

T.
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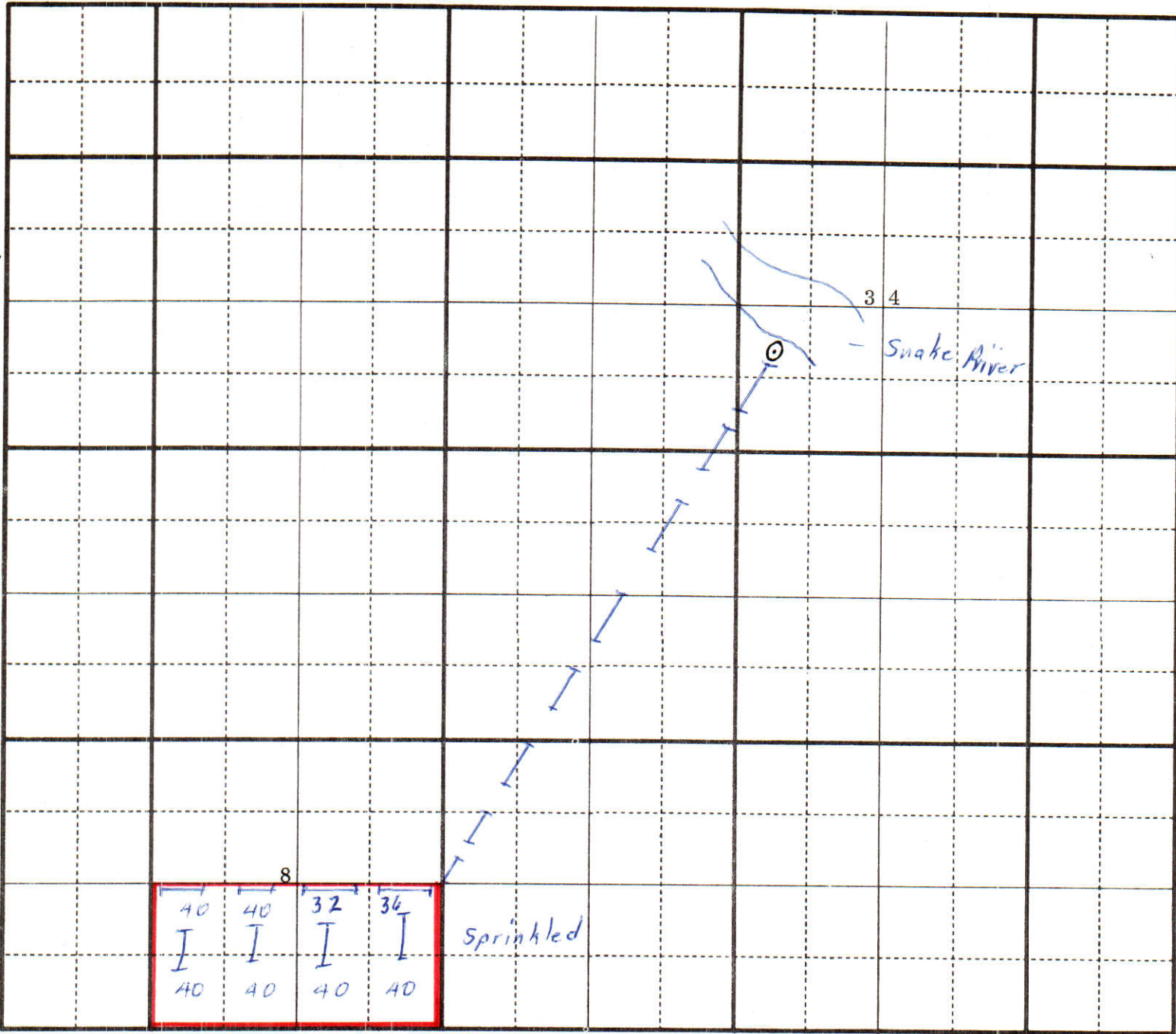


Diagram of System

RECEIVED
NOV 13 1964

Affidavit of Publication

Department of Reclamation

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Staters do
solemnly swear that I am the foreman, the
publisher of the

MOUNTAIN HOME NEWS

a semi-weekly newspaper of general circulation,
published twice a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

....4.... consecutive weeks, the first publica-
tion having been made on the 8th day

of October, 1964, and
the last publication having been made on the
29th day of October

1964; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Staters

Subscribed and sworn to me this 30th

day of October, 1964.

Jane Lathrop
Notary Public

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 6th day of
November, 1964, at Boise, County
of Ada, State of Idaho, before
Harley M. McDowell, Notary Pub-
lic at (address) 224 Idaho Build-
ing, Boise, Idaho, proof will be
submitted of the completion of
works for the diversion of 6.4 cu-
bic feet per second of the waters
of Snake River, and the applica-
tion to beneficial use of said wa-
ter, in accordance with the terms
and conditions of Permit No.
30385, heretofore issued by the
Department of Reclamation of the
State of Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is: Sailor
Creek Water Company 729 Commer-
cial Avenue, Twin Falls, 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 6.4 cubic feet per
second.

3. The use to which said water
has been applied is irrigation pur-
poses and the amount applied to
beneficial use is 6.4 cubic feet per
second.

4. The point of diversion of
said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section
34, Township 5 South - Range 9
East, B. M.

5. The place where said water
is used is S $\frac{1}{2}$, Section 8, Town-
ship 6 South - Range 9 East, B.M.
Total 320 acres.

6. The date of priority which
said user is prepared to establish
is January 9, 1963.

Carl E. Tappan
State Reclamation
Engineer

First publication Oct. 8, 1964.
Last publication Oct. 29, 1964.

30885

L. Patrick Morris

~~Snake River~~
A.D.

PIPE LINE

(6)

Rge 8 E B.M

Rge 9 E B.M

(7)

(8)

to to to to

to to to to

PIPE LINE

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6
d.

Permit Map No. 30885

As Approved

JAN 14 1963

GEO. N. CARTER

State Reclamation Engineer

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30885/02-2186 Priority Jan. 9, 1963 Amount 6.16 cfs

THIS IS TO CERTIFY, that SAILOR CREEK WATER COMPANY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 30885/02-2186 issued pursuant to Application for Permit dated January 9, 1963,
and has submitted proof to the Department of Water Resources on November 6, 1964,
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 71 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 15</u> to <u>Nov. 15</u> at <u>6.16</u> cfs and	<u>1,540 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 6.16 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
1,540 acre feet per-year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34,
Twp. 5 S, Rge. 9 E, B.M. in the County of Elmore

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 $\frac{1}{4}$	
6 S	9 E	8									40	40	40	40	30	32	40	40	308

Total number of acres irrigated 308

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 16 day of
March, 19 76.

Director

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

02-2186

APPLICATION No. 38967
PERMIT No. 30885
DISTRICT No.

Assigned to Snake River Water Co.
729 Commercial St.
Idaho Falls, Idaho

1. Name of Applicant: G. Patrick Morris

Postoffice address: Melba

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:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 6.4 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$
of section 6 , T. 6 S , R. 9 E , B. M., County of Elmore

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 of , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 70,000.00

8. Kind of works: Pipe line, pumps, motors, & sprinklers

9. Height of dam none feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width none feet; height feet.

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

Diameter of pipe 26 inches; length of conduit 2 miles.

Average grade per mile 300 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

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

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

16. (a) Is reservoir to be used? None If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ G. Patrick Morris *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 10:00 A.M. January 9, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30885

Recorded in Book 108 Page 30885 Approved January 14, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before March 14, 1963 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 July 14, 1965

The whole of said work to be completed on or before January 14, 1968

Beneficial use of water appropriated in accordance herewith, to be made on or before January 14, 1974

WITNESS My hand this 14th day of January, 1963

s/ CARL E. TAPPAN, Assistant
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYTHE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, 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 14th
day of January, 1963
STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS: This permit is filed in connection with dessert entry

14.

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		
6 S	9 E	8										40	40	40	40	40	40	40	40	320
Total Number of Acres to be Irrigated																				320
ASSIGNMENT For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 30885 to Sailor Creek Land and Water Company of Nampa, Idaho /s/ G. Patrick Morris Permit Holder /s/ Juanita M. Morris Wife of Permit Holder STATE OF IDAHO) County of Canyon) ss On this 10 day of June, 1963, before me, a Notary Public for the State of Idaho, residing at Melba, Idaho personally appeared G. Patrick Morris known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he 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. /s/ E. L. Webb Notary Public Residing at Nampa, Idaho My commission expires: Feb. 3, 1964																				
(SEAL)																				

Application for Amendment
 POINT OF DIVERSION
 Permit No. 30885

Comes now Sailor Ck. Land & Water Co. and represent to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 30885. That the point of diversion is described in said Permit as being located: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T6S-R9E.

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T5S-R9E.

That the reason for desiring to make such change is as follows: Proposed pump site has been moved. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Ida., this 1 day of July, 1963.

Sailor Ck. Land & Water Co.
 /s/ G. Patrick Morris

Date of Receipt at Department of Reclamation: July 2, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 30885. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
 Deputy State Reclamation Engineer

Recorded: July 11, 1963

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 30885, to Sailor Ck. Water Co of 729 Commercial Ave., Twin Falls, Idaho.

SAILOR CK Land & Water Co.

s/ G. PATRICK MORRIS
 Permit Holder

STATE OF IDAHO)
) ss
 County of Ada)

On this 1st day of August, 1963, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared G. Patrick Morris, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same.

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

s/ JOAN H. BAIN
 Notary Public
 Residing at Boise, Idaho

My commission expires: 6/20/65

15-Sep-1987

PLACE OF USE: Township 06S Range 09E Section 08 Tract S2

WR-NUMBER:
02-2186

CURRENT OWNER:
SAILOR CREEK WATER CO.
TWIN FALLS, ID

PRIORITY DATE:
9-Jan-1963

STAGE:
LICENSE

COUNTY: ELMORE

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

6.160 CFS

1540.00 AF

TOTAL RATE:

6.160 CFS

TOTAL VOLUME: 1540.00 AF

POINT OF DIVERSION: T05S R09E S34 NWSW

PLACE OF USE:	T05S	R09E	S08	SESE	AC 40
	T06S	R09E	S08	NESW	AC 40
	T06S	R09E	S08	NWSW	AC 40
	T06S	R09E	S08	SWSW	AC 40
	T06S	R09E	S08	SESW	AC 40
	T06S	R09E	S08	NESE	AC 36
	T06S	R09E	S08	NWSE	AC 32
	T06S	R09E	S08	SWSE	AC 40

TOTAL ACRES: 308

SERIAL REGISTER PAGE

AS OF: 8/13/87
PRINTED: 8/14/8703-03-1877;019STAT0377;43USC321-323,325, CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 0 13820

NAME AND ADDRESS

MORRIS G PATRICK
RT 1
MELBA ID 83641
PATENTEE 100.00000 X

DESCRIPTION OF LAND

BOISE MER
T. 6 S, R. 9 E, ELMORE COUNTY, ID
BOISE DISTRICT JARBIDGE RESOURCE AREA
SEC. 8: S2

320.000 ACRES

ACTIONS

DATE	CODE	TAKEN	REMARKS
1/09/1963	124	APLN RECD	1:24PM FT
11/01/1963	197	ENTRY ALLOWED	
10/01/1982	127	ACTION SUSPENDED	PEND PVT LEGISLATION
2/01/1983	127	ACTION SUSPENDED	PVT RELIEF BILL LAC
10/30/1986	705	ORDER ISSUED	SEE GEN RMKS 02 MD
11/24/1986	042	CASE SENT	TO ISO LAC
6/09/1987	042	CASE SENT	I-1 TAP
7/24/1987	042	CASE SENT	TO ISU FOR PATENT MD
7/29/1987	271	PATENT ISSUED	11870054 SKC
12/31/1988	215	FINAL PROOF REQUIRED	MD

GENERAL REMARKS

01 SAILOR CREEK GR, JARBIDGE R A
~~RE-ENTRY REINSTATED BY PL 99-590~~✓ 02-2186
02-2425
02-7265

SERIAL REGISTER PAGE

AS OF: 11/25/86

PRINTED: 11/26/86

ACT 3-3-1877; 43USC321-323,325,327-329 CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 0 13820

NAME AND ADDRESS

MORRIS G PATRICK

RT 1

MELBA

ENTRYMAN

ID 83641

100.00000 X

DESCRIPTION OF LAND

BOISE MER
T. 6 S, R. 9 E, ELMORE COUNTY, ID
BOISE DISTRICT JARBIDGE RESOURCE AREA
SEC. 8: S2

320.000 ACRES

ACTIONS

DATE	CODE	TAKEN	REMARKS
1/09/1963	124	APLN RECD	1:24PM FT
11/01/1963	197	ENTRY ALLOWED	
10/01/1982	127	ACTION SUSPENDED	PEND PVT LEGISLATION
2/01/1983	127	ACTION SUSPENDED	PVT RELIEF BILL LAC
10/30/1986	705	ORDER ISSUED	SEE GEN RMKS 02 MD
*****		PENDING ACTION: INDIVIDUAL	
11/24/1986	042	CASE SENT	TO ISO LAC
12/31/1988	215	FINAL PROOF REQUIRED	MD

GENERAL REMARKS

01 SAILOR CREEK GR, JARBIDGE R A
02 ENTRY REINSTATED BY PL 99-590

L-02-2186

memo

gpc

2/19/07

Sailor Creek Group Reinstatement

all of the water rights associated with the DLE's being
reinstated are licensed.

02-2186

02-2204

02-2205

02-2216

02-2212

02-2211

02-2215

02-2217

02-2218

02-2214

02-2213

JDC

Memo

12/8/86

HR 4350 99-590 a bill to amend Wild + Scenic River Act.

Passed 10/30/86 Tacked on to this

Bill reintroduced 12 entries. Letter from BLM to Entyuan went out last Friday. The Bill specifically addressed Sailor Creek Group including ^{all} I numbers. The Bill has no effect on any other projects.

BLM had been in litigation with Sailor Creek Group for 10-12 yrs. The projects applicants were to develop the land but instead Farm Development Corp. developed the land. they now have until 1988 to submit proof to BLM.

JL -

I Numbers ?

Water Rights ?

" " S + T ?

Roberta

12/10/86

Would you please give me the appropriate Water Right for the attached 12 DLE's of Sailor Creek.

Thank you

John Carson

gpc



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

IN REPLY
REFER TO: I-013820, I-013905
I-013906, I-013907
I-014126, I-014128
I-014129, I-014130
I-014249, I-014250
I-014251, I-014252

December 4, 1986

NOTICE

:
:
:
:

REINSTATEMENT OF ENTRIES

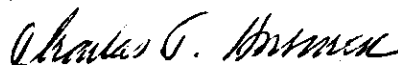
Pursuant to Public Law 99-590, Title VII, Sections 701, 702, 704, and 708 (copy enclosed), the above Desert Land Entries have been reinstated. The entrymen or their heirs or devisees are allowed six months from the date of the enactment of Public Law 99-590 to rescind the agreements prohibited by the Secretary of the Interior pursuant to the regulations under Section 7 of the Desert Land Act as amended (43 U.S.C. 329), regarding the holding limitation of said regulations, which reads in part "...but no person or association of persons shall hold by assignment or otherwise prior to the issue of patent, more than three hundred and twenty acres of such arid or desert lands..."

Affidavits showing the recision of illegal lease agreements and any other agreements in violation of the Desert Land Act, as amended, must be submitted to this office by April 30, 1987. Copies of the contractual arrangements for water and the use of the water system, the contractual arrangements for any mortgages and other contractual arrangements you may enter into for the purchase or use of any of the improvements currently existing on the land, should also be submitted at the same time. As an alternative, each entryman has the option of submitting a Desert Land Entry relinquishment application. Forms for this purpose are enclosed for submission to the Idaho State BLM Office.

The development and reclamation of the land must be basically in accordance with your approved plan of development which is on file in the Idaho State Office. Your entry must be farmed and watered individually and not as a group with other entries. At the time of final proof, you must show that you have in good faith, substantially reclaimed, irrigated, and cultivated at least 1/8 of the entry in a manner calculated to produce profitable results. A minimum of \$3.00 per acre must be expended in this development. At the same time, you must also show that you have a completely developed source and supply of irrigation water and an irrigation system that is adequate to

permanently irrigate all the irrigable acres in the entry and that you have a legal right to the use of the water. Any substantial change in your source of water or deviation in the construction of the irrigation facilities as shown by your approved plan of development must have prior approval of the Boise District Manager, Bureau of Land Management.

Final proof is due on or before December 31, 1988. When you are ready, you should file a notice of intention to make proof. A form for this purpose is available from this office on request. During final proof, a determination will be made as to whether additional investigations are needed and whether supplemental proof will be required. If all legal requirements for final proof have then been met, patents will be issued.



Charles J. Haszier
Deputy State Director for Operations

Enclosure:

Copy of P.L. 99-590

Sec. 704. Notwithstanding any other provision of law, the property right prior to issuance of a patent to the land of any entryman identified in section 702 of this title, or the heirs, or devisees of any such entryman whose entry is reinstated in accordance with section 708 of this title, shall be a personal right, inheritable but not assignable. Any such entry may be mortgaged in the manner permitted by regulations promulgated by the Secretary of the Interior for the purpose of securing repayment of monies borrowed for development of the entry or for farm operating or crop production expenses.

TITLE VIII—BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

AUTHORIZATION OF MEMORIAL

Sec. 801. The Black Revolutionary War Patriots Foundation is authorized to establish a memorial on Federal land in the District of Columbia and its environs to honor the estimated five thousand courageous slaves and free black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution and to honor the countless black men, women, and children who ran away from slavery or filed petitions with courts and legislatures seeking their freedom. Such memorial shall be established in accordance with the provisions of H.R. 4878, as approved by the House of Representatives on September 29, 1986.

FUNDING

Sec. 802. The Black Revolutionary War Patriots Foundation shall establish the memorial with non-Federal funds.

TITLE IX—WOMEN IN THE ARMED FORCES MEMORIAL

AUTHORIZATION OF MEMORIAL

Sec. 901. The Women in Military Service for America Memorial Foundation is authorized to establish a memorial on Federal land in the District of Columbia and its environs to honor women who have served in the Armed Forces of the United States. Such memorial shall be established in accordance with the provisions of H.R. 4878, as approved by the House of Representatives on September 29, 1986.

FUNDING

Sec. 902. The Women in Military Service for America Memorial Foundation shall establish the memorial with non-Federal funds.

TITLE X—NEW RIVER GORGE ADMINISTRATIVE SITE

Sec. 1001. Section 1102(a) of the National Parks and Recreation Act of 1978 (Public Law 95-625) is amended by inserting the following after the second sentence: "In addition, the Secretary may acquire by any of the foregoing methods not to exceed ten acres outside the boundaries of the national river for an administrative headquarters site, and funds appropriated for land acquisition shall be available for the acquisition of the administrative headquarters site."

TITLE VII--TO PROVIDE RELIEF FOR CERTAIN DESERT LAND ENTRYMEN IN IDAHO

Sec. 701. The Congress finds that--

(1) certain developed and productive desert land entries in Idaho, identified in section 702 of this title, made pursuant to the Act entitled "An Act to provide for the sale of desert lands in certain States and Territories", approved March 8, 1877 (48 U.S.C. 821, et seq.), commonly known and hereinafter referred to as the "Desert Land Act", have been cancelled by the Secretary of the Interior pursuant to holding limitation regulations promulgated pursuant to section 7 of the Act (48 U.S.C. 829);

(2) such regulations were retroactively applied to such desert land entries several years after the entries were allowed and more than two years after final development, proof and final payment for such entries were made, without giving the entrymen any opportunity to comply with the new interpretation of such regulations;

(3) cancellation of such desert land entries was harsh and unfair, and resulted in forfeiture to the Government of the developed entries and the monies paid for the land;

(4) such entrymen have fulfilled the requirements of the Desert Land Act in all respects other than such holding limitation regulations; and

(5) such entrymen, or their heirs or devisees, should have the entries reinstated and qualify for issuance of patents to carry out the objectives of the Desert Land Act.

Sec. 702. The names of the entrymen, and the serial numbers of the desert land entries generally known as the "Sallor Creek Project", to which this title applies, are as follows:

Entryman	Bureau of Land Management Serial Number
G. Patrick Morris	Idaho 018820 02-2186
John E. Roth	Idaho 018903 02-2204
Elise L. Neeley	Idaho 018906 02-2206
Lyle D. Roth	Idaho 018907 02-2205
Vera M. Noble (Now Baltzor)	Idaho 014128 02-2216
Charlene B. Baltzor	Idaho 014128 02-2212
George R. Baltzor	Idaho 014129 02-2211
John E. Morris (deceased)	Idaho 014180 02-2215
Juanita M. Morris	Idaho 014249 02-2217+2218
Nellie Mac Morris (deceased)	Idaho 014250 02-2217+2218
Milo Axelsen	Idaho 014251 02-2214
Peggy Axelsen	Idaho 014252 02-2213

All
Licenses

Sec. 708. (a) The desert land entries identified in section 702 of this title are hereby reinstated. The entrymen, or the heirs or devisees of any deceased entryman, may--

(1) rescind any agreement which is prohibited by the Secretary of the Interior pursuant to regulations under section 7 of the Act (48 U.S.C. 829) within six months after the date of enactment of this title; and

(2) resubmit final proof of reclamation and cultivation of the land in accordance with the provisions of section 7 of the Act (48 U.S.C. 829) before December 31, 1988.

(b) The Secretary of the Interior shall issue patents to the entrymen named in section 702, or their heirs or devisees upon compliance with the provisions of subsection (a) and the submission of satisfactory final proof.

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

DATE 4/17/86

TO Sailor Creek Water Rts #'s 02-2186, 02-2204, 02-2205,
02-2206, 02-2211, 02-2212, 02-2213, 02-2214, 02-2215,
SUBJECT 02-2216, 02-2217, 02-2218

Bill Ringert, a Boise atty, called to say that he is the Atty for the Sailor Creek Water Company. He wishes to be apprised of any Dept actions on the above-numbered water rights.



SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

MEMORANDUM

TO: File No. 02-2209

FROM: Norm Young *NY*

DATE: February 18, 1986

RE: BLM Requests for Ruling an Ownership of Water Rights on Black Mesa, Sailor Creek and Indian Hills

Background - The water right licenses associated with each of the Desert Entry projects returned to BLM control have been claimed in the "02" adjudication by both BLM and either the entrymen or the associated water development company. The question of ownership will be addressed by this department as the proposed finding is submitted to the state district court. However, this action is likely to be a number of years in the future and BLM is seeking an early answer to facilitate appraisal of the land value for exchange purposes. To encourage a ruling by IDWR and preserved the right on Black Mesa, BLM has filed an application for extension of time to avoid forfeiture and an application to place the water right in the Board's water bank.

Alternative Actions

(1) Process application for extension of time to avoid forfeiture: Advertise, notify directly all potential claimants of the right, hold protest hearing if necessary and rule upon validity and ownership of right as a part of the decision. Appeal would be to state district court.

(2) Process application for water bank. Board could rule on validity and ownership under Rule 3 of the adopted rules and regulations.

(3) Rule on ownership in "02" adjudication: Perhaps a partial proposed finding could be filed immediately.

(4) Formally advise BLM to seek a clarification (declaratory judgment) from U.S. district court by reopening the DLE appeals.

(5) Encourage BLM and/or entrymen to file action to quiet title in state district court.

Recommendation:

I believe the questions of ownership and existence of the water right should be addressed by the department in considering the application for extension of time on Black Mesa. While IDWR could make a preliminary ruling on the existence of a right and ownership without notice and hearing, I believe the applicant and all other possible claimants should be allowed to participate before the department issues any ruling. Therefore, I recommend the application for extension be advertised immediately and action on the application for the water bank and the competing "02" adjudication claims be withheld until a final decision on ownership is reached.

PUMPING PLANT FOR SAILOR CREEK PROJECT

The plant consists of six pumps with penstock pumping from the Snake River into a 48-inch main line to smaller mainlines from 48 inches to 6 inches.

Pump # 1. G.E. motor, Model 5K6339XC 4A, 1250 H.P., Serial #NYJ110006; with Worthington pump - size 18-2503-8, Serial #9742.

Pump # 2. G.E. motor, Model 5K6339XC 4A, 1250 H.P., Serial #NYJ0008; with Worthington pump - size 18-2503-8, Serial #9745.

Pump # 3. G.E. motor, Model 5K6339XC 4A, 1250 H.P., Serial #NYJ11007; with Worthington pump - size 18-2503-8, Serial #9744.

Pump # 4. G.E. motor Model 5K6339XC 4A, 1250 H.P., Serial #NYJ1115016; with Worthington pump - size 18-2503-8, Serial #9741.

Pump # 5. G.E. motor, Model 5K6339XC 4A, 1250 H.P., Serial #NYJ110005; with Worthington pump - size 18-2503-8, Serial #9746.

Pump # 6. G.E. motor, Model 5K6339XC 4A, 1250 H.P., Serial #NYJ15017; with Worthington pump - size 18-2503-8, Serial #9748.

March 17, 1976

Re: Permits No.	30885/02-2186	31116/02-2211	31120/02-2215
	30981/02-2204	31117/02-2212	31121/02-2216
	30982/02-2205	31118/02-2213	31122/02-2217
	30983/02-2206	31119/02-2214	31123/02-2218

Sailor Creek Water Company
729 Commercial Avenue
Twin Falls, Idaho 83301

Gentlemen:

Enclosed herewith are copies of the Water Licenses issued on the above referenced permits.

Also enclosed is departmental receipt No. 2662 for \$188.00 covering the licensing fees.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enc: Copy of license (12)
Receipt #2662

February 27, 1976

Re: Permits No. 30885/02-2186	31116/02-2211	31120/02-2215
30981/02-2204	31117/02-2212	31121/02-2216
30982/02-2205	31118/02-2213	31122/02-2217
30983/02-2206	31119/02-2214	31123/02-2218

Sailor Creek Water Company
729 Commercial Avenue
Twin Falls, Idaho 83301

Gentlemen:

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

Quantity of water diverted: 71 cfs Source: Snake River
Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, Twp. 5 S, Rge. 9 E, B.M.
Elmore County

A fee totaling \$188.00 must be received within 30 days of the date of this letter in order that we might issue water licenses as follows: (fee based on \$2.00 per irrigated sub-division)

Permit 30885/02-2186

Amount of water that can be recognized as beneficially used under Idaho law: 6.16 cfs

The maximum quantity diverted shall not exceed 1,540 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 308 acres within the S $\frac{1}{2}$, Sec. 8, Twp. 6 S, Rge. 9 E, B.M.

Priority established: January 9, 1963

Permit 30981/02-2204

Amount of water that can be recognized as beneficially used under
Idaho law: 5.94 cfs

The maximum quantity diverted shall not exceed 1,485 acre feet, or
5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 297 acres within the N $\frac{1}{2}$, Sec. 4, Twp.
6 S, Rge. 9 E, B. M.

Priority established: February 20, 1963

Permit 30982/02-2205

Amount of water that can be recognized as beneficially used under
Idaho law: 6.36 cfs

The maximum quantity diverted shall not exceed 1,590 acre feet, or
5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 318 acres within the SE $\frac{1}{4}$, Sec. 4; NE $\frac{1}{4}$,
Sec. 9; Twp. 6 S, Rge. 9 E, B. M.

Priority established: February 20, 1963

Permit 30983/02-2206

Amount of water that can be recognized as beneficially used under
Idaho law: 5.78 cfs

The maximum quantity diverted shall not exceed 1,445 acre feet, or
5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 289 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$ (57), Sec. 8;
W $\frac{1}{2}$ NW $\frac{1}{4}$ (72), Sec. 9; SW $\frac{1}{4}$ (160), Sec. 15; Twp. 6 S,
Rge. 9 E, B. M.

Priority established: February 20, 1963

Permit 31116/02-2211

Amount of water that can be recognized as beneficially used under
Idaho law: 5.80 cfs

The maximum quantity diverted shall not exceed 1,450 acre feet, or
5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 290 acres within the E $\frac{1}{2}$, Sec. 10, Twp.
6 S, Rge. 9 E, B. M.

Priority established: May 6, 1963

Permit 31117/02-2212

Amount of water that can be recognized as beneficially used under Idaho law: 6.04 cfs

The maximum quantity diverted shall not exceed 1,510 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 302 acres within the $W\frac{1}{2}$, Sec. 10, Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

Permit 31118/02-2213

Amount of water that can be recognized as beneficially used under Idaho law: 4.02 cfs

The maximum quantity diverted shall not exceed 1,005 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 201 acres within the $NW\frac{1}{4}SW\frac{1}{4}$ (16), $S\frac{1}{2}SW\frac{1}{4}$ (64), Sec. 2; $NW\frac{1}{4}$ (121), Sec. 11; Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

Permit 31119/02-2214

Amount of water that can be recognized as beneficially used under Idaho law: 6.22 cfs

The maximum quantity diverted shall not exceed 1,555 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 311 acres within the $SW\frac{1}{4}$ (157), Sec. 11; $N\frac{1}{2}NW\frac{1}{4}$ (80), $SW\frac{1}{4}NW\frac{1}{4}$ (40), $NW\frac{1}{4}SW\frac{1}{4}$ (34), Sec. 14; Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

Permit 31120/02-2215

Amount of water that can be recognized as beneficially used under Idaho law: 6.40 cfs

The maximum quantity diverted shall not exceed 1,600 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 320 acres within the $N\frac{1}{2}$, Sec. 15, Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

Permit 31121/02-2216

Amount of water that can be recognized as beneficially used under Idaho law: 6.40 cfs

The maximum quantity diverted shall not exceed 1,600 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 320 acres within the S $\frac{1}{2}$, Sec. 9, Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

Permit 31122/02-2217

Amount of water that can be recognized as beneficially used under Idaho law: 5.74 cfs

The maximum quantity diverted shall not exceed 1,435 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 287 acres within the W $\frac{1}{2}$, Sec. 3, Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

Permit 31123/02-2218

Amount of water that can be recognized as beneficially used under Idaho law: 5.24 cfs

The maximum quantity diverted shall not exceed 1,310 acre feet, or 5.0 acre feet per acre, per year.

Beneficial use: Irrigation of 262 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (22), S $\frac{1}{2}$ -NE $\frac{1}{4}$ (80), SE $\frac{1}{4}$ (160), Sec. 3, Twp. 6 S, Rge. 9 E, B.M.

Priority established: May 6, 1963

If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

cc: Mr. Benjamin G. Miller, Chairman
Sailor Creek Water Company
P.O. Box 1201, Boise, ID 83701

FIELD REPORT

Post office address 729 Commercial Ave., Twin Falls, Idaho Phone

Person to contact Allen Noble, Nampa, Idaho Phone

Tributary to _____

Other uses: _____

Permit No.

30885/02-2186

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TOTAL ACREAGE

~~320~~ 308

T.
3

T.
6
S

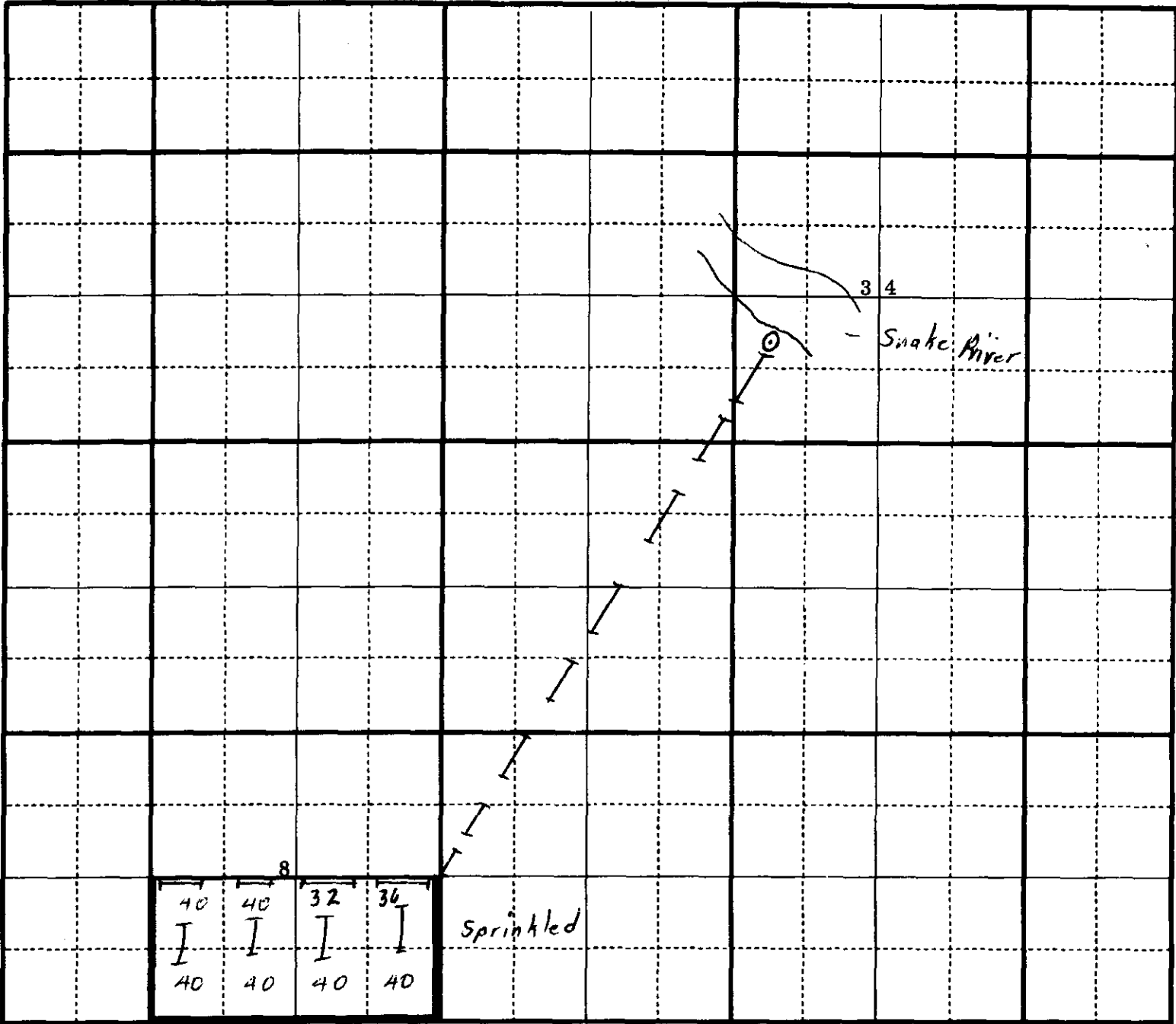


Diagram of System

DATE OF EXAM 10/20/75

ACREAGE

Found 308
Recommended 308

Irrigation Requirement 5 Ac Ft/Ac

USE

5.42
Irrigation Q = ~~5.42~~ c.f.s. V = 1540 AF/Ann. from 3/15 to 11/15
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 70.46 cfs Method of measurement Est.

Total Q recommended 5.42 ~~5.42~~ cfs Meter No. None Type _____ Condition _____

Total V recommended 1540 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Est. from pump capacities Est = 30,900 gpm = 70.46 cfs
Est. based on pumping curve from Layne Pump Co. Nampa,
pumps tested at 5150 gpm at 900 TDH (6 X 5150 = 30,900 gpm)

SYSTEM DESCRIPTION:

See insert

REMARKS:

Examiner's Signature J. L. Liren Date 11/17/75

Checked by JLL Date 11-21-75

Approved by _____ Date _____

November 30, 1971

Mr. Benjamin G. Miller
Chairman of the Board
Sailor Creek Water Company
P. O. Box 1201
Boise, Idaho

Dear Mr. Miller:

The Department of Water Administration attempted to make an examination for licensing of water rights held by the Sailor Creek Water Company. We were not able to make a complete examination because the system you have installed does not have an adequate measuring device to enable us to make a determination of the amount of water being diverted.

The permits covered by this examination are as follows:

Permit Nos. 02-2186, 02-2204, 02-2205, 02-2206, 02-2211, 02-2212, 02-2213, 02-2214, 02-2215, 02-2216, 02-2217, 02-2218, 02-2371 and 02-2372.

To complete this examination, we will require that a permanent measuring device of a type approved by the department be installed so that the amount of water being diverted can be measured. It will not be necessary to install individual meters in the field unless that is your desire. The measurement can be made by the installation of meters near the pumps, which would measure the amount of water diverted for all permits.

The installation of a measuring device must be made prior to the beginning of the 1972 irrigation season. The department at that time will attempt to complete the examination, and if the measuring device is not installed, I will have to recommend that the above mentioned water rights be cancelled.

~~2 2185~~
2 2186

Mr. Benjamin G. Miller
Page 2
November 30, 1971

Please notify the department as to the type of measuring device you intend to install and when the installation has been completed.

If you have any questions, please contact me.

Sincerely,

A. KENNETH DUNN
Assistant Director

AKD:mjl

C
P
Y

2 1186

Permit Nos. : 02-2184, 02-2204, 02-2205, 02-2206, 02-2211, 02-2212, 02-2213
02-2214, 02-2215, 02-2216, 02-2217, 02-2218, 02-2371, 02-2372

MEMO

To: Ken Dunn
From: Fred Eisenbarth
Subject: Sailor Creek Water Company
Date: March 8, 1971

On Wednesday, March 3, 1971, I examined the Sailor Creek Water Company's irrigation system. I determined the amount of land irrigated and the point of diversion. When examining the system, I found it impossible to make an accurate measurement of the quantity of water that they are diverting. Their system is enclosed entirely underground and runs directly into their sprinkler system. Due to the many thousand sprinkler heads, it is impractical if not impossible to obtain a correct measurement through pressure reading of the individual sprinkler heads. I therefore recommend a permanent measuring device be installed.

The permit could be licensed as soon as a measurement of the water is made.

Benjamin G. Miller, Chairman of the Board
Sailor Creek Water Co.
P.O. Box 1201
Boise, Idaho 83701

or

Sailor Creek Water Co.
729 Commercial Avenue
Twin Falls, Idaho

02-2186

1M April 1962

November 16, 1964

Re: Permit No. 30885, 31121
31122 & 31123

Sailor Creek Water Company
729 Commercial Avenue
Twin Falls, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~MOUNTAIN HOME NEWS~~ _____, all submitted in proof of completion of works and beneficial use on Permit No. 30885, 31121, 31122 & 31123.

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: Harley M. McDowell
P. O. Box 2161
Boise, Idaho

30885

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

NOV 13 1963
Department of Reclamation

Permit No. 30885

* * * *

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: Allen Noble,
379 Holland Drive, Nampa, Idaho, Vice President of Farmland-Idaho, Inc., 379 Holland
Drive, Nampa, 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:

Sailor Creek Water Co., 729 Commercial Avenue, Twin Falls, Idaho. I am attorney-in-fact for
Sailor Creek Water Co.

Ques. 3. State number, approval date of permit, and date of priority you propose to
establish under the permit; 30885, January 14, 1963, January 9, 1963

Ques. 4. State source of water supply: Snake River
Give location of point of diversion, showing subdivision, section, township and range:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 5 South - Range 9 East, B.M.

Ques. 5. Describe your works of diversion: Pump base, pumps & Motors, penstock, mainline
& sprinkler laterals; state amount of water they are capable of con-

veying from point of diversion to place of use 6.4 cfs; Give name of canal or ditch

or other works by which water is conducted to such place of use: Sailor Creek Water Co.,
pipeline; if a well, state depth of well ----; depth and size of cas-

ing: ---; depth to water ---; if pump is used,

state discharge of pump: ---; tell how it was measured or determined: ---

---; if sprinkler irrigation, give number and size of nozzles and

operating pressure: 396 nozzles that are 3/16" and 40 lbs of operating pressure

Ques. 6. State for what purpose water is used: irrigation

If for irrigation, name each subdivision in which used and number of acres in each
subdivision that have actually been irrigated with said water : Township 6 South - Range

9 East, B.M., Section 8 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac;

SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac;

State nature of all improvements which have been made as a direct result of said use:

All improvements are a direct result of said use.

30885

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Irrigation only

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

All the water is needed for the irrigation of these lands.

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:

This permit was assigned to Sailor Creek Water Co. by G. Patrick Morris.

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: April 17, 1964 Time used since first use:

Water was used continuously during the irrigation season of 1964.

Ques. 11. Describe all other water rights appurtenant to same place of use:

NONE

SAILOR CREEK WATER CO.

(sign) *Allen D. Kelly*
Attorney-in-fact.

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

Boise, County of Ada

State of Idaho, on this 6th day of November, A.D. 1964.

Harley W. G. Dandy

My Commission expires: 11/1/67

30855

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 30885

Proof of Application of Water to Beneficial Use Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Mervin J. Christensen, 52, 1803 Larch Street, Boise, Idaho, Surveyor-Appraiser,
1803 Larch Street, Boise, Idaho

Ques. 2. Are you acquainted with Allen Noble, the holder of Permit No. 30885? How long have you known him and where does he reside?

Ans. I have known Allen Noble for 6 years and know that he resides at
379 Holland Drive, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 30885, and are you familiar with its provisions and conditions?

Ans. Yes, I have heard it read and am familiar with it's contents.

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

Ans. Source: Snake River; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T5S-R9E, B.M.;
Works: Pump base, pumps & Motors, penstock, mainline & Sprinkler Laterals.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6.4 cfs

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

Ans. This water is used for irrigation of 40 acresⁱⁿ/each of the following subdivisions:
NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T6S-R9E, B.M.

This water is used for the irrigation of cultivated land and it was possible to
improve this land only ~~however~~ by applying said water to this formerly desert land.

30885

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

Ans. Water is used for the purpose of irrigation only.

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. Soil is of a silt loam texture and all the water requested and used is required for productive, profitable cultivation.

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

Ans. I have no interest in these works, water or lands.

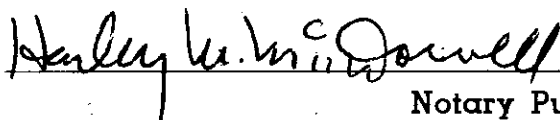
Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I first saw this water being used the early part of June, 1964, although it was evident it had been used a short while before this. I saw this water being used the whole irrigation season of 1964.

(Signed)



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 Boise, County of Ada, State of Idaho, on this 6th day of November, A. D. 1964.



Notary Public.

My commission expires 11/1/67.

30885

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 30885

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

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. William E. Ringert, 32, 2816 Sunrise Rim, Boise, Idaho, Lawyer, 2816 Sunrise Rim,
Boise, Idaho

Ques. 2. Are you acquainted with Allen Noble, the holder of Permit No. 30885? How long have you known him and where does he reside?

Ans. I have been acquainted with Mr. Noble 18 months and he resides at 379 Holland
Drive, Nampa, Idaho.

Ques. 3. Have you read or heard read said Permit No. 30885, 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. The water is diverted out of the Snake River in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T5S-R9E, B.M.
and the works are a pump base, pump & motor, penstock pipeline, mainline & sprinkler
laterals.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6.4 cfs

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

Ans. Water is used for the irrigation of the S $\frac{1}{2}$, Section 8, Township 6 South - Range
9 East, B.M. - 320 acres. The land irrigated is cultivated farm land and all
improvements are a direct result of said use.

30885

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

Ans. Water is used for irrigation only.

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. The soil on this land is silt loam and all the water used is necessary for its profitable cultivation.

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

Ans. I have no interest.

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 first witnessed this water being applied to the land the early part of June, 1964, and then for the remainder of the irrigation season. I know from my own knowledge that this water first irrigated this land around April 17.

(Signed)

William F. Ringert

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 Boise, County of Ada, State of Idaho, on this 6th day of November, A. D. 19 64.

Dorothy M. M. Dowell

Notary Public.

My commission expires 11/1/67.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do
solemnly swear that I am the foreman, the
publisher of the

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 5th day of
November, 1964, at Boise, County
of Ada, State of Idaho, before
Harley M. McDowell, Notary Pub-
lic at (address) 224 Idaho Build-
ing, Boise, Idaho, proof will be
submitted of the completion of
works for the diversion of 6.4 cu-
bic feet per second of the waters
of Sawtooth River, and the applica-
tion to beneficial use of said wa-
ter, in accordance with the terms
and conditions of Permit No.
30885, heretofore issued by the
Department of Reclamation of the
State of Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is: Sailor
Crane Water Company 729 Com-
mercial Avenue, Twin Falls, 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 6.4 cubic feet per
second.

3. The use to which said water
has been applied is irrigation pur-
poses and the amount applied to
beneficial use is 6.4 cubic feet per
second.

4. The point of diversion of
said water is NW 1/4, Section 8,
T4, Township 5 South - Range 9
East, B. M.

5. The place where said water
is used is S 1/4, Section 8, Town-
ship 5 South - Range 9 East, B.M.
Total 320 acres.

6. The date of priority which
said user is prepared to establish
is January 8, 1964.

Carl E. Tappan
State Reclamation
Engineer

First publication Oct. 1, 1964.
Last publication Oct. 20, 1964.

MOUNTAIN HOME NEWS

a semi-weekly newspaper of general circulation,
published twice a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

4 consecutive weeks, the first publica-
tion having been made on the 8th day

of October, 1964, and
the last publication having been made on the

29th day of October

1964; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Floyd S. Waters

Subscribed and sworn to me this 30th

day of October, 1964.

Jane Lathrop
Notary Public

30885

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

NOTICE is hereby given that at 10:00 A. M. on the 6th day of November, 1964, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public at (address) 224 Idaho Building, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Snake River, and the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. ~~40333~~ 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: **Sailor Creek Water Company**, 729 Commercial Avenue, Twin Falls, 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 6.4 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 6.4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 5 South - Range 9 East, B. M.

5. The place where said water is used is S $\frac{1}{2}$, Section 8, Township 6 South - Range 9 East, B.M. Total 320 acres.

6. The date of priority which said user is prepared to establish is January 9, 1963.

Carl E. Tappan
State Reclamation
Engineer

First publication Oct. 8, 1964.

Re: Permit No. 30885
Sailor Creek Water Company

September 25, 1964

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30885, in the name of Sailor Creek Water Company. Final Proof is to be made before you, as Notary on the 6th day of November, 19 64, at 10:00 o'clock A.M., at 224 Idaho Building, Boise, Idaho, ~~Idaho~~.

As of this date, we have mailed the Notice to the Mountain Home, Ida. 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 returned, 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:prk
cc: Applicant

30885

Form No. 11
2M - 10/60

RECEIVED
SEP 25 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 24, 1964

(P. O.) Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

The News of Mountain Home, Idaho published in

the county in which the works are situated. Please send statement of charges and affidavit of publication to Idaho Land & Appraisal Service, P. O. Box 2161, Boise, Idaho 83701.

William F. Ringert
William F. Ringert, Attorney
Sailor Creek Land & Water Company

(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.

30885

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 6th day of November
19 64 at Boise, County of Ada, State of Idaho, before
Harley M. McDowell, Notary Public, at (address) 224 Idaho Building, Boise,
Idaho, proof will be submitted of the completion of works for the diversion of
6.4 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. 30835, 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: Sailor Creek Land & Water Company, 729 Commercial Avenue, Twin Falls, 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
6.4 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 6.4 cubic
feet per second.

4. The point of diversion of said water is NW1/4, Section 34, Township 5 South - Range
9 East, B.M.

5. The place where said water is used is 81/2, Section 8, Township 6 South - Range 9 East, B.M

Total 320 acres.

6. The date of priority which said user is prepared to establish is January 9, 1963

State Reclamation Engineer

Re: Permit No. ~~30885~~, 30981, 30982,
30983
Sailor Creek Water Company

Date: Sept. 25, 1964

The News,
Mountain Home, Idaho.

Gentlemen:

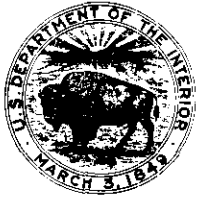
Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to November 6, 1964
the date set for proof; the expense of the publication is to be paid
by the ~~applicant~~ Idaho Land and Appraisal Service
of P.O.Box 2161, Boise, Idaho to whom you should
furnish proof of 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,

Carl E. Tappan
CARL E. TAPPAN
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



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

LO:VSS
I-013820

NOTICE OF ALLOWANCE

G. Patrick Morris
Route #1
Melba, Idaho

Dear Mr. Morris:

Your Desert Land Entry, Serial No. Idaho-013820,
Receipt No. 839427, for S½
, Section 8,
Township 6 S., Range 9 E., Boise Meridian, Idaho,
containing 320 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

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

Sincerely yours,

Michael T. Solan
Michael T. Solan
Land Office Manager

c.c. State Reclamation Engineer

August 7, 1963

Re: R-1158; 30885; 30981; 30982;
31116; 31117
Sailor Creek Water Company

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are the assignments on the above numbered
permits from Sailor Creek Land & Water Co. to Sailor Creek Water Co.

Also enclosed is departmental receipt No. 31706 in
the amount of \$6.00.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. six assignments
receipt

30885

July 17, 1963

Re: Permits No. 30885; 30981; 30982;
31116; 31117;
Sailor Ck. Land & Wtr. Co.

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161, Boise, Idaho

Dear Mr. McDowell:

Enclosed is departmental receipt No. 31626
for the fees for recording the 12 amendments for the Sailor
Creek Land & Water Co.

The amendments were picked up by your office
at an earlier date.

Very truly yours,

CARL L. TAPPAN, Acting
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

MPR:ew

Enc. receipt

30885

Application for Amendment

POINT OF DIVERSION

Permit No. 30885

Comes now Sailor Ck. Land & Wtr. Co. and
represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. 30885.

That the point of diversion is described in said Permit as being located:

NW1SW1, Sec. 6, T6S-R9E.

That he now requests that the point of diversion be changed to a point
located: NW1SW1, Sec. 34, T5S-R9E.

That the reason for desiring to make such change is as follows:

Proposed pump site has been moved.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Boise, Ida., this 1 day of July,
19 63

Sailor Ck. Land & Wtr. Co.

J. Patrick Morris

Date of Receipt at Department of Reclamation: July 2, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~John H. Carter~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. 30885. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 148 of
Permits, at Page 30885
July 11 1963

Ralph W. Thomas
Deputy State Reclamation Engineer

30885

June 17, 1963

RE: Permit Nos. 30885, 30886, 30974, 30981,
30982, 31116, 31117, 31118,
31119, 31120, 31121, 31122,
31123

G. P. Morris
Melba, Idaho

Dear Mr. Morris:

We received assignments of 13 permits to the Sailor Creek Land
and Water Company without the filing fee of \$0.50 each.

The assignments will be approved and returned to you upon pay-
ment.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

P. S. Enclosed is departmental receipt No. 31596 in the amount
of \$6.50 covering the above mentioned fee.

The assignments have been sent to Harley McDowell as you requested.

30885

January 17, 1963

Re: Permit No. 30885

Mr. G. Patrick Morris,
Malba, Idaho.

Dear Mr. Morris:

We enclose Permit No. 30885 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management three copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

Departmental Receipt No. 31390, which was issued covering payment in the amount of \$8.90, which includes \$6.50 for the filing fee and \$2.40 for the copies sent to the Bureau of Land Management, was given to you while you were in our office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

January 17, 1963

Re: Permit No. 30885
G. Patrick Morris

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

Gentlemen:

We enclose ^{three}~~two~~ copies of Permit No. 30885, one
of which has been certified, to be used in connection with
Desert Land Entry filed in your office by permit holder
G. Patrick Morris of Melba, Idaho.

Very truly yours,

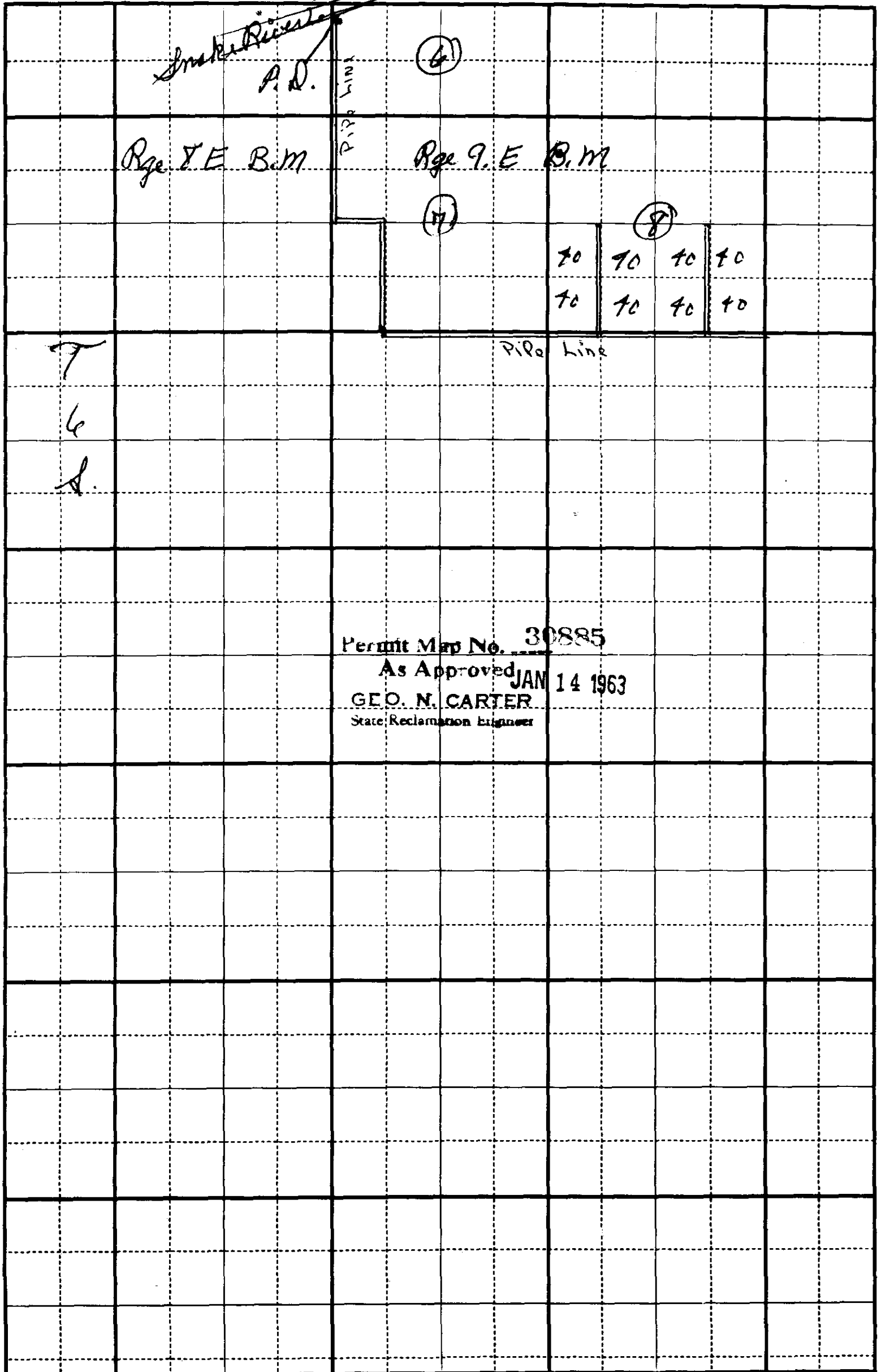
GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

30885

L. Patrick Morris



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30885