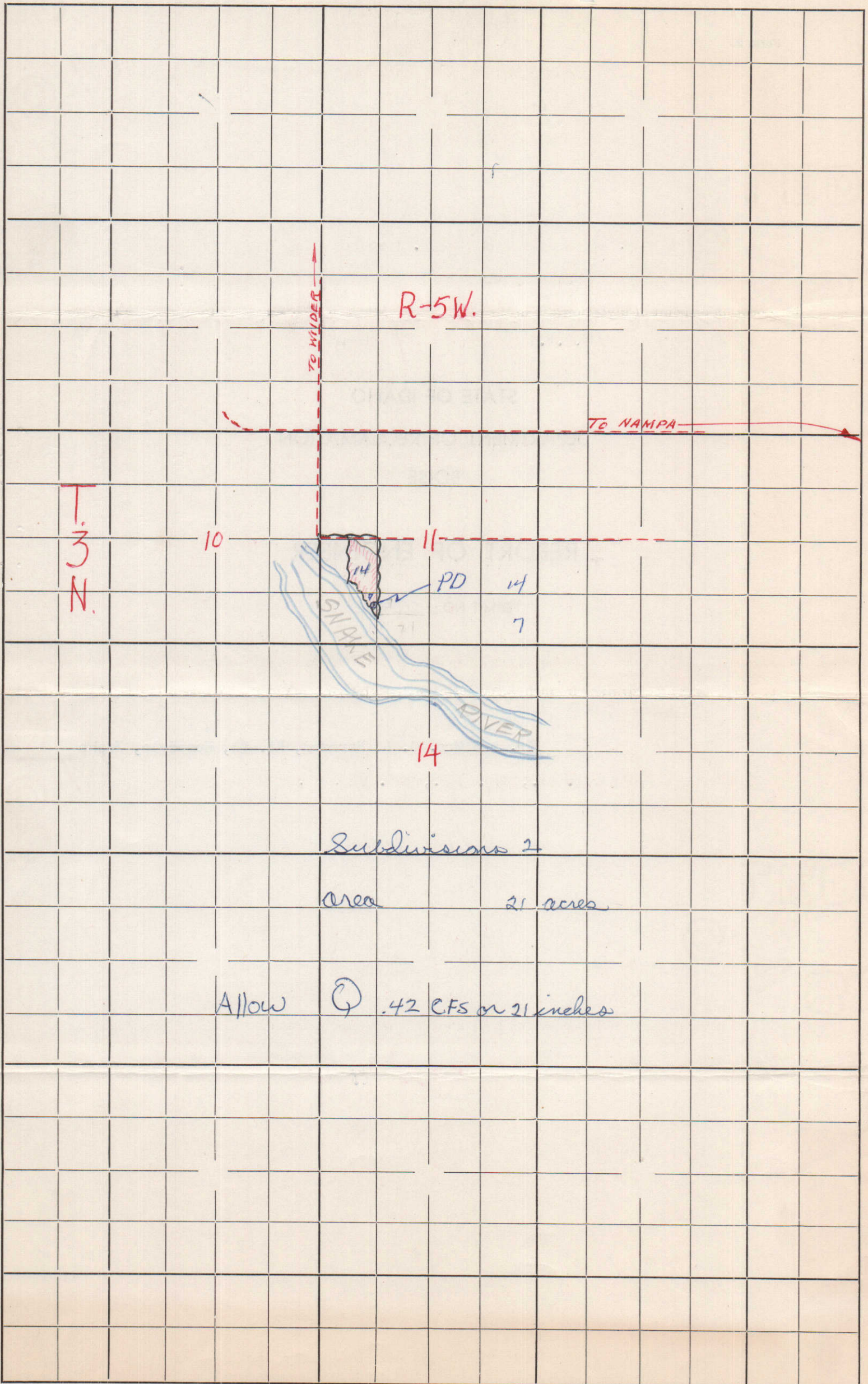




Mr. and Mrs. C. L. Barnard
Rt. #1, Honedale, Idaho

Permit No. 26437

Examination for Completion of Works & Beneficial Use

County Canyon

Sec. 11 T. 3 N R. 5 W B.M.

Quantity: 0.42 a. f. s.

Source: Snake River

P.D.: SW 1/4, Sec. 11, T. 3 N. - R. 5 W. B.M.

Use: Irrigation

Filed: July 23, 1956

Due: July 25, 1967

Extension: —

Completion of Works:

Other Rights: Right in Water Divis.

Dist. for 20.2 ac

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
JUL 30 1962

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
COUNTY OF CANYON) ss.

RECEIVED
OCT 4 1961

Department of Reclamation

NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPLICATION OF
WATER TO BENEFICIAL
USE

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 and co-publisher of THE WILDER HERALD, a newspaper of general circulation printed and published weekly, on Friday of each and every week, in the Village of Wilder and County of Canyon and State of Idaho.

3. That the said WILDER HERALD 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 OR PROOF OF COMPLETION

OF WORKS AND APPLICATION OF WATER TO

BENEFICIAL USE

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 (four) 4 consecutive calendar weekly issues of said newspaper on the following dates:

July 7, 1961

July 14, 1961

July 21, 1961

July 28, 1961

Signed

Everett A. Colley

Subscribed and sworn to before me this 28th day of July,

A. D., 1961

Notary Public in and for the State of Idaho.

residing at

Wilder

My commission expires

12/15 1964

NOTICE is hereby given that at 10:00 A.M. on the 29th day of July, 1961, at Homedale, County of Owyhee, State of Idaho, before Iris M. Parker, Notary Public, at 112 Idaho Avenue, proof will be submitted of the completion of works for the diversion of .42 cubic feet per second of waters of Snake River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 26437, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: C. L. Barnard and Opal E. Barnard, husband and wife, Rt. No. 1, Box 222, Homedale, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is .42 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is .42 cubic feet per second.

4. The point of diversion of said water is SE corner of Lot 1, Section 11, T3N, R5W, B. M.

5. The place where said water is used is NW $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T3N, R5W. Total 21 acres.

6. The date of priority which said user is prepared to establish is July 23, 1956.

GEO. N. CARTER
State Reclamation
Engineer 7-7-4

26437

June 20, 1961

Re: Permit No. 26437
C. L. & Opal Barnard

Richard E. Eismann
Attorney at Law
Homedale, Idaho

Dear Mr. Eismann:

We enclose the Assignment of Permit No. 26437
from A. J. and Norma Metzger to C. L. & Opal Barnard, which
has been recorded in this office.

We also enclose departmental receipt No. 30653
in the amount of 50 cents covering fee for recording.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignment
receipt

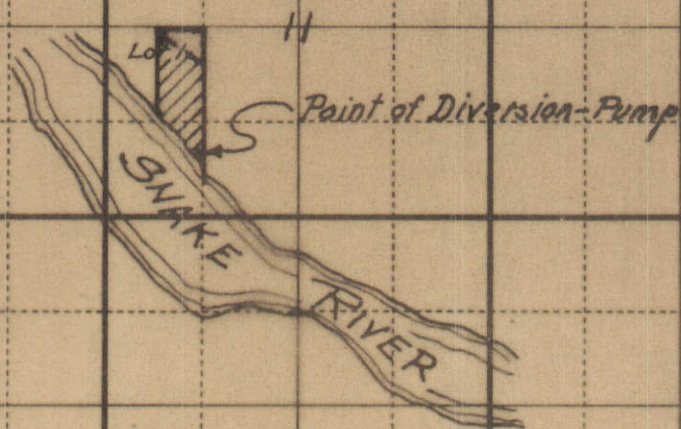
cc. C. L. Barnard
Route #1, Box 222
Homedale, Idaho

26437

121

R-5W.

T.
3
N.



Permit Map No. 26437

As Approved

JUL 25 1956

MARK R. KULP

State Reclamation Engineer

extra copy

APPLICANT: ARDELL J. METZER AND NORMA J. METZER

R-5W.

T.
3
N.



26437

Permit Map No. 26437

As Approved

MARK R. KULP

State Reclamation Engineer

JUL 25 1956

State of Idaho
License and Certificate of Water Right

Water License No. 26437

Amount .42 c.f.s.

Water District No. _____

Priority July 23, 1956

ARDELL J. METZER & NORMA J. METZER - Assignee

THIS IS TO CERTIFY that C. L. BARNARD and OPAL E. BARNARD

of Wilder, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 23, 19 56; that Permit No. 26437 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .42 second feet, was issued thereunder on August 10, 19 62, showing that said works were completed on the 29th day of July, 1961; and that on the 29th day of July, 19 61,

C. L. BARNARD and OPAL E. BARNARD

of Homedale, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation, under Use Permit No. 26437 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 12 of Licenses at page 7389, on the 10 day of August, 19 62;

The right hereby confirmed dates from July 23, 19 56;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec 11, Tp. 3 N., R. 5 W., B. M. Canyon 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 .42 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	5 W.	11	NW 1/4 SW 1/4	16	14
			SW 1/4 SW 1/4	5	7
			Total number of acres to be irrigated:		21

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

10th day of August, 19 62.

RAICH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

22-2425

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34355
PERMIT No. 26437
DISTRICT No.

1. Name of Applicant: ARDELL J. METZER AND NORMA J. METZER

Postoffice address: Rt. 1, Wilder,

County: Canyon,

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (c) Bonds to be issued:

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

2. Quantity of water claimed: .42 cubic feet per second.

3. Source of water supply: Snake River which is a tributary of Columbia River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW₄SW₄
of Section 11 , T. 3.N. , R. 5.W. , B.M., County of Canyon,

5. Water is to be used for Irrigation,

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

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

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

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

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

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

7. Estimated cost of works: \$ 750.00

8. Kind of works: Pump, pipe and ditches,

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 $1\frac{1}{2}$ feet; width at water line 3 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe 8 inches; length of conduit 40' pipe-line, miles.

Average grade per mile feet.

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

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

Water Right from Wilder Irrigation Dist. for 20.2 acres,

Water cannot be delivered.

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.

ARDELL J. METZER -NORMA J. METZER *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 10-30 A. M. July 23, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26437

Recorded in Book 93 Page 26437 Approved July 25, 1956

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 September 25, 1956 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 January 25, 1959

The whole of said work to be completed on or before July 25, 1961

Beneficial use of water appropriated in accordance herewith, to be made on or before July 25, 1967

WITNESS My hand this 25th day of July, 1956

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 25th

day of July, 1956.

STATE OF IDAHO

Countersigned:

(SEAL)

By ROBERT E. SMYLLIE

Governor.

By JAS. H. YOUNG

Secretary of State.

REMARKS: Supplemental to existing water rights, Water cannot be delivered by the Wilder Irrigation District. This filing to take place of Permit, 24701.

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 $\frac{1}{4}$	
3.N.	5.W.	11									16	5						21	
Total number of acres to be irrigated																		21	
A S S I G N M E N T ✓																			
For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 26437 to C. L. BARNARD and OPAL E. BARNARD, husband and wife, of Route #1, Box 222 Homedale, Idaho																			
s/ ARDELL J. METZER Permit Holder																			
s/ Norma J. Metzger Wife of Permit Holder																			
State of Oregon) County of Lane) ss																			
On this 12th day of June, 1961, before me, a Notary Public for the State of Oregon, residing at Oakridge, Oregon personally appeared Ardell J. Metzger and Norma J. Metzger, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
(seal)																			
My commission expires June 7, 1964																			
s/ Marguerite Landis Notary Public Residing at Oakridge, Oregon - Lane Co.																			

Permit No. 26437
CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that ARDELL J. METZER & NORMA J. METZER - assignee - C. L. BARNARD & OPAL E. BARNARD of Wilder, County of Canyon, and State of Idaho, the holder of Permit No. 26437, issued upon Application No. 34355, bearing date of priority of July 23, 1956, authorizing the diversion of .42 second feet of waters of Snake River, County of Canyon, State of Idaho, for irrigation 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 .42 second feet of the waters of Snake River, tributary of Columbia River, that the point of diversion of said waters is ~~SW 1/4~~ Sec. 11, T. 3 N., R. 5 W., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

21 acres in ~~W 1/2 SW 1/4~~ Sec. 11, T. 3 N., R. 5 W., B. M.

Witness my hand this 10 day of August A. D., 1962

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: July 29, 1961

LICENSE ISSUED FOR .42 SEC. FEET

page 7389

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPL' TION OF
WATER TO BENEFICIAL
USE**

NOTICE is hereby given that at 10:00 A.M., on the 29th day of July, 1961, at Homedale, County of Owyhee, State of Idaho, before Iris M. Parker, Notary Public, at 112 Idaho Avenue, proof will be submitted of the completion of works for the diversion of .42 cubic feet per second of waters of Snake River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 26437, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: C. L. Barnard and Opal E. Barnard, husband and wife, Rt. No. 1, Box 222, Homedale, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is .42 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the

amount applied to beneficial use is .42 cubic feet per second.

4. The point of diversion of said water is SE corner of Lot 1, Section 11, T3N, R5W, B. M.

5. The place where said water is used is NW $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T3N, R5W. Total 21 acres.

6. The date of priority which said user is prepared to establish is July 23, 1956.

GEO. N. CARTER
State Reclamation
Engineer

7-7-4

02-2428

January 8, 1963

RE: Permit No. 26437

C. L. Barnard
Rt 1
Wilder, Idaho

Dear Mr. Barnard:

Enclosed are the duplicate copies of your Certificate of
Completion of Works and License and Certificate of Water
Right.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. copies of license, certificate

26437

August 10, 1962

Re: Permit No. 26437

C.L. Barnard
Route #1
Hamondale, Idaho
W.H. Carter

Dear Mr. Barnard:

Enclosed are Certificate of Completion of
Works and License and Certificate of Water Right, issued on
Permit No. 26437.

Also departmental receipt No. 31177, in
the amount of \$9.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

26437

July 31, 1962

RE: Permit No. 26437

C. L. Barnard
Rt 1
Homedale, Idaho

Dear Mr. Barnard:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 26437 shows the pump and ditch are capable of conveying 21 miner's inches, or .42 c.f.s. of water for the irrigation of 21 acres.

Upon receipt of the statutory fees, totaling \$9.00, which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$4.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of July 23, 1956 to the use of .42 second feet of surface water with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3 N., R. 5 W., B.M. from Snake River for irrigation of 21 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 11, T. 3 N., R. 5 W., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

26437

EPR:mr

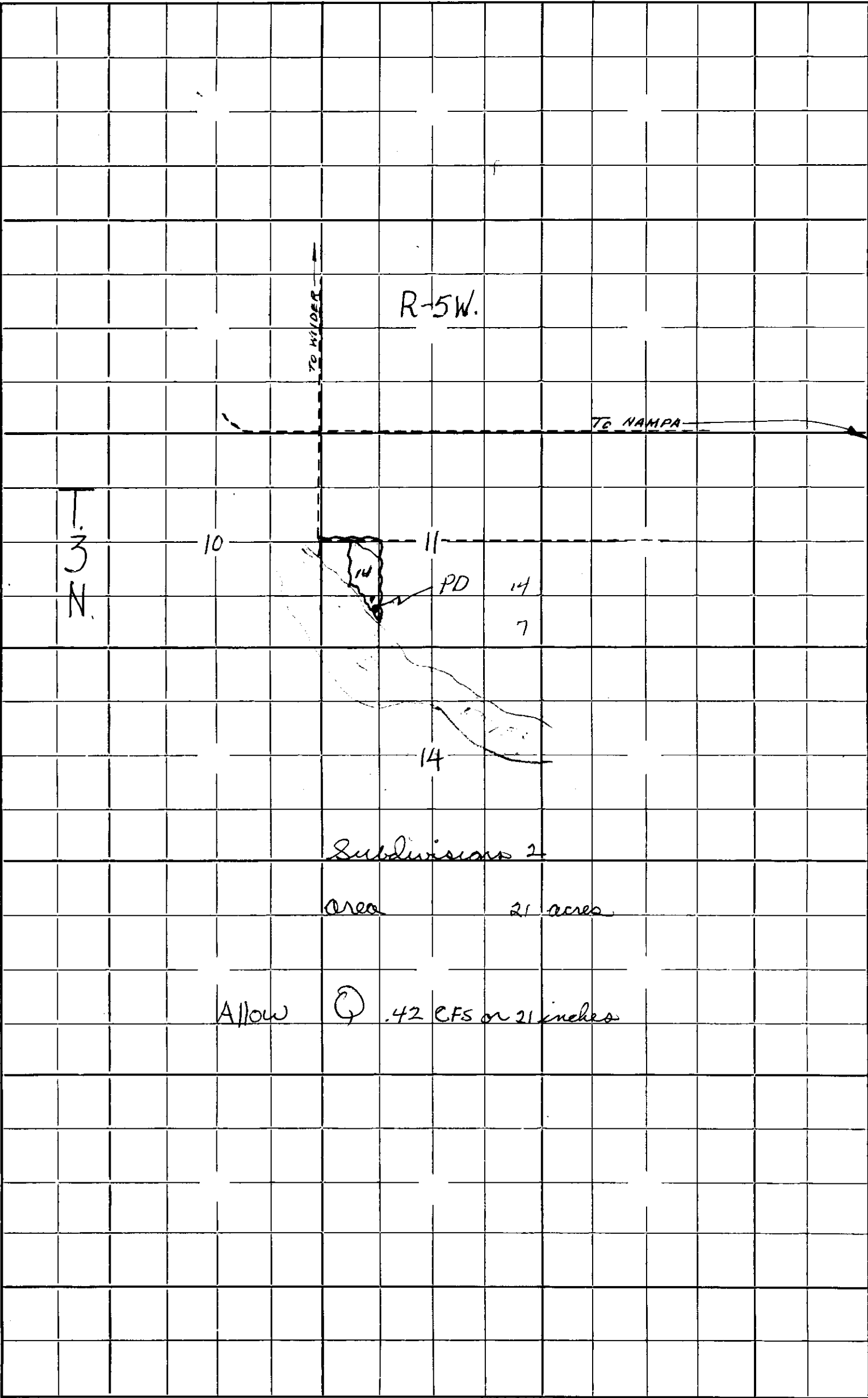
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26437

REPORT ON PROOF OF Completion of Works & Beneficial Use

Wild J
Mr. and Mrs. C. L. Barnard, Rt. #1, ~~Homedale~~, Idaho



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
JUL 30 1962

Department of Reclamation

Mr. and Mrs. C. L. Barnard
Rt. #1, Honedale, Idaho

Permit No. 26437

Examination for Completion of Works & Beneficial Use

County Canyon

Sec. 11 T. 3 N R. 5 W. B. M.

Quantity:

Sources:

P.D.:

Use:

Filed:

Due:

Extension:

Completion of Works:

Other Rights:

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

Permit No. 26437This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant C. L. Barnard and Opal E. Barnard (Husband and wife)2. Source of water supply: Snake River3. Location of point of diversion: Is in the SE 1/4 of Section 11T. 3 N R. 5 W.B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 5 HP Westinghouse motor # 1-7C.5386 purchase pump # 176848 6" pulley on pump 3 belts from pump to 9" pulley on motor 4" x 25' of suction pipe to pump 8" x 40' discharge into open ditch

5. Water is used for: irrigation6. 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):

21 acres in NW 1/4 Sec. 11., Twp. 3 N., Rge. 5 W.B.M.

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

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

Remarks: Mrs. Delilah Barnard along

Measurement was made with Cippolletti weir
.26 over 2' weir = 44.3 inches

This examination was made on the 24th day of July, 1962(Signed) Ron Weibgen Examiner.

26437

October 6, 1961

Re: Permit No. 26437

C. L. Barnard and Opal E. Barnard,
P. O. Box 222, Rt. #1,
Homedale, Idaho

Dear Mr. and Mrs. Barnard:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Wilder Herald, all submitted in proof of completion of works and beneficial use on Permit No. 26437.

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. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Richard B. Eismann
Attorney at Law
Homedale, Idaho

26437

RICHARD B. EISMANN

ATTORNEY AT LAW

HOMEDALE, IDAHO

October 2, 1961

RECEIVED
OCT 4 1961

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 26437, C. L. and Opal E. Barnard

Gentlemen:

Enclosed herewith please find the following instruments
duly notarized.

1. Proof of Application of Water to Beneficial Use,
Deposition of Witness, duly executed by Howard Carpenter.
2. Proof of Application of Water to Beneficial Use,
Deposition of Witness, duly executed by Lee Roy
Galemore.
3. Proof of Application of Water to Beneficial Use,
Deposition of Holder, duly executed by C. L. Barnard.
4. Affidavit of Publication of Notice of Proof of
Completion of Works and Application of Water to Beneficial
Use.

Very truly yours,


Richard B. Eismann
RBE/imp

26437

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
COUNTY OF CANYON) ss.

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 and co-publisher of THE WILDER HERALD, a newspaper of general circulation printed and published weekly, on Friday of each and every week, in the Village of Wilder and County of Canyon and State of Idaho.

3. That the said WILDER HERALD 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 OR PROOF OF COMPLETION
OF WORKS AND APPLICATION OF WATER TO
BENEFICIAL USE

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 (four) 4 consecutive calendar weekly issues of said newspaper on the following dates:

July 7, 1961

July 14, 1961

July 21, 1961

July 28, 1961

Signed

Everett A. Colley

Subscribed and sworn to before me this 28th day of July,

A. D., 1961

Ernest J. Island
Notary Public in and for the State of Idaho.

residing at Wilder

My commission expires 12/15, 1962

26437

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 4 1956
Department of Reclamation

Permit No. 26437

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. C. L. Barnard and Opal E. Barnard, husband and wife, Route #1,
P. O. Box 222, Homedale, Idaho

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

Ans. not applicable

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

Ans. 26437, July 25, 1956

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

Ans. Snake River and point of diversion is SE corner of Lot 1, Section 11, T3N, R5W, B. M.

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

Ans. The Water is diverted by means of pump and irrigation ditch
which will convey .42 cubic feet per second of water

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

Ans. Water is used for irrigating. 16 acres are irrigated in the NW $\frac{1}{4}$
SW $\frac{1}{4}$ and 5 acres are irrigated in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, T3N, R5W, B. M.

The premises are cultivated. The improvements as a direct result of such irrigation are the pump and ditches used to irrigate the real property.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. not applicable

26437

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

Ans. Not applicable

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

Ans. .42 cubic feet per second

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. Permit acquired by assignment from Ardell J. Metzger and Norma Jean Metzger, husband and wife.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water has been continuously used for irrigation for more than three years on the above described premises and the full amount of the .42 cubic feet per second has been used for that purpose during such period of time.

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 water has been diverted or applied for use on the premises. The premises formerly held a water right with the Wilder Irrigation District but water could not be delivered and such lands were excluded from the district.

(Sign)

L. L. Barnard

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 Homedale, County of Owyhee,

State of Idaho, on this 29 day of July, A. D. 1961

Mrs. M. Parker

My commission expires 6-10-63

26437

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26437

Proof of Application of Water to Beneficial Use
Deposition of Witness ^{and Completion of Works}

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. Le Roy Galemore age 42 years residing at Homedale, Idaho
Trucker and P. O. Box 121

Ques. 2. Are you acquainted with yes, the holder of Permit No. 26437? How long have you known him and where does he reside?

Ans. approximately five years and he resides Northwest of Homedale, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26437, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Snake River and place of diversion is SE corner of Lot 1,
Section 11, T3N, R5W, B. M. and is conveyed by pump and ditches

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. approximately .42 cubic 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. Water is used for irrigation of approximately 16 acres in the NW $\frac{1}{4}$
SW $\frac{1}{4}$ and 5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T3N, R5W, B. M. . The
land is cultivated.

26437

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

Ans. not applicable

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. Approximately 21 acres has been reclaimed and the full amount of .42 cubic feet per second is required to irrigate the same.

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

Ans. No.

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

Ans. I have seen the permit holder irrigate the premises frequently for the past three years. .42 cubic feet per second is produced by means of pump and all of such water is required to irrigate the premises.

(Signed) Lee Roy Galumond

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 Homedale,
County of Owyhee, State of Idaho, on this 29th day of July,
A. D. 19 61.

James M. Parker

Notary Public.

My commission expires 6-10-63.

26437

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26437

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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. Howard Carpenter, age 52 years residing at Homedale, Idaho
Route #1, Farmer

Ques. 2. Are you acquainted with C. L. Barnard, the holder of Permit No. 26437? How long have you known him and where does he reside?

Ans. yes, approximately 9 years and he resides Northwest of
Homedale, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26437, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Snake River and place of diversion is SE corner of Lot 1,
Section 11, T3N, R5W, B. M. and is conveyed by pump and ditches

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. approximately .42 cubic 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. Water is used for irrigation of approximately 16 ac res in the
NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T3N, R5W, B. M. The
land is cultivated.

26437

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

Ans. not applicable

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. approximately 21 acres has been reclaimed and the full amount of .42 cubic feet per second is required to irrigate the same.

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

Ans. No.

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

Ans. I have seen the permit holder irrigate the premises frequently for the past three years. .42 cubic feet per second is produced by means of pump and all of such water is required to irrigate the premises.

(Signed) Howard Carpenter

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 Homedale, County of Owyhee, State of Idaho, on this 29th day of July, A. D. 19 61.

James M. Parker

Notary Public.

My commission expires 6-10-63

26437

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☒ Deliver *ONLY* to
addressee

☐ Show address re
delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

C. L. Opa. Barnard

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Opa. Barnard

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item #1)

9/22/61

26437

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

19275

Department of Reclamation

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

C55-16-71548-4

POD Form 3811 Jan. 1958

6437

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

September 21, 1961

Re: Permit No. 26437
To C. L. and Opal E. Barnard
Rt. 1, Box 222
Homedale, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 26437
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to
Completion of Works Proof which was due July 25, 1961

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 26437
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 26437 claims the use of .42 cubic feet per second of the
waters of Snake River with point of diversion located
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3 N., R. 5 W. B. M., and
July 25, 1956
was approved _____

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
21st day of September, 1961

Deputy State Reclamation Engineer.

By _____ Assistant.

26437

September 20, 1961

RE: Permit No. 26437
C. L. & Opal Barnard

Richard B. Eismann
Attorney at Law
Homedale, Idaho

Dear Mr. Eismann:

Enclosed is precancellation notice allowing 40 days before
the permit is cancelled.

The legal notice of intention to make proof of beneficial
use of water shows that the proofs were to have been made
before Iris M. Parker on July 29, which was later changed to
August 7, 1961.

To date we have not received the depositions or the affidavit
of publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
cc: C.L. & Opal Barnard
Enc. precancellation notice

26437

July 17, 1961

Re: Permit No. 26437
J. L. & Opal E. Barnard

Mr. Richard B. Eismann
Attorney at Law
Homedale, Idaho

Dear Mr. Eismann:

We received the Notice of Publication from the
Wilder Herald this morning on the above numbered permit, and
ask that you ~~notify~~ the Notary Public, Iris H. Parker and
Mr. and Mrs. Barnard of the new date for appearing before Mr.
Parker, July 29, 1961, at 10:00 A. M.

Our letters to them indicate August 7th as the
date.

Very truly yours,

Edna P. Mule
State Reclamation Engineer

By:

(Mrs.) Edna P. Mule
Chief Clerk

BPK:ew

26437

RICHARD B. EISMANN

ATTORNEY AT LAW

HOMEDALE, IDAHO

July 14, 1961

RECEIVED
JUL 17 1961
Department of Reclamation

State of Idaho
Department of Reclamation
Geo. N. Carter
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 26437 C. L. & Opal Barnard

Dear Mr. Carter:

Enclosed herewith please find the assignment from
A. J. Metzger to C. L. & Opal E. Barnard.

This assignment was unintentionally omitted from
the letter forwarded recently.

Very truly yours,



Richard B. Eismann

RBE/imp

Enclosure:

26437

July 13, 1961

Re: Permit No. 26437
C. L. & Opal Barnard

Mr. Richard B. Eismann
Attorney at Law
Homedale, Idaho

Dear Mr. Eismann:

If you will note our letter of July 6th, we stated that you did not enclose the \$0.50 assignment fee nor the assignment.

The fee of \$0.50 was received in the morning mail and upon receipt of the assignment from A. J. Metager to C. L. & Opal E. Barnard it will be duly recorded.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26437

RICHARD B. EISMANN

ATTORNEY AT LAW

HOMEDALE, IDAHO

July 12, 1961

State of Idaho
Department of Reclamation
Capital Building
Boise, Idaho

Re: Permit No. 26437 A. J. Metzger

Gentlemen:

In reply to your letter of July 6, 1961 I herewith
enclosed my check in the amount of 50 cents for
recording the assignment to Barnard of the above
water permit.

Thank you very much.

Very truly yours,



Richard B. Eismann

RBE/imp

Enclosure:

RECEIVED
JUL 13 1961

RECEIVED JUL 13 1961

26437

July 10, 1961

Re: Permit No. 26437
C. L. & Opal E. Barnard

Mr. Richard B. Eismann,
Attorney at Law,
Homedale, Idaho.

Dear Mr. Eismann:

Enclosed you will find Deposition of Holder and two witnesses in connection with the above captioned permit.

Note that the date for making the depositions has been changed to August 7, 1961. In case that date is not satisfactory to you, it may be changed to a later date or to August 5th, but not any earlier.

Note also that proofs are to be made before Iris M. Parker, Notary Public, 112 Idaho Avenue, Homedale.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: E. L. & Opal E. Barnard
Rt. 1, Box 222,
Homedale, Idaho

26437

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

July 10, 1961

Re: Permit No. 26437
C. L. & ~~Opal E. Barnard~~

Mr. Richard B. Eismann,
Attorney at Law,
Homedale, Idaho.

Dear Mr. Eismann:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 26437, in the name of C. L. Barnard & Opal E. Barnard. Final Proof is to be made before Iris M. Parker as Notary on the 7th day of August, 1961, ~~1959~~, at 10:00 o'clock A.M., at 112 Idaho Avenue, Homedale, Idaho.

As of this date we have mailed the Notice to the Wilder Herald 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 the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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. ~~Knowledge~~ ^{Rule}
Chief Clerk

Encl.

EPR:Pk

cc: Applicant

Iris M. Parker

26437

1200
6-28-61

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 26437
C. L. & Opal E. Barnard

Date: July 10, 1961

Wilder Herald,
Wilder, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **August 7, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

C. L. and Opal E. Barnard of **Rt. 1, Box 222, Homedale, 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.

26437

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10:00 A. M., on the 7th day of August,
1961, at Homedale, County of Owyhee, State of Idaho, before
Iris M. Parker, Notary Public, at (address) 112 Idaho Avenue,
proof will be submitted of the completion of works for the diversion of
.42 cubic feet per second of the waters of Snake River,
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 26437, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: C. L. Barnard and Coal E. Barnard, husband and wife, Rt. #1, Box 222, Homedale, Idaho

2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
.42 cubic feet per second.

3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is .42 cubic
feet per second.

4. The point of diversion of said water is SE corner of Lot 1, Section 11,
T3N, R5W, B.M.

5. The place where said water is used is NW¹/₄SW¹/₄, and SW¹/₄SW¹/₄, Sec. 5, T. 3N., R. 5W.

Total 21 acres.

6. The date of priority which said user is prepared to establish is July 23, 1956

GEO. N. CARTER

State Reclamation Engineer

26437

July 6, 1961

Re: Permit No. 26437
A. J. Metzger

Richard B. Eismann
Attorney at Law
Homedale, Idaho

Dear Mr. Eismann:

We received your letter of July 5 with a copy of the notice of proofs to be made.

You stated that the assignment from Metzger to Barnard was also enclosed, however we did not receive the assignment or the \$0.50 recording fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:W

26437

RICHARD B. EISMANN
ATTORNEY AT LAW
HOMEDALE, IDAHO

July 5, 1961

RECEIVED
JUL 6 1961
Department of Reclamation

State of Idaho, Dept. of Reclamation
Attention: Mr. Geo. N. Carter
Capitol Building
Boise, Idaho

Dear Mr. Carter:

Enclosed herewith please find the copy of the Notice of Proof of completion of works in connection with Permit No. 26437, the original of which I have delivered to the Wilder Herald for publication pursuant to our telephone conversation of this date.

Also enclosed herewith please find the Notice to accompany the proof.

Also enclosed please find the assignment of the permit from Mr. and Mrs. Metzger to C. L. Barnard, et ux.

When publication is complete, we shall forward to you the Affidavit of Publication in connection therewith.

Thank you very much.

Very truly yours,



Richard B. Eismann
RBE:jb

Enclosures:

26437

Form No. 11
2M - 10/60

RECEIVED
JUL 6 1961
Department of Reclamation
Boise, Idaho

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 22, 1961

(P. O.) Route #1, P. O. Box 222, Homedale, 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

Wilder Herald of Wilder, Idaho published in
the county in which the works are situated.

C. L. Bernard
C. L. Bernard

(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.

26437

6

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10:00 A. M., on the 30th day of June 1961, at Homedale, County of Owyhee, State of Idaho, before Iris M. Parker, Notary Public, at (address) 112 Idaho Avenue, proof will be submitted of the completion of works for the diversion of .42 cubic feet per second of the waters of Snake River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 26437, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: C. L. Barnard and Opal E. Barnard, husband and wife, Rt. #1, Box 222, Homedale Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is .42 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is .42 cubic feet per second.

4. The point of diversion of said water is SE corner of Lot 1, Section 11, T3N, R5W, B. M.

5. The place where said water is used is _____

Total 21 acres.

6. The date of priority which said user is prepared to establish is _____

GEO. N. CARTER

State Reclamation Engineer

26437

INTER-DEPARTMENT MEMO—1

FROM

Re. Permit #26,437.

DATE

7-5-61

TO

SUBJECT

Attorney. Dick. Criman? (spelling). of Homebush
called to say that they had difficulty in securing
an assignment to present folder, consequently
could not complete publication of the proof until
one week later.

Told him O.K., go ahead and we would
forgive the late proof

J. H. C.

SIGNATURE

26437

June 20, 1961

Re: Permit No. 26437
C. L. & Opal Barnard

Richard E. Eismann
Attorney at Law
Homedale, Idaho

Dear Mr. Eismann:

We enclose the Assignment of Permit No. 26437
from A. J. and Norma Metzger to C. L. & Opal Barnard, which
has been recorded in this office.

We also enclose departmental receipt No. 30653
in the amount of 50 cents covering fee for recording.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Kule
Chief Clerk

EPR:ew

Enc. assignment
receipt

cc. C. L. Barnard
Route #1, Box 222
Homedale, Idaho

26437

May 24, 1961

Re: Permit No. 26437

Mitzyger

Richard B. Eismann
Attorney at Law
Bomedale, Idaho

Dear Mr. Eismann:

Returned herewith are the two Forms 36A and Form 11 submitted to this office. Also enclosed is form for assigning a permit.

Only the holder of a permit or authorized agent can make the proofs. The present holders of the permit can make the proofs, or they can assign the permit to the Barnards. There is a fee of \$0.50 for recording an assignment.

Check the date for making the proofs before returning the two Forms 36-A and Form 11.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

enc. Forms 36A-11
assignment form

26437

May 22, 1961

State of Idaho Department of Reclamation
Capital Building
Boise, Idaho

Gentlemen:

Enclosed herewith please find the following instruments:

1. The original and one copy of the notice of proof of completion of works and application of water to beneficial use.
2. Notice to accompany the above.
3. Your form No. 11 which is your authority to publish the above notice.

Directing your attention to the above notice, question 5 has been left unanswered. The legal description of the real property to be irrigated is as follows:

Beginning at the NW corner of Lot 1 of Section 11, T3N, R5W, B. M. and bearing East 400 feet along the North boundary of the aforesaid lot 1; thence South 266 feet on a line parallel to the West boundary of the aforesaid Lot 1; thence South 266 feet on a line parallel to the West boundary line of the aforesaid Lot 1; thence South 55°50' East 1112 feet to the intersection of the East boundary of the aforesaid lot 1; thence South 912 feet to the SE corner of the aforesaid Lot 1; thence meandering NW 1890 feet along the NE bank of the Snake River to the SW corner of the aforesaid Lot 1; thence North 490 feet to the point of beginning and containing 26.85 acres, more or less.

The description set forth on the application for permit is as follows:

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T3N, R5W, B. M. Canyon County, Idaho. There is 16 acres in the NW $\frac{1}{4}$ and 5 acres in the SW $\frac{1}{4}$, Section 11, T3N, R5W, B. M. Would you please fill in the description which your department prefers to use.

Question No. 6 of the notice must be completed by your department since we do not have the date of application for the permit for the completion of works which is the prior date established by Idaho Code Section 42-219.

24437

State of Idaho, Department of Reclamation -2- May 22, 1961

The permit was previously issued to Ardell J. Metzger and Norma J. Metzger, husband and wife. Mr. and Mrs. Metzger sold the premises to C. L. Bernard and Opal E. Bernard, husband and wife, under contract of sale. Legal title still remains in Mr. and Mrs. Metzger. If you require any consent or proof of transaction please immediately advise so that we may get the consent or proof.

Very truly yours,

Richard B. Eismann
RBE/imp
Enclosure:

RICHARD B. EISMANN

ATTORNEY AT LAW

HOMEDALE, IDAHO

May 22, 1961

RECEIVED
MAY 23 1961
Department of Reclamation

State of Idaho Department of Reclamation
Capital Building
Boise, Idaho

Gentlemen:

Enclosed herewith please find the following instruments:

1. The original and one copy of the notice of proof of completion of works and application of water to beneficial use.
2. Notice to accompany the above.
3. Your form No. 11 which is your authority to publish the above notice.

Directing your attention to the above notice, question 5 has been left unanswered. The legal description of the real property to be irrigated is as follows:

Beginning at the NW corner of Lot 1 of Section 11, T3N, R5W, B. M. and bearing East 400 feet along the North boundary of the aforesaid lot 1; thence South 266 feet on a line parallel to the West boundary of the aforesaid Lot 1; thence South 266 feet on a line parallel to the West boundary line of the aforesaid Lot 1; thence South 55°50' East 1112 feet to the intersection of the East boundary of the aforesaid lot 1; thence South 912 feet to the SE corner of the aforesaid Lot 1; thence meandering NW 1890 feet along the NE bank of the Snake River to the SW corner of the aforesaid Lot 1; thence North 490 feet to the point of beginning and containing 26.85 acres, more or less.

The description set forth on the application for permit is as follows:

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T3N, R5W, B. M. Canyon County, Idaho. There is 16 acres in the NW $\frac{1}{4}$ and 5 acres in the SW $\frac{1}{4}$, Section 11, T3N, R5W, B. M. Would you please fill in the description which your department prefers to use.

Question No. 6 of the notice must be completed by your department since we do not have the date of application for the permit for the completion of works which is the prior date established by Idaho Code Section 42-219.

26437

2

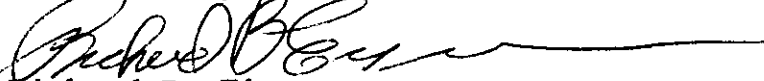
State of Idaho, Department of Reclamation

-2-

May 22, 1961

The permit was previously issued to Ardell J. Metzger and Norma J. Metzger, husband and wife. Mr. and Mrs. Metzger sold the premises to C. L. Barnard and Opal E. Barnard, husband and wife, under contract of sale. Legal title still remains in Mr. and Mrs. Metzger. If you require any consent or proof of transaction please immediately advise so that we may get the consent or proof. ✓

Very truly yours,



Richard B. Eismann

RBE/imp

Enclosure:

26437

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

DEPARTMENT OF RECLAMATION

Re: Permit No. 26437
Ardell J. & Norma J. Metzger

Date: May 1, 1961

Ardell J. Metzger
Route #1
Wilder, Idaho

Dear Mr. Metzger:

Under the terms of your Permit No. 26437 you are required to make proofs of completion of works and application of water to beneficial use on or before July 25, 1961.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make 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 of points of diversion and the location of use or lands which are irrigated - - by legal 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 36-A.

At the time we send the notice to the newspaper we will send 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.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

Enc. Form 36-A - 11

26437

August 9, 1956

RE: Permit No. 26437

Mr. Ardell J. Metzger
Route # 1
Wilder, Idaho

Dear Mr. Metzger:

We enclose Permit No. 26437 in the name of Norma J. Metzger and your own name and 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. 28074 for the \$5.00 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

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Enc.

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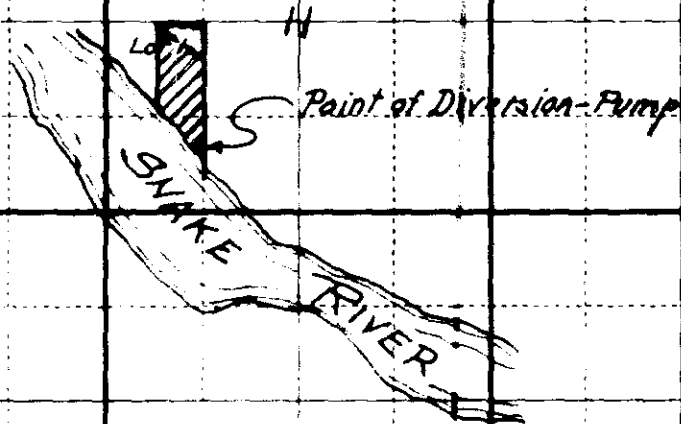


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APPLICANT: ARDELL J. METZER AND NORMA J. METZER

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