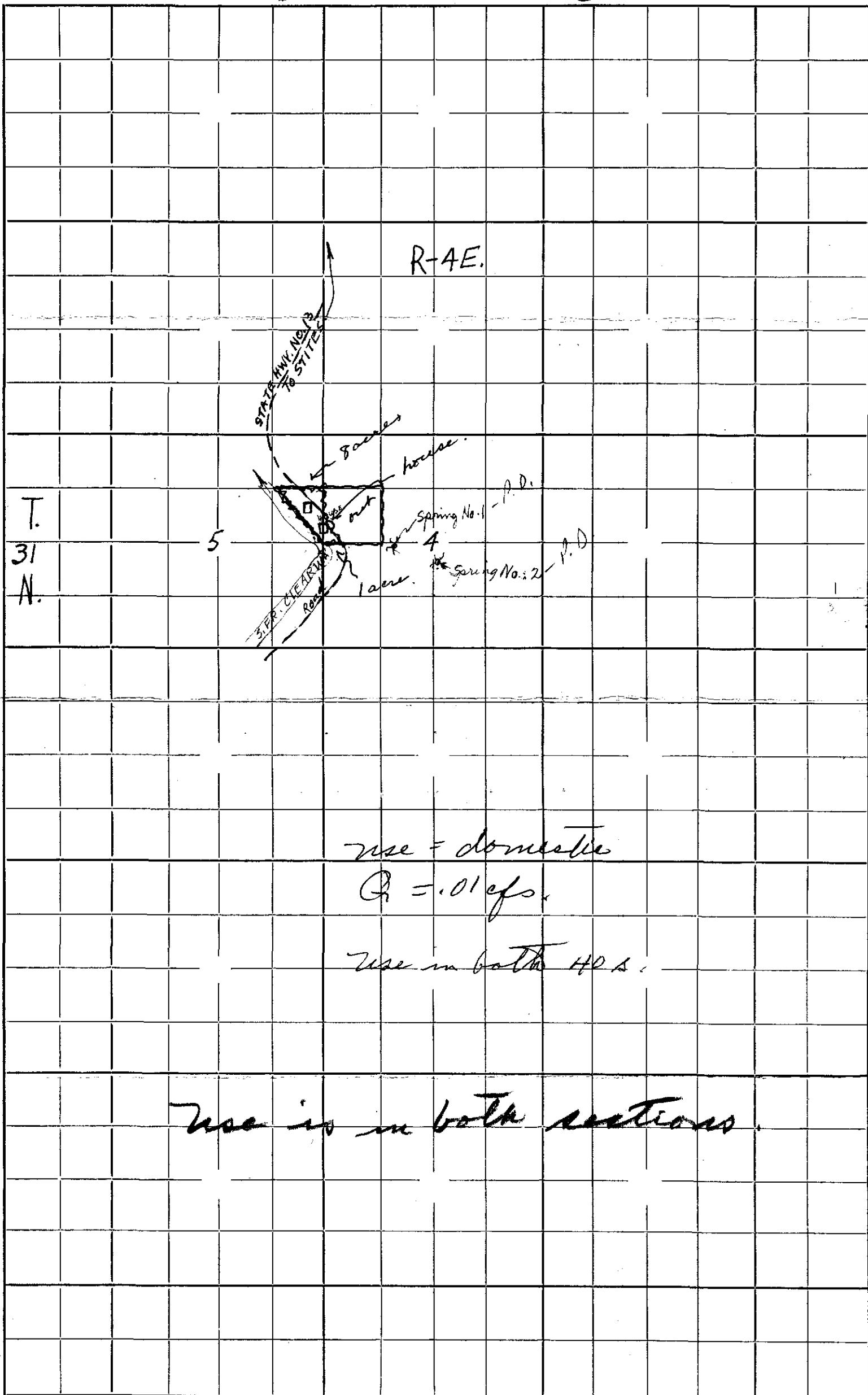
REPORT OF ENGINEER

PERMIT NO. 27380

REPORT ON PROOF OF Beneficial Use

Chester D. Bretthauer, Stites, Idaho

27380



use = domestic

$Q = .01$ cfs.

use in both HD's.

use is in both sections.

Bert Heron = surveyor for Idaho

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 27380

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Chester D. Bretthauer

2. Source of water supply: unnamed springs

3. Location of point of diversion: Is in the NW 1/4 SE 1/4, NE 1/4 SW 1/4 of Section 4

T. 31 N R. 4 E. B.M. County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same: 6" plastic pipe from high spring to lower spring. 3/4" steel pipe for lower spring x 700'. 1/2" steel on down to Reservoir. Both springs covered in concrete reservoir 6' x 6' x 8' deep. approx 75' for reservoir to house. 3/4" steel pipe for res. to house. Two houses fully plumbed. Six outlets in yards.

5. Water is used for: irrigation and domestic

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

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

SE 1/4 NE 1/4 Sec. 5; SW 1/4 NW 1/4 Sec. 4; Twp. 31 N., Rge. 4 E. B.M.

Approx 9 acres in total

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

8. What large stream would the water here appropriated finally reach?

Remarks:

Has affidavit of permission from State Land Dept.

This examination was made on the 26 day of Sept., 1960

(Signed) E. M. Humphrey, Examiner.

27380

27380

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
OCT 4 1960
Department of Reclamation

Chester D. Bretthauer
Stites, Idaho

Permit No. 27380

Examination for Beneficial Use

County Idaho

4-31N.-4E.

Q 2 0.01 c.f.s.

S = Un-named springs.

P.E. = NW, SE. } Sec. 4, T. 31N.-R. 4E. B. 1/4
NE, SW.

Use = Irrigation & Domestic

Filed = Oct. 31, 1957

Due = May 22, 1960

4-12-60
no other right

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 1 6 1960
Department of Reclamation

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

Ans. Only household. Irrigation.

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

Ans. .01 cu ft per sec

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. Household and irrigation

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. no other

(Sign)

C. Hester D. Bruthauer

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 Idaho, County of

State of Idaho, on this 14th day of May, A. D. 1960.



My commission expires

April 1, 1961

J. Nickerson

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MAY 16 1960
Department of Reclamation

PERMIT NO. 27380

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. Barbara F. Rickett, 26, housewife Box 114 Headquarters, Idaho

Ques. 2. Are you acquainted with Chester D. Bretthauer, the holder of Permit No. 27380? How long have you known him and where does he reside?

Ans. 3 years. 2 1/4 mi So of Stites, Idaho on Highway No. 13

Ques. 3. Have you read or heard read said Permit No. 27380, 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. TWO Springs, unnamed,

Ans. Spring #1 NE 1/4 SW 1/4 Sec 4 Twp 31N R4E. Spring #2 NW 1/4 SE 1/4 Sec 4 Twp 31N R4E.
2. Point of diversion: SE 1/4 of NE 1/4 Sec 5 Twp 31N R4E. Concrete spring boxes and concrete storage tank. 3/4 and 1/2 inch pipeline gravity only.
To place of use.

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. .01 cu feet per second.

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. Domestic household use; Irrigate about ONE acre Garden & lawn.

27380

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. No land reclaimed... Just ordinary to irrigate lawn & garden.

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.

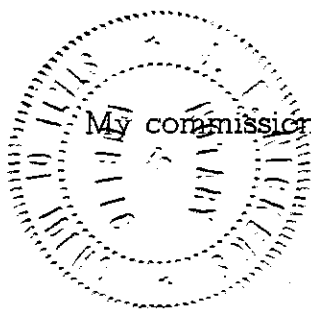
Ans. Have seen it used for household purposes and to water garden and lawn.

(Signed) Barbara A. Ricketts

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

County of Idaho, State of Idaho, on this 14th day of May,

A. D. 19 60.



My commission expires April 1, 1961

J. A. Nielsen

Notary Public.

27380

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

PERMIT NO. 27380

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. Joseph L. Rickett, 28, Box 114 Headquarters, Idaho. Woodsman.

Ques. 2. Are you acquainted with Chester D. Bretthauer, the holder of Permit No. 27380? How long have you known him and where does he reside?

Ans. 15 years. 2 1/2 miles south of Stites Idaho on Hwy 13.

Ques. 3. Have you read or heard read said Permit No. 27380, 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. TWO Springs, unnamed,

Ans. Spring #1 NE 1/4 SW 1/4 Sec 4 Twp 31N R4E. Spring #2 NW 1/4 SE 1/4 Sec 4 Twp 31N R4E.

Place of Use 2. Point of diversion: SE 1/4 of NE 1/4 Sec 5 Twp 31N R4E. Concrete spring boxes and concrete storage tank. 3/4 and 1/2 inch pipeline gravity only. To place of use.

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. .01 cu feet per second.

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. Domestic household use; Irrigate about ONE acre Garden & lawn.

27380

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. No land reclaimed... Just ordinary to irrigate lawn & garden.

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. Have seen it used for household purposes and to water garden and lawn.

(Signed)

Joseph L. Rickett

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

County of Idaho, State of Idaho, on this 14th day of May,

A. D. 19 60

J. A. Nielsen

Notary Public.

My commission expires

April 1, 1961



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

Notice is hereby given that at 10:00 A.M. on the 14th day of May, 1960, at Kooskia, County of Idaho, State of Idaho, before J. F. Nickens, Notary Public, Kooskia, Idaho, proof will be submitted of the application to beneficial use of .01 cubic feet per second of the waters of Unnamed Spring on State land in accordance with the terms and conditions of Permit No. 27380 heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Chester D. Bretthauer, Stites, Idaho.

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

The amount applied to beneficial use is All.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE 1/4 - NE 1/4 Sec. 5, SW 1/4 NW 1/4, Sec. 4, T. 31 N. R. 4 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Concrete Spring box and Pipe-line and storage tank.

The right to take water from such works is based upon Permit No. 27380.

The source of supply from which such water is diverted is Un-named Spring NW 1/4 SE 1/4 .008, Spring in NE 1/4 SW 1/4 .002 c.f.s.

The date of priority which said user is prepared to establish is Oct. 31, 1957.

GEO. N. CARTER,
a21-m12 State Reclamation Engineer.

RECEIVED
MAY 1 6 1960
Department of Reclamation

AFFIDAVIT OF PUBLICATION

Kay M. Thompson being first duly sworn, says she is the Chief Clerk of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for four weeks, being published four times, the first publication being on the 21st day of April, 1960, and the last publication on the 12th day of May, 1960; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Kay M. Thompson

Subscribed and sworn to before me this 12th day of May, 1960.

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

27380

April 18, 1960

Re: Permit No. 27380

Mr. Chester D. Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We enclose herewith Application for Amendment
to the land list which has been duly recorded in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment

27380

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 27380
Chester D. Bretthauer

Date: April 12, 1960

Idaho County Free Press,
Grangeville, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to May 14, 1960 the date set for proof; the expense of the publication is to be paid by the applicant

Chester D. Bretthauer of Stites, 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 or tear sheet of the first publication**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl.

27380

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

DEPARTMENT OF RECLAMATION

BOISE

April 12, 1960

Re: Permit No. 27380

Mr. Chester D. Bretthauer,
Stites, Idaho.

Dear Mr. Bretthauer:

This acknowledges the Notice of Proof of ~~Completion of Work and~~ Application of Water to Beneficial Use under Permit No. 27380. The proofs are to be made at 10:10 o'clock A.M., on the 14th day of May, 1960, ~~before~~ before J. F. Nickens, Kooskia, Idaho, Notary Public.

As of this date we have mailed the Notice to the Idaho County Free Press with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

27380

Encl.

EPR: pmk

cc: Notary

P.S. We note that in your "Notice for Publication" you did not fill in the name of the Notary Public. We have taken the liberty of placing the name of J. F. Nickens in the Publication Notice, and trust this will

April 12, 1960

Re: Permit No. 27380

Mr. Chester Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We enclose herewith Certificate of Completion of Works
issued on Permit No. 27380.

We also enclose departmental receipt No. 30068 in the amount
of \$5.00, covering fees.

Very truly yours,

WEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Kule
Chief Clerk

EPR:ew

Enc. certificate
receipt

27380

RT

RECEIVED

APR 1 1960

Department of Reclamation

Stiles, Ida
April 9-60

Dear Sir

I'm Reply to your letter
of April 5-1960 as to the place of
pore in question.

Our Land ~~is in~~ consist of 8 acres
more or less, lying in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$
Sec. 5 + 31 N R 4 E B M. and
1 acre more or less lying in SW $\frac{1}{4}$ of
NW $\frac{1}{4}$ Sec 4 + 31 N R 4 E B M.
These property again and the water
will be used on both places for
domestic purposes and Irrigation.

Very truly yours

Chester D Bruthamer
Stiles
Ida

27380

April 5, 1960

Re: Permit No. 27380

Mr. Chester D. Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We received Form 6, Proof of Completion of Works, and two Form 10 and Form 11 in regard to proof of beneficial use of water.

The \$5.00 fee for the Certificate of Completion of Works, which should have accompanied the proof was not received.

Form 10 shows place of use as SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 31 N., R. 4 E., whereas our record shows the place of use as the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4. Sign the enclosed amendment to the description of place of use changing the description if it is not correct.

Return the amendment with the \$5.00 fee for the Certificate of Completion of Works at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rula
Chief Clerk

RT:
EPR:ew

27380

RT

Permit No. 27380STATE OF IDAHO
Department of ReclamationRECEIVED
APR 4 1960
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Idaho }

ss.

Chester D. Bretthauer ✓

, 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. 27380 ✓, and that his postoffice address is Stites,
State of IdahoSecond: That the name of the stream from which said water is to be diverted is
Un-named SpringThird: That the point of diversion of said water is NW 1/4 SE 1/4 & NE 1/4 SW 1/4, Sec. 4, Twp 31. N
Range 4 E. B. M. County of IdahoFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May. 22, 19 60.Fifth: That the use for which said water is intended is Irrigation and domestic

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

✓ Kind of Works: Concrete Spring box and pipe-line and storage tank.

(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
Concrete

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet. inside dem 6X6X8 feet

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

(d) Conduit _____ width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 8 feet; diameter of pipe 1/2 inches, average grade per mile is 800 feet. Length of conduit is 3/5 miles.✓ Seventh: That said works are capable of conducting to the place of intended use
.01 second feet of water.Eighth: That water appropriated under said permit is available for one (1) acres of land described as follows: SE 1/4 NE 1/4 Sec. 5, Twp. 31. N, Rge 4 EBMNinth: Remarks:—That Reservoir holds 2150 gallons.C. D. Bretthauer
(SIGN HERE)Subscribed and sworn to before me this 2nd day of April, 19 60J. A. Nicenave
NOTARY PUBLICMy commission expires April 1, 1961

27380

R1

RECEIVED
APR 4 1960
Department of Reclamation

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

Notice is hereby given that at 10:10 A. M. on the 14th day of May, 1960,

at Koonkia, County of Idaho, State of Idaho, before

J.F. Nickens, Notary Public Koonkia, Idaho, proof will be submitted of the

application to beneficial use of .01 cubic feet per second of the waters of Unnamed Spring

on State land in accordance with the terms and conditions of Permit No. 27380

heretofore issued by the Reclamation Engineer of the State of Idaho.

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

Chester D. Bretthauer, Stites, Idaho

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

The amount applied to beneficial use is All

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

SE 1/4 NE 1/4 Sec. 5, Twp 11-N, Range 4-E, B.M. SW 1/4 NW 1/4 Sec. 4 T. 31-N. R. 4-E. B.M.

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

Concrete Spring box and Pipe-line and storage tank

The right to take water from such works is based upon Permit No. 27380

The source of supply from which such water is diverted is

Un-named Spring NW 1/4 SE 1/4 .008, Spring in NE 1/4 SW 1/4 .002 c.f.s.

The date of priority which said user is prepared to establish is May 22, 1957

Geo. H. Carter

State Reclamation Engineer.

27380 RS

RECEIVED
APR 4 1960
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 2, 1960
(P. O.) Stites, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Idaho County Free Press of Grangeville, Idaho published in
the county in which the works are situated.

John D. ...

Ernest I. ...

(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.

27380

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. 27380Date March 1, 1960

Chester D. Bretthauer
Stites, Idaho

Dear Sir:

Under the terms of your Permit No. 27380 you are required to make proofs of completion of works and application of water to beneficial use on or before May 22, 1960.

We enclose Form 6 to be filled in and sworn to by you before a Notary Public, and returned to this department on or before the above date, for making proof of completion under the permit. Upon receipt of this affidavit, provided same satisfactorily shows the completion of works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper will will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10-11-6
instructions

27380

June 2, 1958

Re: Permit No. 27380

Mr. Chester D. Bretthauer
Stites,
Idaho

Dear Mr. Bretthauer:

We enclose Permit No. 27380, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 28104, which was issued covering payment in the amount of \$5.00, for the filing fee of the above mentioned permit.

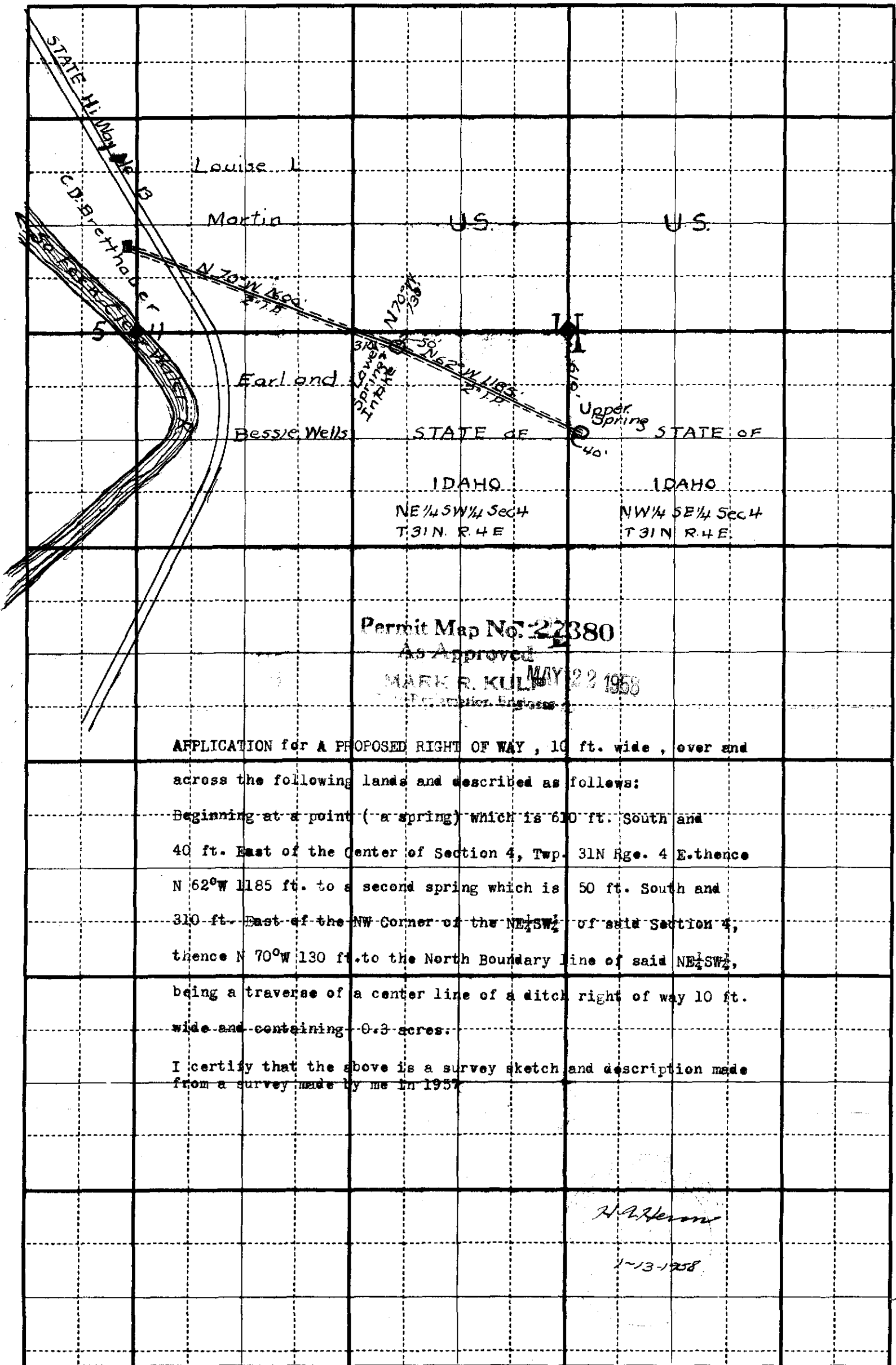
Very truly yours,

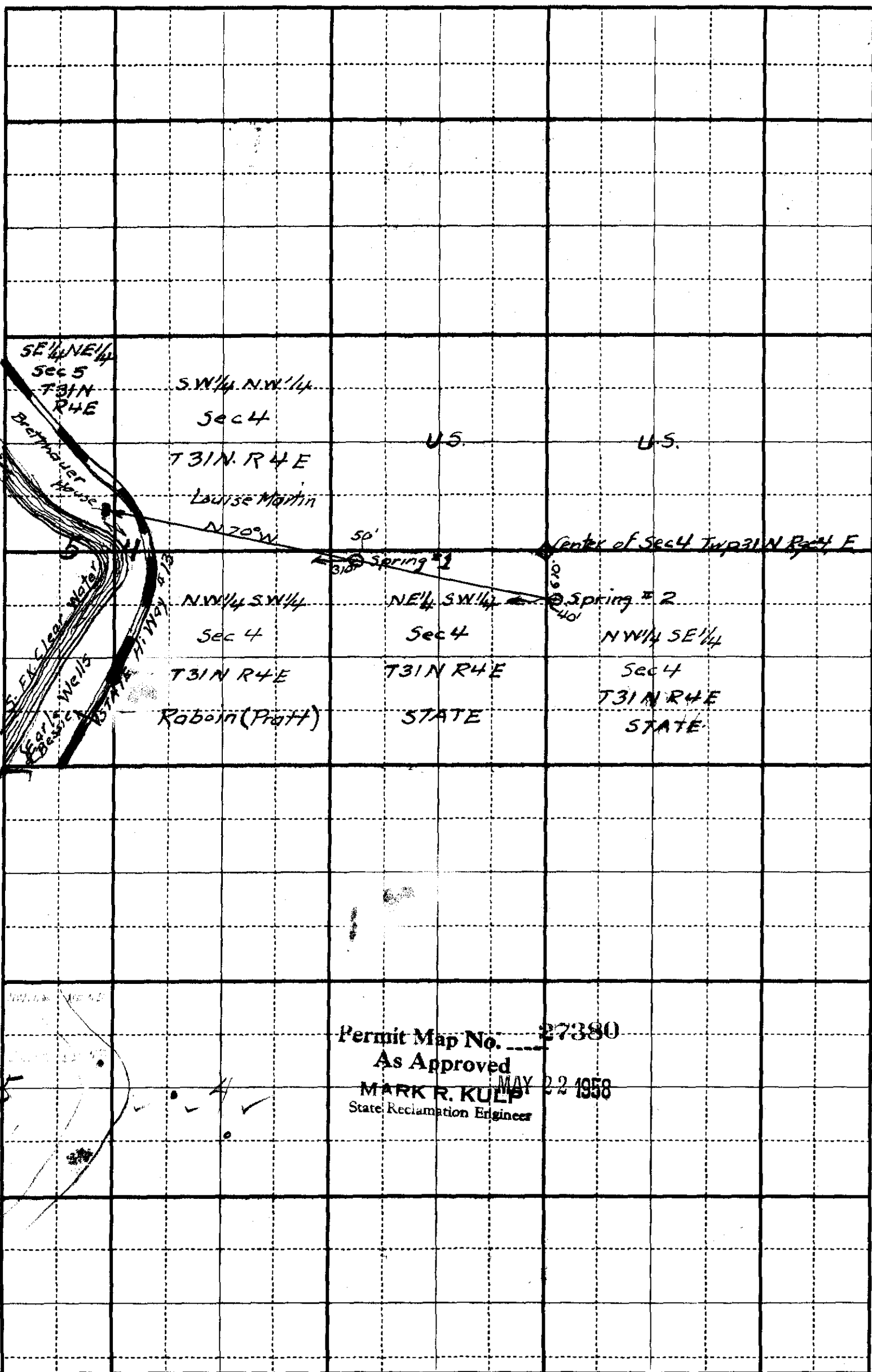
MARK R. KULP
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw
Encls. (2)

27380





RECEIVED
MAY 7 1958
Department of Reclamation

Stites, Idaho
May 6 - 1958

Dear Sir:

In regards to your letter for the application for water permit of May 2 1958.

We would like to have Increase of amount of filling to three and one Half gal. per minute of both springs out put. Thank you for your Kindness. Inclosed is the Five Dollars requested.

C. D. Bretthauer
Stites, Idaho

27380

May 2, 1958

Re: Application for Permit

Mr. Chester D. Bretthauer
Stites,
Idaho

Dear Mr. Bretthauer:

At last this department has received an affidavit from the Idaho Land Office granting you permission to file on and use water from springs located on state land.

We therefore, can complete your application for permit. We have taken the liberty to consolidate both filings into one filing which will save you considerable cost.

We are returning your check to the amount of \$10.00 and will request that you substitute said check to the amount of \$5.00, which will be the correct amount for filing on both springs under one permit.

Providing you think that you might get more water than what you filed on from both of said permits, which is around 2 1/4 gallons per minute, we would be glad to increase the amount of filing if you thought the water was available at no more cost for filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Enclosure- Check

27380

February 20, 1958

Re: Application for Permit

Mr. C. D. Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We are writing you in reply to your application of water right for filing on a spring on state owned land.

Under date of September 23, 1957, Mr. Arthur Wilson, State Land Commissioner of the State of Idaho wrote you requesting a map or some other instrument whereby you could obtain an easement to cross said state land with a pipeline before giving you permission to file on said spring.

We wish you would furnish the Idaho State Land Board this information as soon as possible so that we may process your application, otherwise we will return your application to you, thinking that you are not interested in completing the filing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

27380

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



ARTHUR WILSON
COMMISSIONER

STATE BOARD OF LAND COMMISSIONERS

ROBERT E. SMYLIE
GOVERNOR AND CHAIRMAN

JAS. H. YOUNG
SECRETARY OF STATE

GRAYDON W. SMITH
ATTORNEY GENERAL

RULON SWENSEN
STATE AUDITOR

ALTON B. JONES
SUP'T. OF PUBLIC INSTRUCTION

December 23, 1957

RECEIVED
DEC 24 1957
Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
Statehouse

Dear Sir:

I have a field report upon the application of Mr. Chester D. Bretthauer of Stites, Idaho for a permit to file on spring waters on land owned by the State in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, Township 31 North, Range 4 East, Boise Meridian. The report is favorable and I am agreeable to signing the affidavit of permission to file on the springs. This would complete the application of Mr. Bretthauer.

Mr. Bretthauer should make application to this department for an easement which would permit him to cross the State land with a pipeline or some other conveyance, or the supply of water would be of no use to him if he were not able to enter upon State land for maintenance and construction purposes. I am advising Mr. Bretthauer of the situation and after receiving his application and, upon execution of the easement, I will sign the spring affidavit on his filings.

Yours very truly,

Arthur Wilson
Arthur Wilson
State Land Commissioner

AW:lb
cc: Chester B. Bretthauer

27380

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



ARTHUR WILSON
COMMISSIONER

STATE BOARD OF LAND COMMISSIONERS

ROBERT E. SMYLIE
GOVERNOR AND CHAIRMAN

JAS. H. YOUNG
SECRETARY OF STATE

GRAYDON W. SMITH
ATTORNEY GENERAL

RULON SWENSEN
STATE AUDITOR

ALTON B. JONES
SUP'T. OF PUBLIC INSTRUCTION

November 25, 1957

RECEIVED
NOV 26 1957
Department of Reclamation

Re: Application for Permit ,
Chester D. Bretthauer

Mr. Mark R. Kulp
State Reclamation Engineer
Statenhouseq

Attention: Mr. Roy Thompson, Office Manager

Dear Mr. Kulp:

Before approving or denying the request of Mr. Chester D. Bretthauer for permission to file on the waters of a spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, Twp. 31 N., Rge. 4 E., I would like to examine the premises for the purpose of determining whether the separation of the spring waters from the State land would be detrimental to our State land.

I therefore have requested our field agent to make an examination and report to me as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Arthur Wilson".

ARTHUR WILSON
State Land Commissioner

AW:mkh

CC: Mr. J. E. Beaudoin

27380

September 27, 1957

Mr. Chester D. Bretthauer
Stites, Idaho

Dear Mr. Bretthauer:

We are returning herewith your application for permit to file on a spring, for additional information and correction.

We have taken the liberty to rewrite your permits for the reason that one of your applications was on a subterranean form which is the wrong form to use, and the other reason is that you have mentioned that the water would be from an overflow of a watering trough which is of no interest to this department, which is only a matter of an agreement between you and some other person. We could not accept your application for permit for any water spilling over a water trough, but we can issue you a permit for water directly used out of a spring.

We would prefer if you had any explanation other than what is connected with the permit, that you write same on a plain piece of paper attached to the permit, in place of putting it on the permit form itself.

Our records do not disclose that anyone has filed on these two springs. We also wish to state providing the springs are located on State owned lands, it will be necessary for you to get permission from the State and fill out the affidavit on page three of the application. However, if the springs are located on Government land or Taylor grazing land, it would not be necessary for you to fill out the affidavit for permission to file on springs. However, if the springs are located on Government land, we wish that you would so state under "Remarks" on each of the two applications. It will also be necessary for you to make out duplicate maps on the forms enclosed herewith, showing the point or location of the spring, the place of use, all by section, township and range, legal land description.

We are also returning your check attached to your old application and will request that you return same with the two new applications after you sign same.

If these applications are not correct, or you see where there is some mistake, we wish you would tell us about it in a letter, or on a blank piece of paper, so that we can place it on said permit in due form.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

September 19, 1957

RE: Application for Permit

Mr. C.D. Butthauer
Stites, Idaho

Dear Mr. Butthauer:

In reply to your letter of September 16, 1957, we enclose an application for Permit to Appropriate the Public Waters of the State of Idaho, together with a pamphlet which gives regulations and instructions, and, sketch maps, in duplicate, which are required to accompany the application. The map is to be drawn by "cross hatch" or color, showing the lands to be irrigated by 40-acre sub-division, section number, and township, range, and clearly show the location of the water supply (stream, spring, etc.) and the point of diversion (the point where the water is taken from the stream.)

After this application is approved and signed by the Governor and the Secretary of State, it will be returned to you as a "Use Permit".

To complete the water right, two proofs are required:-

First: Proof of completion of works, The time required for making this proof is to be indicated under Question 12 on the application. The maximum time allowed is five years - the minimum time is one year.

Second: Proof of beneficial use, which is the final proof, is made when the water has been completely applied for irrigation or to whatever purpose it is to be used. The time for making this proof should be indicated under Question 13 of the application. The maximum time is an additional six years from the time the completion of works proof is made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

27380

Stites Ida.
Sept 16 - 57

Dear Sir

Will you please send me an
application Blank for a water right

L D Butthamer (Butthamer)
Stites Ida

RECEIVED
SEP 18 1957
Dep. Secy of Agric. nation

27380

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

Notice is hereby given that at 10:00 A.M. on the 14th day of May, 1960, at Kooskia, County of Idaho, State of Idaho, before J. F. Nickens, Notary Public, Kooskia, Idaho, proof will be submitted of the application to beneficial use of .01 cubic feet per second of the waters of Unnamed Spring on State land in accordance with the terms and conditions of Permit No. 27380 heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Chester D. Bretthauer, Stites, Idaho.

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

The amount applied to beneficial use is All.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ -NE $\frac{1}{4}$ /Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ /Sec. 4, T. 31 N. R. 4 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Concrete Spring box and Pipe-line and storage tank.

The right to take water from such works is based upon Permit No. 27380.

The source of supply from which such water is diverted is Un-named Spring NW $\frac{1}{4}$ SE $\frac{1}{4}$.008, Spring in NE $\frac{1}{4}$ SW $\frac{1}{4}$.002 c.f.s.

The date of priority which said user is prepared to establish is Oct. 31, 1957.

GEO. N. CARTER,
a21-m12 State Reclamation Engineer.

NOTICE OF SALE OF