

RECEIVED

AFFIDAVIT OF PUBLICATION

MAR 10 1969

Department of Reclamation

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that F. Ethel Brace, 905 1/2 S. 3W B Street, Mountain Home, Idaho has on February 17, 1969 applied for permit to divert 6.4 cubic feet per second of water from C. J. Strike Reservoir, tributary of the Snake River under application No. 02-7028. Water will be diverted by pump, penstock and sprinkler system within the NW 1/4 NE 1/4, sec. 19, T. 5 S., R. 5 E., B. M., Owyhee County, and is to be used from March 1 to October 31 for irrigation in the SE 1/4, sec. 19; NE 1/4, sec. 30, T. 5 S., R. 5 E., B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Owyhee Chronicle, Homedale, Idaho, on February 27 and March 6, 1969.

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF APPLICATION FOR WATER

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said

newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Feb. 27, 1969

Mar. 6, 1969

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 6th day of March
A. D., 19 69

Evelyn S. Colley

Notary Public in and for the State of Idaho.

residing at Homedale, Idaho

My commission expires 2-6, 19 72



02-7028

Bill sub 3-11-69

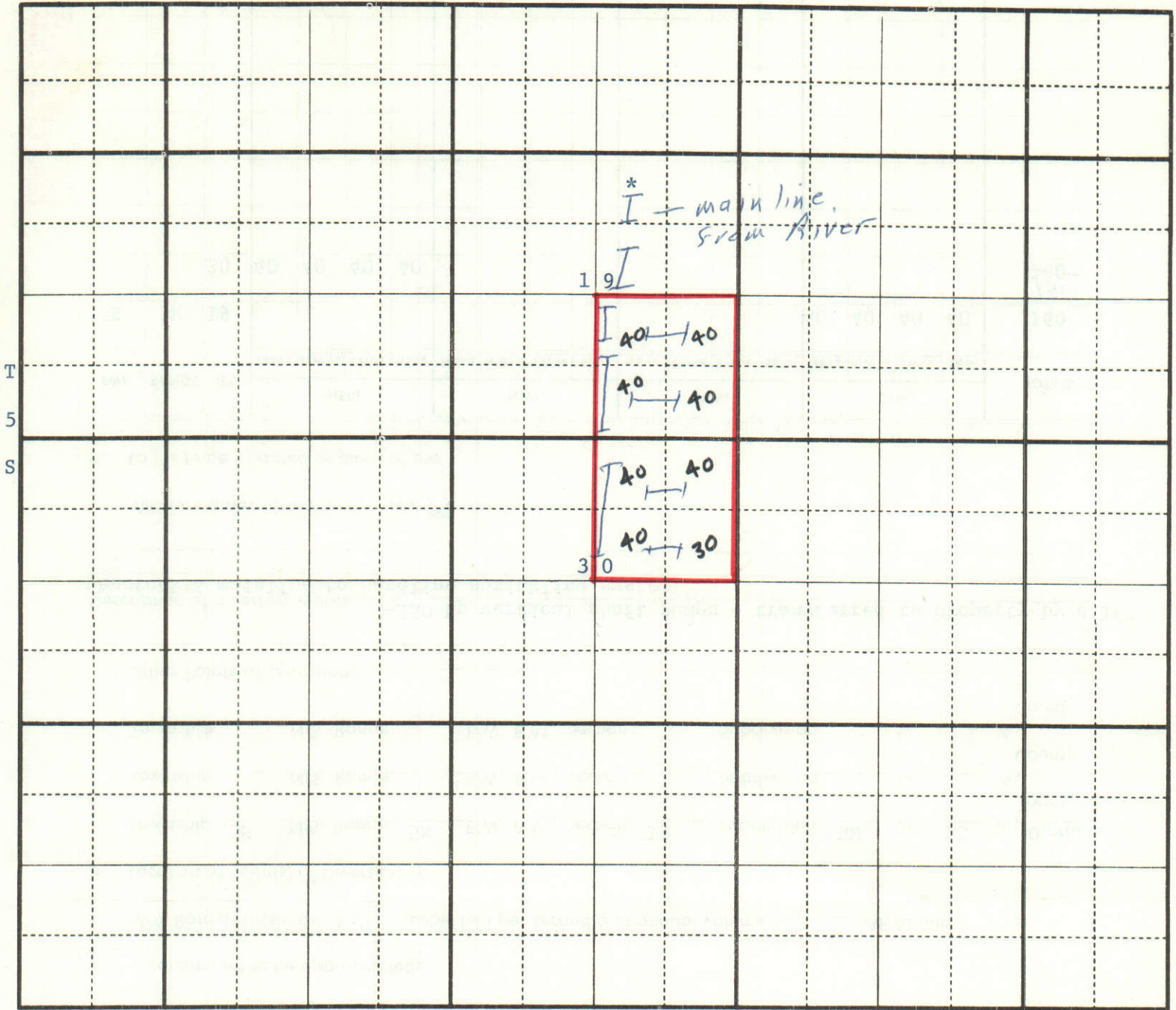


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7028 Priority Feb. 17, 1969 Amount 6.20 cfs

THIS IS TO CERTIFY, that F. ETHEL BRACE
of Mountain Home, Idaho, has complied with the terms and conditions of Permit
No. 02-7028 issued pursuant to Application for Permit dated February 17, 1969,
and has submitted proof to the Department of Water Resources on June 21, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 14.26 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>Oct. 31</u> at <u>6.20</u> cfs and	<u>1,550 acre feet or</u> <u>5.0 af per acre</u>	
	from _____ to _____ at _____ cfs and		
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 6.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,550 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 19,
Twp. 5 S, Rge. 5 E, B. M. in the County of Owyhee

Description and location of place of use:

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 $\frac{1}{4}$	
5 S	5 E	19													40	40	40	40	160
		30	40	40	40	30													150

Total number of acres irrigated 310

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
December, 19 75.

Director

02-7025

Identification No. 1-2157
Application No.

LICENSE ISSUED FOR 6.2 SEC. FT.
LICENSE PAGE NO. 1
Assignment to Board
for

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant F. ETHEL BRACE
post office address 905 1/2 S 3W B STREET MTN HOME, IDAHO 83647
2. Source of water supply ~~COLUMBIA RIVER~~ ~~CO. J. STRIKE RESERVOIR~~ which is a tributary of ~~CO. J. STRIKE RESERVOIR~~ ~~CO. J. STRIKE RESERVOIR~~
3. a. Location of point of diversion is NW 1/4 of NE 1/4 of Section 19 Township 5S
Range 5E B.M. OWYHEE County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into OLD STREAM BED at a point in SE 1/4 of SW 1/4 of Section 19 Township 5S Range 5E B.M. OWYHEE Co.
4. Water will be used for the following purposes:
Amount 6.4 for IRRIGATION purpose from MARCH 1 to OCT 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.4 cubic feet per second and/or
b. 1" PER ACRE acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 250 H P PUMP 12" PINSTORK INTO
SPRINKLING SYSTEM.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 30,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

02-7028

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	5E	19													40	40	40	40	160
5S	5E	30	40	40	40	40													160

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes NONE

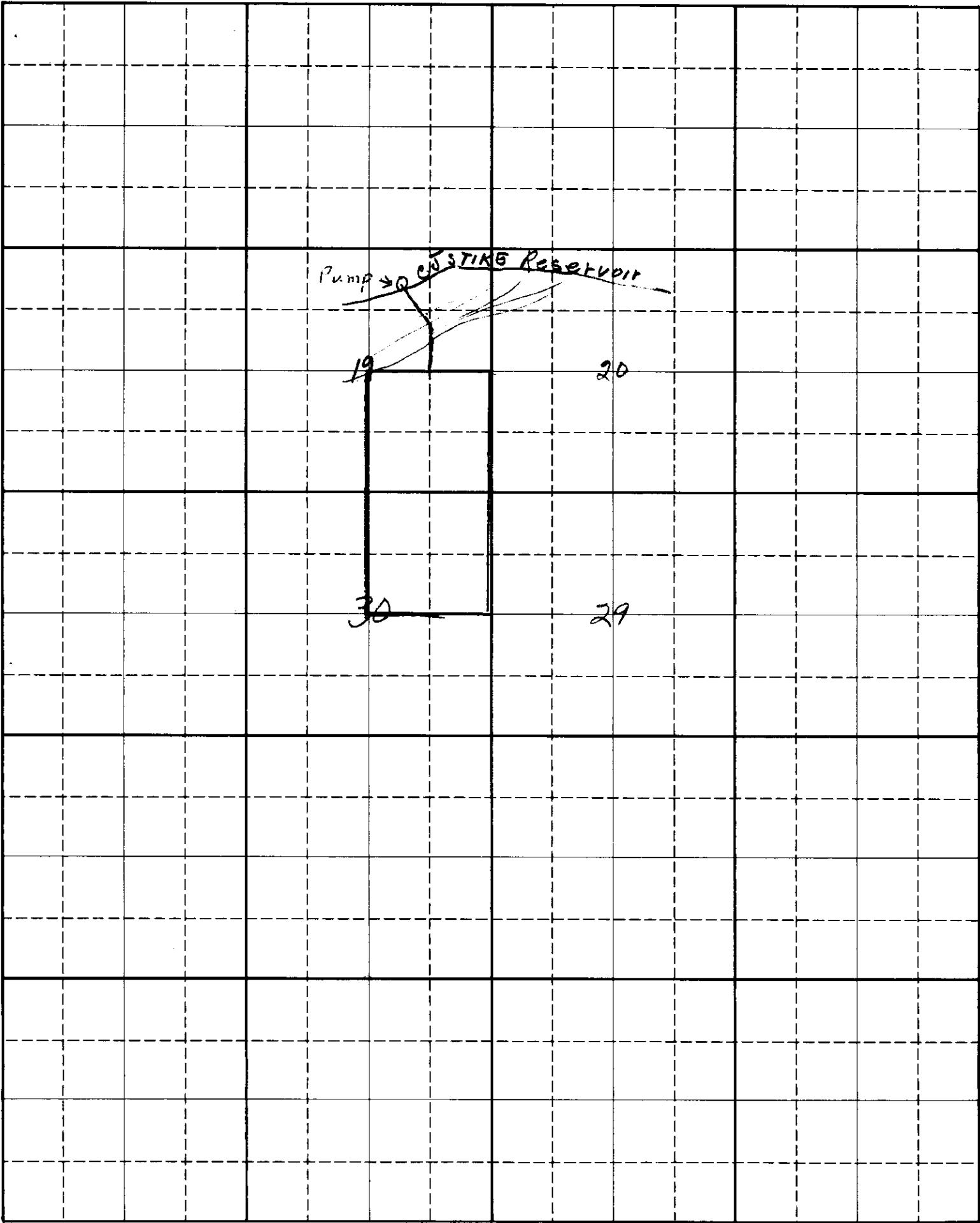
9. a. Who owns the property at the point of diversion IDAHO POWER OR BLM

b. Who owns the land to be irrigated or place of use DESERT LAND ENTRY

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks FOR REGULAR IRRIGATION BY WAY OF SPRINKLING SYSTEM.

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

F. L. L. Bruce
(Applicant)

02-7028

Received by dy Date 2-17-69 Time 9:00am
Preliminary check by Duffy Fee \$ 50.00 plus 12.00 for BLM reg
Receipted by ef Date 2-17-69
Publication prepared by W Date 2-21-69
Published in Olympic Chronicle
Publication dates 2-27 & 3-6-69
Publication approved W Date Nov 11
Priority reduced to _____ Reason _____

Protests filed by: none 3-21-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CTH R.H.

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7028, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 74.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16th day of June, 19 69.

R. Keith Higgins
State Reclamation Engineer

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 02-7028)

IN THE NAME OF IDAHO WATER RESOURCE BOARD)

ORDER OF REINSTATEMENT

WHEREAS, on February 17, 1969, F. Ethel Brace applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 6.4 cubic feet per second of water from the Snake River, tributary to the Columbia River, to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 5S, Rge. 5E, B.M., Owyhee County, to be used for irrigation purposes; and,

WHEREAS, on June 16, 1969, the Department approved said application and issued Permit No. 02-7028 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1974; and,

WHEREAS, on February 15, 1973, the Department received an assignment whereby F. Ethel Brace assigned all her right, title, and interest in and to Permit No. 02-7028 to the Idaho Water Resource Board; and,

WHEREAS, on April 1, 1974, the Department notified the new permit holder that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on May 31, 1974, the Department received the proof of beneficial use of water from the previous permit holder, F. Ethel Brace; and,

WHEREAS, on June 6, 1974, the Department inadvertently lapsed Permit No. 02-7028 after accepting the proof submitted by F. Ethel Brace; and,

WHEREAS, on June 21, 1974, the Department received a duplicate proof of beneficial use affidavit from the Idaho Water Resource Board;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 02-7028 be REINSTATED without a loss of priority.

Dated this 2 day of July, 1974.


R. KEITH HIGGINSON
Director

DDR:JG

02-7028

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, F. Ethel Brace, hereby assign to Idaho Water Resource Board
of Statehouse, Boise, Idaho 83707,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 02-7028 (I-2157)
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Note: This assignment is for security purposes more particularly
set forth in a Mortgage executed between the parties hereto.

Made this 12th day of February, 19 73.

Approved as to Legal Form and Sufficiency F. Ethel Brace

Permit Holder

Nathan W. Higer
Attorney General, State of Idaho

W. ANTHONY PARK

By Nathan W. Higer, Assistant Attorney General

None

Spouse of Permit Holder

State of Idaho

County of Ada ss.

On this 12th day of February, in the year of 19 73, before
me V. E. Sullivan a Notary Public for the State of Idaho,
personally appeared F. Ethel Brace, a single woman
known to me, to be the person whose name is subscribed to the within instrument,
and acknowledged to me that ~~he~~ (or she) (or they) executed the same.

V. E. Sullivan
Notary Public residing at

Boise, Idaho

My commission expires: Sept. 4, 1976

Assignment of Water Permit
Exhibit C One of One Assignments
IWRB Loan Contract No. 1-73

2 7028

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF APPLICATION FOR WATER

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said

newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

Feb. 27, 1969

Mar. 6, 1969

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 6th day of March
A. D., 19 69

Evelyn S. Colley

Notary Public in and for the State of Idaho.

residing at Homedale, Idaho

My commission expires 2-6, 19 72

Bill sub 3-11-69

02-7028

December 29, 1975

Re: Permit No. 02-7028

F. Ethel Brace
#82 Meadows Court
Mountain Home, ID 83647

Dear Ms. Brace:

Enclosed is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

cc: Chester J. Tindall
Drawer N
Mountain Home, ID 83647

December 2, 1975

Re: Permit No. 02-7028
Idaho Water Resource Board

F. Ethel Brace
#82 Meadows Court
Mountain Home, Idaho 83647

Dear Mrs. Brace:

A representative of this Department has made an examination of the works covered by the above referenced permit and found the following:

Quantity of water diverted: 14.26 cfs Source: Snake River

Amount of water that can be recognized as beneficially used under
Idaho law: 6.20 cfs

The maximum quantity diverted shall not exceed 1,550 acre feet, or
5.0 acre feet per acre, per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 5 S, Rge. 5 E, B. M.

Beneficial use: Irrigation of 310 acres within the SE $\frac{1}{4}$ (160), Sec. 19;
NE $\frac{1}{4}$ (150), Sec. 30; Twp. 5 S, Rge. 5 E, B. M.

Priority established: February 17, 1969

If you do not concur with these findings please contact us within 15 days, otherwise a water license will be issued as set forth above.

You should also be aware that this license will be issued in the name of the Idaho Water Resource Board unless an assignment is filed and recorded prior to issuance of the license. We are enclosing an assignment form; if we can be of further assistance, please advise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enc: Assignment form

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, the IDAHO WATER RESOURCE BOARD, hereby assign to F. Ethel Brace

of 905-1/2 South 3rd West B. St. Mt. Home, Idaho 83647, Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 02-7028 (I-2157) to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40-acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage.)

(Note: The subject permit was previously assigned by _____ to the undersigned Board, for mortgage security purposes. That mortgage has been satisfied).

Made this 27TH day of FEBRUARY, 1975.

APPROVED as to Legal Form and Sufficiency

IDAHO WATER RESOURCE BOARD

Permit Holder

Nathan W. Higer, Attorney General
By Nathan W. Higer, ^{Special} Assistant Attorney General
State of Idaho

STATE OF IDAHO)

COUNTY OF NEZ PERCE ss.

On this 27TH day of FEBRUARY, in the year 1975, before me, BONNIE KENNEDY, a Notary Public for the State of Idaho, personally appeared JOHN F. STREIFF known to me, to be the CHAIRMAN of the IDAHO WATER RESOURCE BOARD that executed the within and foregoing instrument, and acknowledged to me that such IDAHO WATER RESOURCE BOARD executed the same.

Bonnie Kennedy
Notary Public
Residing at LEWISTON, IDAHO
My commission expires 7-26-76

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

[Seal]

[Seal]

[Seal]

[Seal]

STATE OF IDAHO

County of

Elmore

22.

On this

5th

day of

June

in the year 1974, before me

the undersigned

a Notary Public

in and for said State, personally appeared

ETHEL BRACE, a single woman

known to me to be the person whose name is
acknowledged to me that She executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for the State of Idaho.
Residing at Mountain Home, Idaho.

143167

Ng.

QUITCLAIM DEED

Ethel Brace

-TO-

Chester J. Tindall

Noted May 20th 1974

STATE OF IDAHO,
County of OWYHEE

I hereby certify that this instrument was filed
for record at request of Owyhee County Title

Company...

at 25 minutes past 10 o'clock A. M., this 20th day of February, A.D. 19 75

BARBARA JAYO

Ex-Officio Recorder.

By Alfreda Wheeler Deputy.

Recorded	
Compared	
Ind. Dis.	
Ind. Rev.	
Bk. & P.	
Bk. & P.	
Assigned	
Released	

(Optional)					
Recorded	☐	Platted	☐	Key Punched	☐
Microfilmed	☐	Deed Card	☐	Master File	☐
Indexed	☐	Compared	☐	Abstracted	☐
				To Treasurer	☐

QUITCLAIM DEED

THIS INDENTURE, Made this 20th day of May
in the year of our Lord one thousand nine hundred and seventy-four between
ETHEL BRACE, a single woman
of Mountain Home County of Elmore
State of Idaho, the party of the first part, and CHESTER J. TINDALL,
of 550 N. 8th E., Mountain Home County of Elmore
State of Idaho, the party of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of
TEN AND NO/100 ----- DOLLARS,
lawful money of the United States of America, to her in hand paid by the said party of
the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release, conv
and forever QUITCLAIM, unto the said party of the second part, and to his heirs and
assigns all that certain lot, piece or parcel of land, situate, lying and being in
, County of Owyhee, State of Idaho, bounded and particularly
described as follows, to-wit:

The Southeast Quarter of Section Nineteen and the
Northeast Quarter of Section Thirty, all in
Township Five South, Range Five East, Boise
Meridian, including all water rights and ditch
rights appurtenant to said property, penstock,
electric motors, panels, pumps and pump building
and including all road rights of way and pipeline
rights of way issued in connection with said
property;

Grantee's address 550 N. 8th E., Mountain Home, Idaho

Description proofed by Gay Foster & Janice Pletcher

Location of above described property

House No.

Street

MAIL DEED TO:

Federal Land Bank area of Boise
P. O. Box 7646
Boise, Ida 83707

MAIL TAX NOTICE TO:

Name

Address

City & State

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

- Other Points of Diversions: _____

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

310
220

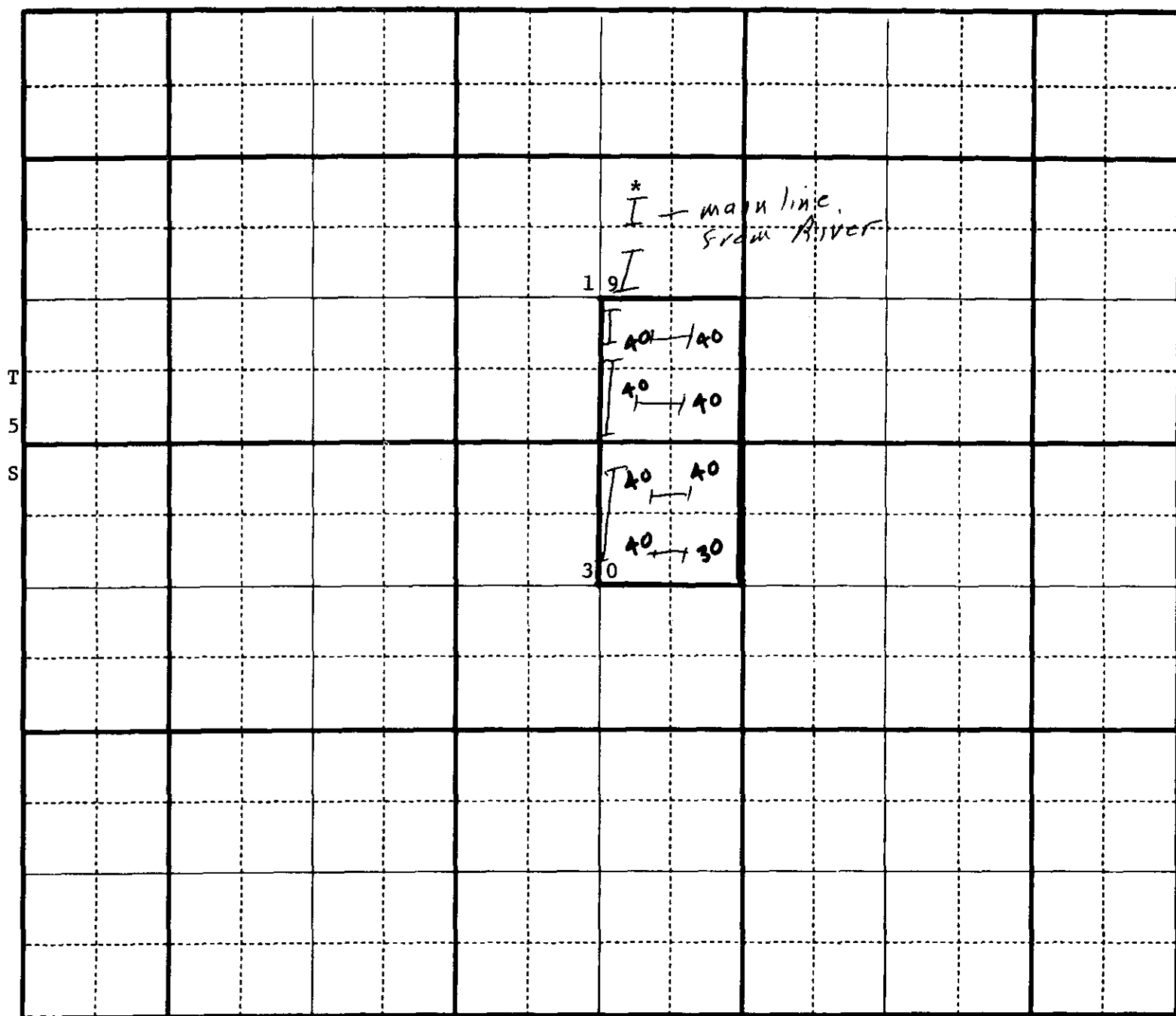


Diagram of System

DATE OF EXAM 7/23/75

ACREAGE

Found 310
Recommended 310

Irrigation Requirement 5 Ac Ft/Ac

USE

Irrigation Q = 6.2 c.f.s. V = 1550 AF/Ann. from 3/1 to 10/31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 6.4 x 1000 GPM = 14.59 cfs Method of measurement Metraflex

Total Q recommended 6.2 cfs Meter No. 10F1033A Type inline Condition operational

Total V recommended 1550 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None None

MEASUREMENT CALCULATION:

Metraflex Meter # 10F1033A 6.4 x 1000 GPM = 14.26 cfs

SYSTEM DESCRIPTION:

2 Pumps ① GE Motor 250 HP Model 5K6286XH76A Serial # DHJ412106
Layne + Bowler Pump # 73609 ② GE Motor 250 HP Model 5K6286XH76A
Serial # DHJ412107 Layne + Bowler pump # 73610 into 16" main line,
pumping from Snake River.

REMARKS:

All the ground under this permit is being sprinkled.

Examiner's Signature G. L. Lario Date 11/2/75

Checked by JLS Date 11-21-75

Approved by _____ Date _____

RESOURCES

July 2, 1974

Re: Permit No. 02-7028

Idaho Water Resources Board
Statehouse
Boise, Idaho 83701

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has not been advanced.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

02-7028

Identification No. I-2157

Permit No. 02-7028

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

JUL 21 1974

Department of Water Administration

1. a) Name of Permit Holder Idaho Water Resource Board
b) Post Office Address Statehouse, Boise, Idaho 83720
2. Permit Number 02-7028
3. Date of Priority that you are prepared to establish Feb. 17, 1969
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19
Township 5S, Range 5E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 6.4 for irrigation purposes from March 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.4 or 1" per acre cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: by Venturi Meter
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: Permission
has been granted by Idaho Power Company
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 2-250 HP vertical shaft pumps -
transferred to property by a 16" penstock and mainline to handline
sprinkling system
b) Describe the type and size of measuring device which you have installed at your point of diversion: Venturi meter - installed at top of penstock
c) Give well drillers name and address and date the well was completed _____

Exam typed 7/2/74 by ja

02-7028

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place

use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

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	
5S	5E	19													40	40	40	40	160
5S	5E	30	40	40	33	27													140

Total number of acres irrigated 300

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

6/18/74
(Date)

Stephen Clark
(Signature)

State of Idaho
County of Ada ss.

On this 18th day of June, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Phyllis Smith
Notary Public residing at Boise, Idaho

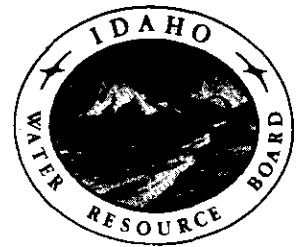
My commission expires May 17, 1976

CECIL D. ANDRUS, Governor

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD

Statehouse, Boise, Idaho 83720
C. STEPHEN ALLRED, Director

Phone 208-384-2170



Office 1365 N. Orchard St.
Boise, Idaho

RECEIVED

JUN 21 1974

Department of Water Administration

June 19, 1974

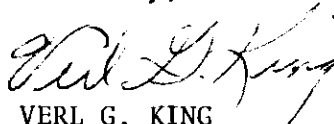
Mr. Bobby Fleenor
Assistant Director
Department of Water Administration
Statehouse
Boise, Idaho 83720

Dear Mr. Fleenor:

SUBJECT: Permit No. 02-7028

Enclosed is the proof of application of water to beneficial use which has been signed by the Director of the Water Resource Board. We hope this will provide the necessary proof needed for the water permit.

Sincerely,


VERL G. KING
Projects Officer

VGK:lm
Encl.

02-7028

June 6, 1974

Re: Permit No. 02-7028

Idaho Water Resource Board
Statehouse,
Boise, Idaho 83707

Gentlemen:

We are in receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

However, we cannot accept this proof, as it must be signed by you, the permit holder of record. Therefore, we are returning the proof affidavit to Mrs. Brace with a copy to you enclosed.

Please complete the enclosed proof affidavit and return it to this office as soon as possible so that this permit may remain in good standing.

Also enclosed is a notice of lapsing for this permit. If you have any questions concerning this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JG
Enc: Proof affidavit (copy)
Blank proof affidavit
Lapse notice

cc: Mrs. F. Ethel ~~11~~Brace

02-7028

Identification No. E 2157

Permit No. 02-7028

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder F. ETHEL BRACE
b) Post Office Address #82 MEADOWS COURT, MTN HOME, IDAHO 83641
2. Permit Number 02-7028
3. Date of Priority that you are prepared to establish FEB 17 1969
4. a) Source from which water was appropriated SNAKE RIVER
b) Location of the point of diversion: NW 1/4 NE 1/4 Section 19
Township 5S, Range 5E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 6.4 for IRRIGATION purposes from MARCH 1 to OCT. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.4 OR 1" PER ACRE cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: BY VENTURI METER
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: PERMISSION HAS BEEN GRANTED BY IDAHO POWER CO
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 2-250 HP VERTICAL SHAFT PUMPS - TRANSFERRED TO PROPERTY BY 16" PENSTOCK AND MAINLINE TO HANDLINE SPRINKLING SYSTEM
b) Describe the type and size of measuring device which you have installed at your point of diversion: VENTURI METER - INSTALLED AT TOP OF PENSTOCK
c) Give well drillers name and address and date the well was completed _____

Copy

02-7028

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S	5E	19													40	40	40	40	160
5S	5E	30	40	40	33	27													140

Total number of acres irrigated 300

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

5-30-74 (Date) [Signature] (Signature)

State of IDAHO)
County of ELMORE) ss.

On this 30th day of May, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Idaho Notary Public residing at Mountain Home, Idaho

My commission expires 6/12/75

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE**



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

June 6, 1974

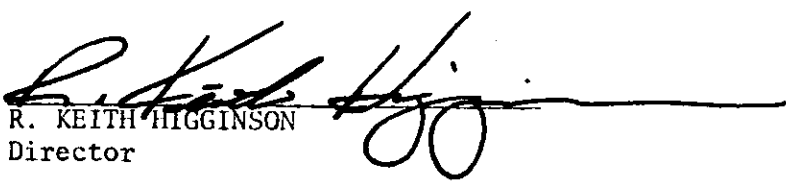
Re: Permit No. 02-7028

Idaho Water Resource Board
Statehouse
Boise, Idaho 83707

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 02-7028 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

02-7028

May 31, 1974

Mr. Verl G. King
Projects Officer
Idaho Water Resource Board
Statehouse
Boise, Idaho

Dear Mr. King:

A properly executed "Proof of Beneficial Use" for water right 02-7028 was received by the Department of Water Administration on May 31, 1974.

A copy of the form has been attached for your review.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:sw

cc: F. Ethel Brace

Enclosure

02-7028

May 31, 1974

Chet Tindall brought this proof of beneficial use in today and requested that we advise the Water Resources Board that proof has been made.

Bergert

02-7028

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD

Statehouse, Boise, Idaho 83720
C. STEPHEN ALLRED, Director

Phone 208-384-2170



Office at 1365 N. Orchard St.
Boise, Idaho

April 9, 1974

Mrs. Ethel Brace
905-1/2 South 3rd West B Street
Mountain Home, Idaho 83647

Dear Mrs. Brace:

Enclosed is a letter and attachments received from the Department of Water Administration concerning final proof on your water permit No. 02-7028. Would you complete those items necessary for final proof of the water right and submit to the Department of Water Administration. Would you also send us a copy of your transmittal letter to them so we will be aware that final proof requirements have been met.

Sincerely,

VERL G. KING
Projects Officer

VGK:lm
Encls.

02-7028

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

①

CLAYTON BUILDING BAK ROOM

INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

APR - 8

02-7028

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

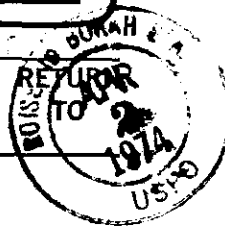


Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- ↓
- If special services are desired, check block(s) on other side.
 - Moisten gummed ends and attach to back of article.



PS Form 3811
June 1973

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707.

72-7028

April 1, 1974

CERTIFIED MAIL

#25240

Re: Permit No. 02-7028

Idaho Water Resource Board
Statehouse
Boise, Idaho 83707

Gentlemen:

One of the conditions of approval of your water Permit No. 02-7028 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

02-7028

February 22, 1973

Re: Permit No. 02-7028

Mr. Ralph J. Mellin
Idaho Water Resource Board
Statehouse Mail

Dear Mr. Mellin:

This is to acknowledge receipt of the assignment conveying the above referenced permit to the Idaho Water Resource Board.

The assignment has been recorded and the Department's records changed accordingly.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

CECIL D. ANDRUS, Governor



~~DR. ROBERT R. LEE, Director~~

BOARD

JOHN F. STREIFF, Chairman, Lewiston
GEORGE L. YOST, Vice Chairman, Emmett
FERRIS M. KUNZ, Montpelier

~~CHARLES J. MARSHALL, Idaho Falls~~

JOSEPH H. NETTLETON, Murphy

~~THOMAS GUNTER, Twin Falls~~

SCOTT W. REED, Coeur d'Alene

EDWIN C. SCHLENDER, Malta

R. KEITH HIGGINSON, Boise

Ex-officio Member

(Director, Department of

Water Administration)

F. Jones

D. Kramer

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE, IDAHO 83707

February 13, 1973

State of Idaho
Department of Water Administration
Statehouse, Annex 2
Boise, Idaho 83707

Dear Sir:

Please file the attached assignment of water permit #02-7028 of
F. Ethel Brace to us in the appropriate place.

Sincerely yours,

A handwritten signature in cursive script that reads "Ralph J. Mellin".

RALPH J. MELLIN

Chief, Small Projects Branch

RJM:lm

Encl.

cc Ethel Brace

2 7028

June 19, 1969

Re: Permit Nos. 02-7028 - D.E. I-2157
51-7039 - D.E. I-2794

Land Office
Bureau of Land Management
P.O. Box 2237
Federal Building
Boise, Idaho

Dear Sirs:

Enclosed are copies of the above referenced permits which have been approved by this office and accepted as desert land entries.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

02-7028

June 19, 1969

Re: Permit No. 02-7028

Mrs. F. Ethel Brace
905 $\frac{1}{2}$ S 3 W B Street
Mountain Home, Idaho 83647

Dear Mrs. Brace:

We enclose a copy of your approved application for permit 02-7028
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 2691 for \$51.00
1 informational letter

02-7028



RECEIVED

JUL 14 1969

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
Boise, Idaho

IN REPLY REFER TO:

L:VSS
I-2157

JUL 11 1969

NOTICE OF ALLOWANCE

Department of Reclamation

Ethel Brace
905½ S. 3rd W. B Street
Mountain Home, Idaho 83647

Serial No. I-2157 320 Acres

T. 5 S., R. 5 E., Boise Mer., Idaho
Sec. 19: SE¼
Sec. 30: NE¼

Your desert land application for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon development and reclamation of the land in accordance with your plan of development which is on file in the Boise Land Office. Any substantial change in source of water or deviation in the construction of the irrigating facilities must have the approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 290 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which will require the reservation of all oil and gas deposits to the United States.

Also subject to Right-of-Way I-2802 issued to Idaho Power Company for a transmission line on E½SE¼, Sec. 19; E½NE¼, Sec. 30.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 11th day
of July, 19 69

02-7028
cc: State Dept of Reclamation

/S/ ORVAL G. HADLEY
MANAGER, LAND OFFICE

ILO-2226-20
12-68

02-7028



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO:

RECEIVED
L.VSS
JUN 9 1969

Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

Department of Reclamation

JUN 6 1969

Re: Application No. 02-7028
F. Ethel Brace

R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Higginson:

Attached is a copy of our December 5, 1968 letter to Mrs. Brace requiring her to obtain a State water appropriation permit for her desert land application I-2157. I understand this is all you are lacking in order to issue the water permit.

Sincerely yours,

Curtis R. Taylor
Acting Manager, Land Office

Attachment

02-7028

L:VSS
I-2157

Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

Ethel Brace
905½ S. 3 W. B.
Mountain Home, Idaho 83647

DEC 5 1968

Dear Mrs. Brace:

On October 2, 1968 the Boise District Manager issued an "Initial Decision" classifying the lands in your desert land petition-application I-2157 as suitable for entry.

Under your amended plan of development you intend to obtain water for irrigation from the Snake River. You must now submit evidence of your right to appropriate and use the water and you must obtain a right-of-way for the pumping station and pipeline.

The evidence of your water right should consist of a copy of a State water permit approved by the State Department of Reclamation. The attached extra copy of this letter should be submitted to the Department of Reclamation at the time you apply for a permit. Unless they have knowledge that the land has been classified as suitable for entry, they may decline to issue the water permit. You should make arrangements with their office to have a copy of the permit sent to us. Please advise us when you apply for the permit.

The right-of-way should be in the form of a permanent easement from the owner of the land affected by the pumping station and pipeline. Your plan of development sketch map is not detailed enough for us to determine whether public lands will be affected. If public lands will be crossed by the pipeline, a right-of-way must be obtained from this office.

We would appreciate receiving a copy of the permit and the easement as soon as possible.

Sincerely yours,

/s/ ORVAL G. HADLEY

Orval G. Hadley
Manager, Land Office

02-7028

March 24, 1969

Re: Application No. 02-7028

F. Ethel Brace
905½ S 3W B Street
Mountain Home, Idaho 83647

Dear Mrs. Brace:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the bureau of Land Management, the Department of Reclamation will take no further action until such time as evidence that your desert entry has been allowed is submitted to this department in writing.

Enclosed is Receipt No. 2691 in the amount of \$51.00 for the filing fee. A copy of the application will be forwarded to the B.L.M. at such time as the application is approved.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Receipt

02-7028

February 24, 1969

C
Re: Application No. 02-7028

O
P
Mr. Curtis Taylor, Acting Manager
Bureau of Land Management
Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

Dear Mr. Taylor:

Y Please be advised that the following application has been received
in connection with a desert entry:

I-2157 Application No. 02-7028 - F. Ethel Brace

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

02-7028

February 21, 1969

02-7028
Re: Application No. ~~51-7038~~ F. Ethel Brage
Application No. 02-7026 - Ellis and Ellen Lawron

Owyhee Chronicle
20 East Idaho Avenue
Homedale, Idaho 83628

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: legal notices (2)

02-7028

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that ~~A. Ethel Brace~~, 905 $\frac{1}{2}$ S. 3 $\frac{1}{2}$ W B Street, Mountain Home, Idaho has on February 17, 1969 applied for permit to divert ~~6.4~~ cubic feet per second of water from ~~C. J. Strike Reservoir~~, tributary of the Snake River under application No. ~~02-7028~~. Water will be diverted by pump, penstock and sprinkler system within the ~~NW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 19, T. 5 S., R. 5 E., B. M., Owyhee County~~, and is to be used from March 1 to October 21 for irrigation in the ~~SE $\frac{1}{4}$, sec. 19, NE $\frac{1}{4}$, sec. 20, T. 5 S., R. 5 E., B. M.~~

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Owyhee Chronicle, Hornedale, Idaho, on February 27 and March 6, 1969.

02-7028

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that E. Ethel Brace, 905 1/2 S. 3W. R Street,
Mountain Home, Idaho has on February 17, 1969
applied for permit to ~~divert, store~~ ^{divert 6.4 cubic feet per second at 1} ~~divert, store~~ ^{cubic feet per second, more feet}
of water from C. J. Strike Reservoir, tributary of the Snake River
under application No. 02-7028. Water will be diverted by pump
penstock and sprinkler system within the NW 1/4, sec. 19, T. 5 S., R.
5 E., B.M., Owyhee County
and is to be used from March 1 to October 31 for irrigation
in the SE 1/4, sec. 19; NE 1/4, sec. 30, T. 5 S., R. 5 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho
on February 27 and March 6, 1969.

02-7028