

AFFIDAVIT OF PUBLICATION

Department of Water Administration

OK
12-24-70

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

December 10, 3, 1970

Verla Harker

Subscribed and sworn to before me this

10th day of December, 19 70

Edmund S. Korb

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 20, 1971

2 2172

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Dry Lake Farms, Inc., Route #4 Nampa, Idaho, has received an approved Permit No. 30394/02-2172 issued by the Idaho Department of Water Administration authorizing the diversion of 6.4 cubic feet per second of water from the Snake River. The priority to be established under this permit is February 26, 1962 and the permit was approved March 5, 1962.

Water is to be diverted by pump, pipe and ditch from a point within the NE1/4SE1/4Sec. 36, T. 1N, R. 3W, B.M., Canyon County, to be used for irrigation in the E1/2 Sec. 13, T. 1N, R. 3W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before March 5, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,

Director

Idaho Dept. of Water Administration

STATEHOUSE, Boise, Idaho
December 3, 10, 1970

Exam for Dry Lake Farms 02-2172

Water is taken directly from the Hat Butte Canal by means of a headgate inserted in the canal. There is a meter installed in the ditch below diversion from the canal. Hershey Sparling # 56209. Dry Lake Farms are allotted 125" from this diversion. Land is Flood irrigated.

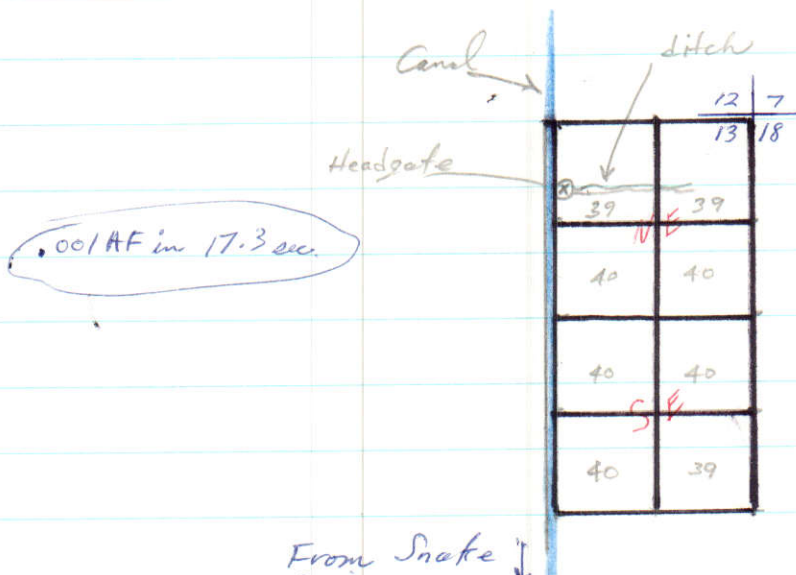
$$Q = 2.5 \text{ cfs.}$$

$$\text{Area} = 317 \text{ acres}$$

$$V = 317 \times 4.5 = 1426.5$$

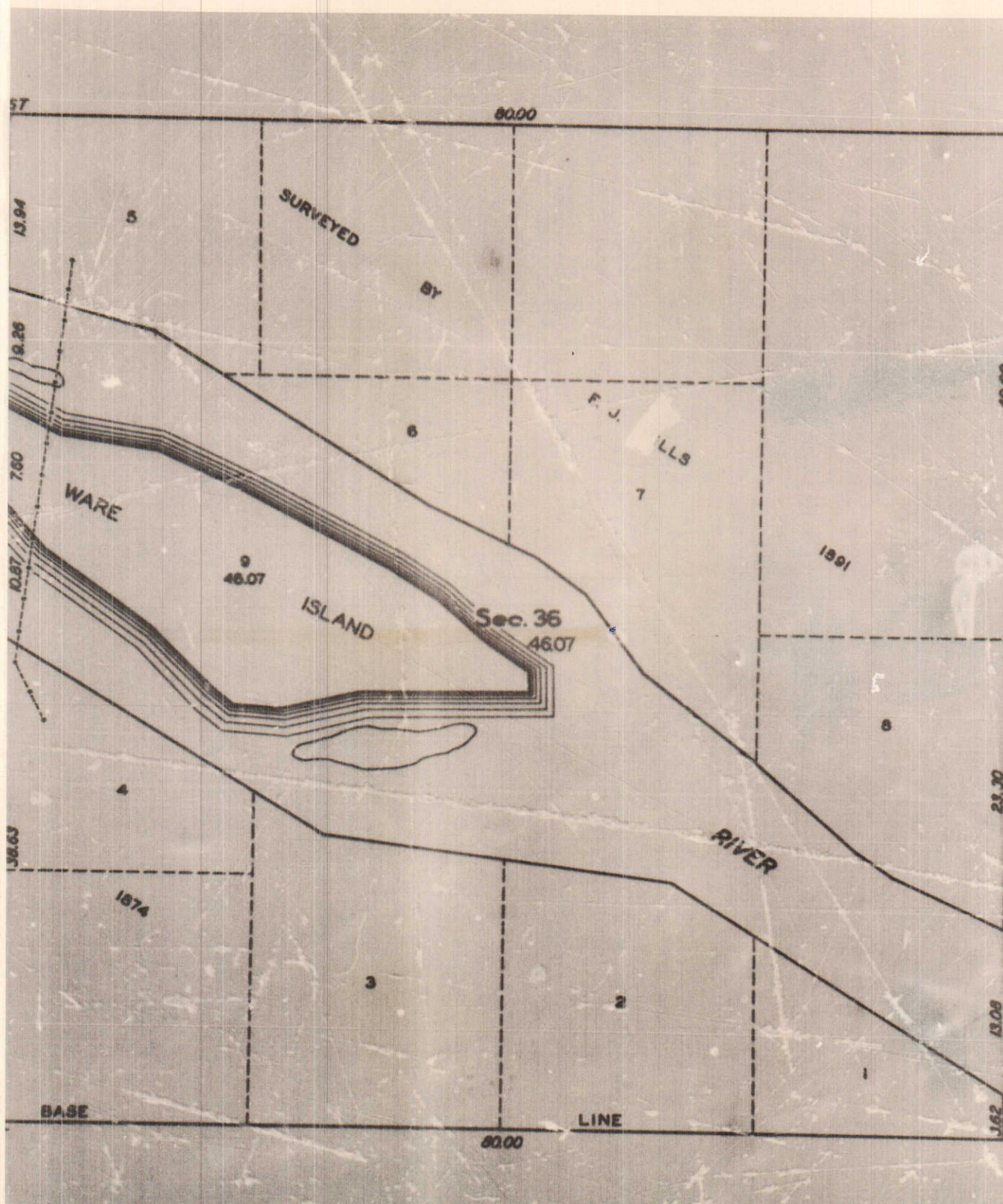
$$V_{\text{allow}} = 2.5 \times 2 \times 244 = \frac{1220}{125} \text{ AF}$$

Season = March 15 - Nov 15



From Snake River
Lot # 7 Sec 36
3N-1W

There is a well located in corner of NENE Sec 13 which irrigates this land also



NAME OF APPLICANT

Dry Lake Farms, Inc.

Form No. 0

12

House
Well

40 40

Rge 3 w. B. m.

13

40 40

40 40

40 40

J

/

N

24

Permit Map No. 30394

As Approved

GEO. N. CARTER

State Reclamation Engineer

MAR 5

1962

25

34

P.D.

San Joaquin River

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 02-2172 Priority Feb. 26, 1962 Amount 2.5 cfs

THIS IS TO CERTIFY, that DRY LAKE FARMS, INC.
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 02-2172 issued pursuant to Application for Permit dated Feb. 26, 1962,
and has submitted proof to the Department of Water Administration on Sept. 14, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.5 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River
tributary of the Columbia River, is hereby confirmed in the following amounts:

Amount 2.5 for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.5 cfs of water be diverted at
any one time, said waters to be diverted within the _____

(Lot 7) NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp. 1 N, Rge. 3 W, B.M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1225 acre feet per year or _____
4.5 acre feet per acre.

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 $\frac{1}{4}$	
1N	3W	13	39	39	40	40									40	40	40	39	317

Total number of acres irrigated 317

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 15 day of
October, 19 71.


Director

2 2172

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 30394/02-2172)
in the name of DRY LAKE FARMS, INC.)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

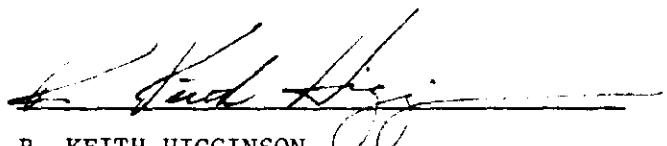
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 30394 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 3 day of November, 1970.


R. KEITH HIGGINSON
Director

clg
OK
12-24-70

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

December 10, 3, 1970

Verla Harker

Subscribed and sworn to before me this

10th day of December, 19 70

William J. Karp

Notary Public, Residing at Nampa, Idaho

STATEMENT

The Idaho Free Press

P. O. Box 88 — Nampa, Idaho, 83651

Date December 10, 1970

. M.O. Clements
Dry Lake Farms, Inc.
Route 4
Nampa, Idaho

NOTICE OF EXISTING WATER PERMIT - 30394/02-2172

44 lines 2 days - December 3, 10, 1970

1 day @ .14 per col. line	\$6.16
1 day @ .10 per col. line	<u>4.40</u>
	10.56

4

2 2172

12/10/70
SA

Upon payment of this statement, affidavit
will be sent on last date of publication.

M. O. Clements
Rt. 1, Nampa, Idaho

02-2172

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

APPLICATION No. 38442
PERMIT No. 30394
DISTRICT No.

1. Name of Applicant: Dry Lake Farms, Inc.

Postoffice address: Rt. 1, Nampa

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: March, 1961 - Nampa, Idaho

(b) Amount of capital stock: \$100,000.00

(c) Amount paid in:

(d) Names and addresses of directors: Pres. M. O. Clements - Rt. 1, Nampa, Ida.

Vice-Pres. M. L. Clements - Rt. 4, Nampa, Ida.

II. The financial resources of the applicant are:

(a) Cash on hand: \$5000.00

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources: Land and Equipment

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 NE $\frac{1}{4}$ SE $\frac{1}{4}$

of section 36 , T. 1 N , R. 3 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: \$ 60,000

8. Kind of works: Pump and Pipe and Ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom One fee; width at water line Three feet; depth of water 1 $\frac{1}{2}$ feet;
dimensions of flume:

Diameter of pipe 20 inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is five 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: G-27684

16. (a) Is reservoir to be used? No 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/ Dry Lake Farms, Inc. Applicant.

By M. O. Clements, Pres. Agent.

Date of first receipt at Department of Reclamation: 3:45 P.M. February 26, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30394

Recorded in Book 106 Page 30394, Approved March 5, 1962

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 May 5, 1962 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 September 5, 1963

The whole of said work to be completed on or before **March 5, 1965**

Beneficial use of water appropriated in accordance herewith, to be made on or before March 5, 1970

WITNESS My hand this 5th day of March, 1962

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____, Governor of the State of Idaho,
and _____, 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 5th day of March, 1962.

STATE OF IDAHO

Countersigned:

STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor.

REMARKS:

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 $\frac{1}{4}$	
1 N	3 W	13	X	X	X	X									X	X	X	X	320
			APPROVAL OF STATE RECLAMATION ENGINEER I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 30394 to March 5, 1967. Witness my hand this 18th day of January, 1965. /s/ RALPH W. THOMAS Deputy State Reclamation Engineer																

LICENSE ISSUED FOR 2.5 SEC. FT.
 LICENSE PAGE NO. _____

Permit No. 30394
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DRY LAKE FARMS, INC. of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 30394, issued upon Application No. 38442 bearing date of priority of February 26, 1962, authorizing the diversion of 6.4 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 6.4 second feet of the waters of Snake River, tributary of Columbia River; that the point of diversion of said waters NE1/4SE1/4, Sec. 36, T. 1 N, R. 3 W, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: E1/2, Sec. 13, T. 1 N, R. 3 W, B.M.

Proof of Completion of Works made: January 10, 1967.

Witness my hand this 2nd day of February, A.D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

October 15, 1971

Re: Permits No. 02-2172, 02-7010 & 02-7011

Dry Lake Farms, Inc.
Route # 4
Nampa, Idaho 83651

Gentlemen:

Enclosed herewith are your Water Licenses issued on the above numbered permits.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures (3)

2 2172

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 22, 1971

Re: Permits No. 02-2172, 02-7010 & 02-7011

Dry Lake Farms, Inc.
Route # 4
Nampa, Idaho 83651

Gentlemen:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

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

Permit 02-2172

Amount of water that can be recognized as beneficially used under Idaho law: 2.5 c.f.s.

The maximum quantity of water diverted shall not exceed 1225 acre feet per season.

Beneficial use: Irrigation of 317 acres within the NENE (39), NWNE (39), S₂NE (80), N₂SE (80), SWSE (40), SESE (39), Sec. 13, Twp. 1 N, Rge. 3 W, B.M.

The priority date established is: February 26, 1962

Permit 02-7010

Amount of water that can be recognized as beneficially used under Idaho law: 0.80 c.f.s.

The maximum quantity of water diverted under this license shall not exceed 392 acre feet per season and, when combined with License No. 02-2177, shall not exceed 1440 acre feet per season.

2 2172

Permit 02-7010 (con'd.)

Beneficial use: Irrigation of 320 acres within the $W\frac{1}{2}$ of Sec. 13, Twp. 1 N,
Rge. 3 W, B.M.

The priority date established is: March 1, 1968

Permit No. 02-7011

Amount of water that can be recognized as beneficially used under Idaho
law: 12.8 c.f.s.

The maximum quantity of water diverted shall not exceed 3325.5 acre feet
per season.

Beneficial use: Irrigation of 739 acres within the SENE (40), $N\frac{1}{2}$ SE (80),
Sec. 27; SWNE (40), SENW (38), SWNW (36), $SW\frac{1}{4}$ (160),
NWSE (35), SWSE (33), SESE (40), Sec. 26; $E\frac{1}{2}$ NW (80),
 $N\frac{1}{2}$ NE (80), SWNE (40), SENE (37), Sec. 35; Twp. 2 N,
Rge. 3 W, B.M.

The priority date established is: March 1, 1968

If you do not concur with these findings, please advise us within 10 days of the date of
this letter; otherwise, licenses will be issued as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

2 2172

Exam for Dry Lake Farms 02-2172
 water is taken directly from the Hat Butte Canal
 by means of a head gate inserted in the canal. There
 is a meter installed in the ditch below diversion
 from the canal. Hershey Sparling # 56209, Dry
 Lake Farms are allotted 125" from this diversion.
 land is Flood irrigated.

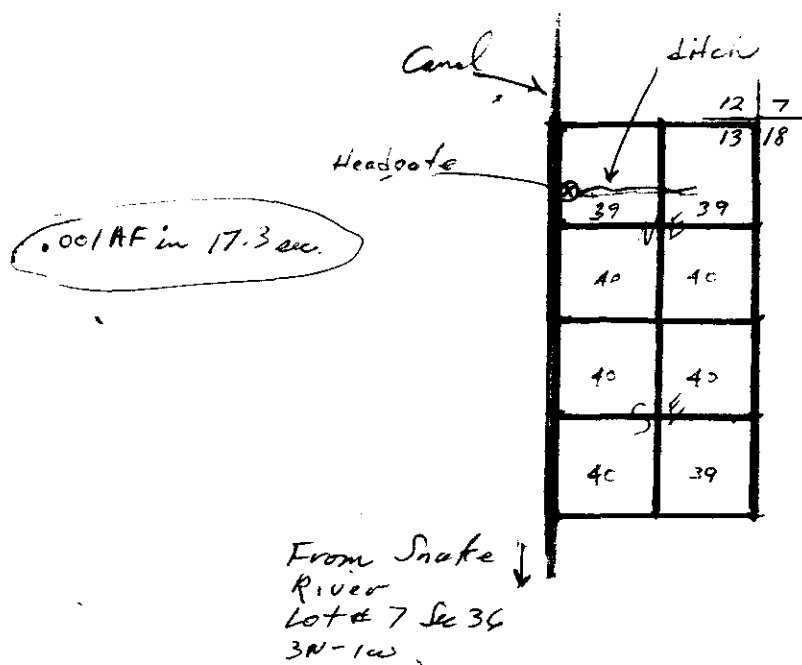
$$Q = 2.5 \text{ cfs.}$$

$$\text{Area} = 317 \text{ acres}$$

$$V = 317 \times 4.5 = 1426.5$$

$$V_{\text{allow}} = 2.5 \times 2 \times \frac{244}{1.55} = \frac{1220}{1.55} \text{ AF}$$

Season = March 15 - Nov 15



There is a well located in corner of NENE Sec 13
 which irrigates this land also

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Dry Lake Farms Inc.
b) Post Office Address RT. 4 Nampa, Idaho

2. Permit Number 02-2172

3. Date of Priority that you are prepared to establish Feb. 26, 1962

4. a) Source from which water was appropriated Snake River

b) Location of the point of diversion: Lot 7 1/4 1/4 Section 36

Township 1 N, Range 3 W Boise Meridian, Other points of diversion: NONE

5. a) The amount of water and use to which the water has been applied:

amount 6.4 for Irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 6.4 cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Have installed Sparling Water Meters.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Hat Butte Mutual Canal Co. operates the water system on an agreement with the owners (Tenancy in Common)

b) Describe the agreement or understanding by which you take water from the works: Each owner meters their water and pays a proportionate share of the operating cost.

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Electric motors on the river pump into 36" penstock which empties into a concrete ditch which conveys water to individual gates. (There is one relift)

b) Describe the type and size of measuring device which you have installed at your point of diversion: Hersey-Sparling water meter.

c) Give well drillers name and address and date the well was completed _____

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

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	13	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

10. Remarks: _____

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

Sept. 9, 1971 (Date) M. S. Clements (Signature)

State of Idaho)
County of Canyon) ss.

On this 9th day of September, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Marion L. Mulder
Notary Public residing at Manzanar, Idaho

My commission expires 4-28-74

December 28, 1970

Re: Permit No. 30394/02-2172

Mr. M. O. Clements
Route #4
Nampa, Idaho 83651

Dear Mr. Clements:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until March 5, 1972, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

2 2172

November 18, 1970

Re: Permit No. 30394/02-2172

Mr. M. O. Clements
Route # 4,
Nampa, Idaho 83651

Dear Mr. Clements:

The legal notice for the above-referenced permit is being published in the
Idaho Free Press, Nampa, Idaho on December 3,

and December 10, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:CM

November 18, 1970

Re: Permit No. 30394/02-2172

The Idaho Free Press
Post Office Box # 88
Nampa, Idaho 83651

Gentlemen:

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

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

The expense of the publication is to be paid by M. O. Clements, Nampa,
Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Dry Lake Farms, Inc., Route
Nampa, Idaho, has received an approved Permit No.
30394/02-2172 issued by the Idaho Department of Water Administration auth-
 orizing the diversion ~~storage~~ of 6.4 cubic feet per second ~~6666/6666~~
~~666/6666~~ of water from the Snake River.

The priority to be established under this permit is February 26, 1962
 and the permit was approved March 5, 1962.

Water is to be diverted by pump, pipe and ditch
 from a point within the NE 1/4 Sec. 36, T. 1N, R. 3W, B.M., Canyon County,
to be used for irrigation
in the E 1/2 Sec. 13, T. 1N, R. 3W, B.M.

Proof of the application of the water to beneficial use is to be sub-
 mitted to the Department on or before March 5, 1972. Any protests
 against the issuance of the license for the above referenced permit should
 be filed with the Idaho Department of Water Administration within ten (10)
 days of the last date of publication of this notice or prior to the licensing
 of the permit. Licensing may commence prior to the date beneficial use proof
 is due without further notice.

R. KEITH HIGGINSON, Director
 Idaho Dept. of Water Administration
 STATEHOUSE, Boise, Idaho

Published in the Idaho Free Press, Nampa, Idaho,
 on December 3, and December 10, 1970.

Permit No. 02-2172

Director:

You are hereby authorized to have the above notice published at my expense
 in the Idaho Free Press of Nampa, Idaho;
 published in the county in which the works are situated.

[Signature]
 (Signature)

at Nampa Idaho
 (Address)

11-16-70
 (Date)

November 10, 1970

Re: Permit No. 30394 (New No. 02-2172)

Dry Lake Farms, Inc.
Route 1
Nampa, Idaho 83651

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Order
Advertising package

February 2, 1967

Re: Permit No. 30394

Dry Lake Farms, Inc.
Route 1
Nampa, Idaho 83651

Gentlemen:

Enclosed is the Certificate of Completion of Works on the above
numbered permit.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30394

Permit No. ...30394.....

**Certificate of Completion
of Works**

Dated ..February 2....., 19 67....

Stream ..Snake River.....

CountyCanyon.....

Amount6.4 c.f.s.....

Date of Priority ..Feb. 26, 1962....

Recorded in Book ..106.....

of ..Permits....., page ..30394....

30394

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DRY LAKE FARMS, INC.
 of Nampa , County of Canyon , and State of
 Idaho , the holder of Permit No. 30394 , issued upon
 Application No. 38442 bearing date of priority of February 26, 1962, authorizing the
 diversion of 6.4 second feet of waters of Snake River

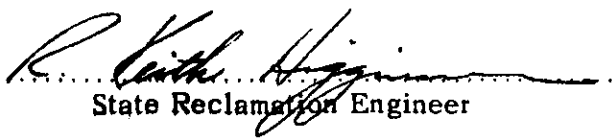
 County of Canyon , State of Idaho, for Irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 6.4 second feet of the waters of Snake River, tributary of
 Columbia River;

that the point of diversion of said waters NE1/4SE1/4, Sec. 36, T. 1 N,
 R. 3 W, B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: E1/2, Sec. 13, T. 1 N, R. 3 W, B.M.

Proof of Completion of Works made: January 10, 1967.

Witness my hand this 2nd day of February , A. D. 19 67


 State Reclamation Engineer

30394

SCHILLER, YOUNG & WILLIAMS
ATTORNEYS AT LAW
P.O. BOX 21
1202 1ST STREET SOUTH
NAMPA, IDAHO

JAMES E. SCHILLER
R. H. (BILL) YOUNG
ROGER L. WILLIAMS

January 10, 1967

TELEPHONE 466-7809
AREA CODE 208

RECEIVED
JAN 11 1967

Department

Department of Reclamation
Statehouse
Boise, Idaho

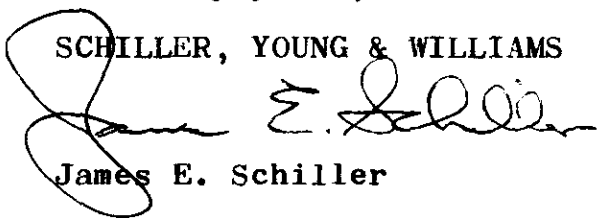
Gentlemen:

In accordance with your letter of January 4, 1967, addressed to Dry Lake Farms, Inc., enclosed you will find completed Proof of Completion of Works, Affidavit of Holder, concerning Permit No. 30394.

Would you kindly send the Certificate of Completion to this office when the same is issued. Should there be anything further to be done in connection with the issuance of the Certificate of Completion, please let us know.

Sincerely yours,

SCHILLER, YOUNG & WILLIAMS


James E. Schiller

JES:jmr

Encl.

30394

Permit No. 30394STATE OF IDAHO
Department of Reclamation

JAN 11 1967

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Canyon

SS.

M. O. Clements

being first duly sworn, upon his oath deposes and says:

First: That he is the president of Dry Lake Farms, Inc., the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 30394, and that his postoffice address is Route 4, Nampa, State of Idaho

Second: That the name of the stream from which said water is to be diverted is Snake River.

Third: That the point of diversion of said water is in the NE 1/4 SE 1/4 of Sec. 36, Twp. 1 N., R. 3 W.B.M., Canyon County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 5, 19 67

Fifth: That the use for which said water is intended is irrigation.

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

I. Kind of Works: pump, pipe and ditch

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

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

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

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

(d) Conduit ditch width at bottom 3 feet, width at water line 9

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 4 feet; diameter of pipe 36 inches, average grade per mile is 2.5 feet. Length of conduit is 2.5 miles.

Seventh: That said works are capable of conducting to the place of intended use 6.4 cubic feet per second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: E 1/2 of Section 13, Twp. 1 N., R. 3 W.B.M., Canyon County, Idaho.

Ninth: Remarks:—That _____

M. O. Clements
(SIGN HERE)

Subscribed and sworn to before me this 10th day of January, 19 67.

NOTARY PUBLIC

Residence: Nampa, Idaho

My commission expires 11-16-69.

30394

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 30394

Jan. 4, 1967

Dry Lakes Farms, Inc.
Route #1
Nampa, Idaho

Gentlemen:

Under the terms of your Permit No. 30394 you are required to complete your diversion works on or before March 5, 1967. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

30394

January 18, 1965

RE: Permit No. 30394
Dry Lake Farnas, Inc.

Roger L. Williams
Attorney at Law
Box 21
Nampa, Idaho

Dear Mr. Williams:

Enclosed is the Extension of Time for Completion of Works on
the above numbered permit. This approval should be attached
to the Permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

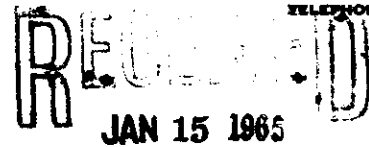
Enc. extension

30394

SCHILLER & YOUNG
ATTORNEYS AT LAW
P. O. BOX 21
1202 1ST STREET SOUTH
NAMPA, IDAHO

JAMES E. SCHILLER
R. H. (BILL) YOUNG
ROGER L. WILLIAMS, ASSOCIATE

January 14, 1965



TELEPHONE 466-7808

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
107 Statehouse
Boise, Idaho

Dear Mr. Tappan:

Enclosed you will find Application for Extension of Time for Completion of Works, in connection with Permit No. 30394, which is held in the name of Dry Lake Farms, Inc.

Sincerely yours,

SCHILLER, YOUNG & WILLIAMS


Roger L. Williams

RLW:jmr

Enc 1.

30394

STATE OF IDAHO
Department of Reclamation

JAN 15 1965

Application for Extension of Time for Completion of Works

State of Idaho

County of Canyon

ss.

Permit No. 30394M. O. Clements

, of

Nampa,State of Idaho, being first duly sworn, upon his oath deposes and says:
President of Dry Lake Farms, Inc., the

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

No. 30394

That under the terms and conditions of said permit, construction work thereunder was required to be completed by March 5, 1965.

That he has heretofore performed the following work described under said permit:

Water has been brought to the land, but all acres have not been
put under cultivation as yet. The total cost per acre for the
given number of acres will be approximately \$105.00 per acre.

Costing \$ see above

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Due to leveling and rock removal.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of works under said permit to March 5, 1967. DRY LAKE FARMS, INC.

By M. O. Clements PresidentSubscribed and sworn to before me this 14th day of January, 1965.Rosa Myers

Notary Public.

My commission expires 1-29-67Date of receipt at office of Department of Reclamation : January 15, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy _____, State Reclamation Engineer of the State of Idaho, hereby extend

the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho,

No. 30394 to March 5, 1967Witness my hand this 18th day of January, 1965Ralph W. Thomas
Deputy State Reclamation Engineer.30394

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho
January 4, 1965

RE: Permit No. 30394
Dry Lake Farms, Inc.

Schiller & Young
Attorneys
Box 21
Nampa, Idaho

Dear Sirs:

Under the terms of your Permit No. 30394 you are required to complete your diversion works on or before March 5, 1965. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6
cc: Dry Lake Farms, Inc.
Rt 1, Nampa, Idaho

30394

January 14, 1964

Re: Permit No. 30394; 30881 - Dry Lake Farms
30900, Barbara Clements
& Elmer H. Tiegs

Schiller & Young
P. O. Box 21
Nampa, Idaho

See Permit No. 30900

Attn: Roger L. Williams

Gentlemen:

Enclosed are forms 36A & 11, so you may submit notice of proof on subject permits. If you wish, you may combine permits 30394 and 30881 on one notice.

The land you described in your letter of January 8, 1964 is covered in Permit No. 30900. The W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1, T. 1 N., R. 3 W. is in the name of Barbara Clements. The remainder is in the name of Elmer H. Tiegs.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enclosure

30394

March 13, 1962

Re: Permit No. 30394
Dry Lake Farms, Inc.

Mr. M. O. Clements,
Route 1,
Nampa, Idaho.

Dear Mr. Clements:

We enclose Permit No. 30394 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 30964 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

30394

Dry Lake Farms, Inc.

