

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 13 day of Aug, 1970, and the last publication being on the 20 day of Aug, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 20 day of Aug, 1970.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

RECEIVED

OCT 1970

Department of Water Administration

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Mr. and Mrs. C. E. Rau, Box 235, Grand View, Idaho, have received an approved permit No. 29483/02-2161 issued by the Idaho State Department of Water Administration authorizing the diversion of 2.3 cubic feet per second of water from the Snake River.

The priority to be established under this permit is February 15, 1961, and the permit was approved February 24, 1961. Water is to be diverted by pump plant and ditches and pipeline from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 8), Sec. 14 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 9), Sec. 15, T. 5 S., R. 3 E., B. M., Owyhee County, to be used for irrigation in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 8) Sec. 14; SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 8), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 9), Sec. 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 3) Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) Sec. 23; T. 5 S., R. 3 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before December 31, 1973. 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 Department
of Water Administration

Published in the Owyhee Nugget, Marsing, Idaho on August 13 and August 20, 1970:

29
OK
10-28-70

02-2161
29483

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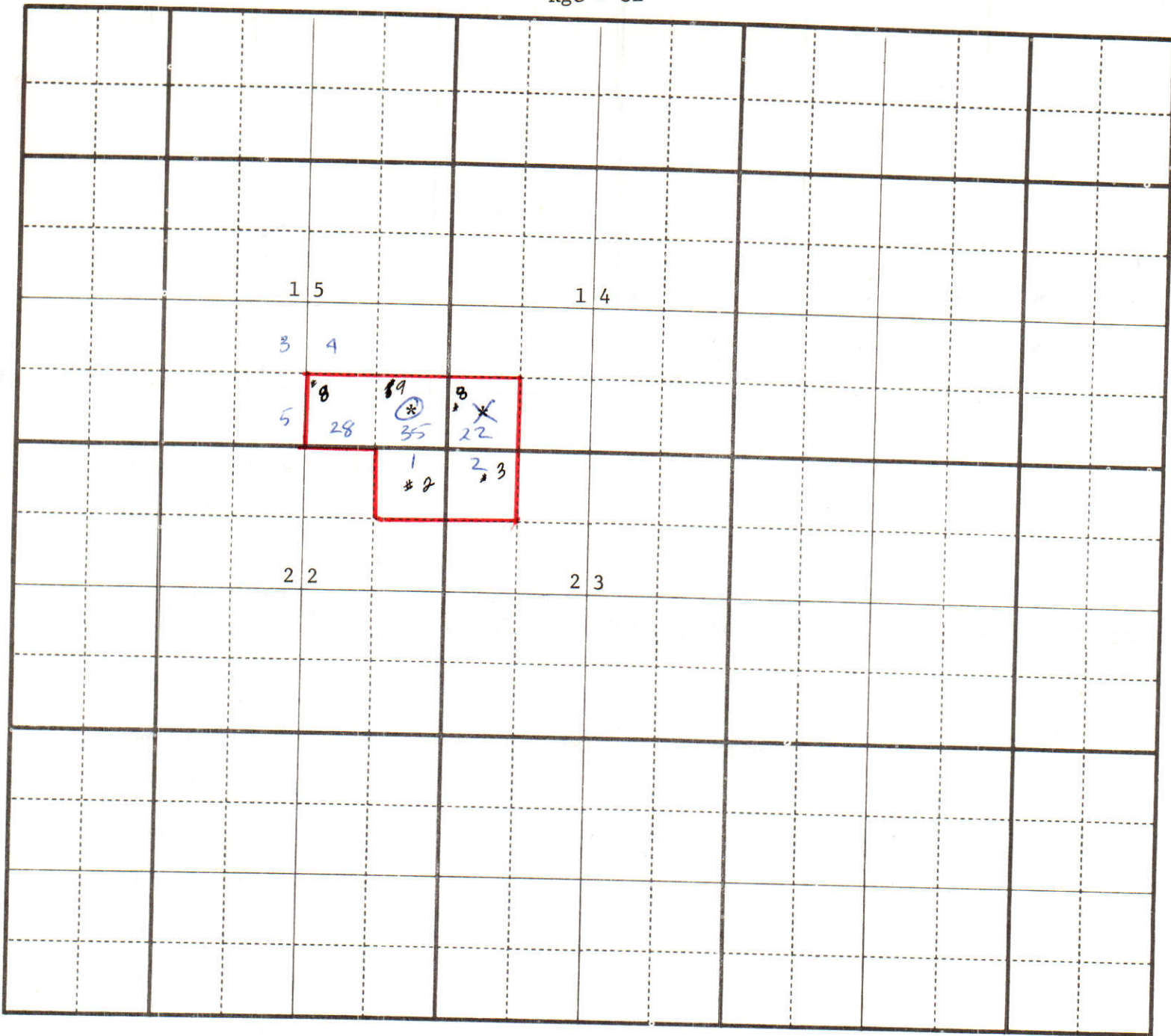


Diagram of System

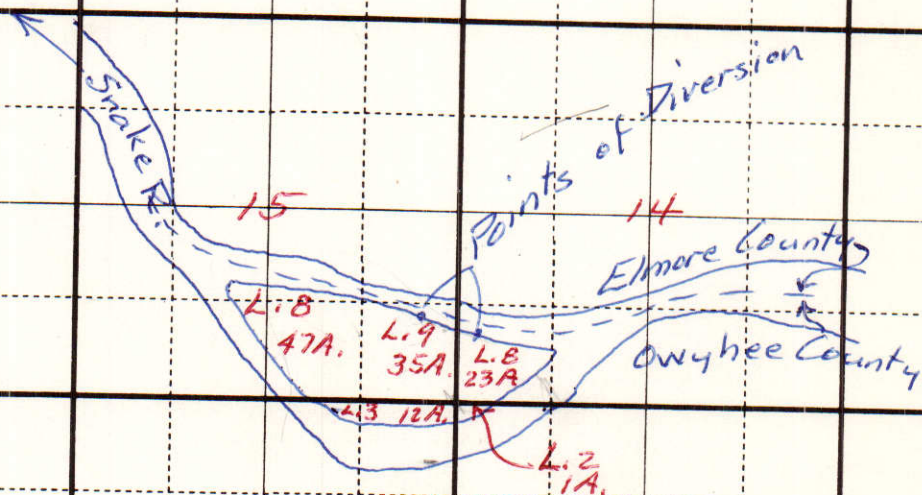
NAME OF APPLICANT

Tommy L. Bates

Form No. 0

T
S
S

R3E



Permit Map No. 29483

As Approved

GEO. N. CARTER

Senior Reclamation Engineer

FEB 24 1961

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29483/02-2161 Priority Feb. 15, 1961 Amount 2.0 cfs

THIS IS TO CERTIFY, that MR. & MRS. C. E. RAU
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 29483/02-2161 issued pursuant to Application for Permit dated February 15, 1961,
and has submitted proof to the Department of Water Resources on December 6, 1973,
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 2.06 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>2.0</u> cfs and	<u>500 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 2.0 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
500 acre feet per year, said waters to be diverted within the Lot 9 of Sec. 15,
Twp. 5 S, Rge. 3 E, B. M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 S	3 E	14											L.8 22						22
		15															L.8 40	L.9 35	75
		22	L.3 1																1
		23						L.2 2											2

Total number of acres irrigated 100

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 4 day of
February, 19 76.

Director

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

LICENSE ISSUED FOR 2.0 SEC. FT.
LICENSE PAGE NO. _____

APPLICATION No. 37482
PERMIT No. 29483
DISTRICT No. _____

ASSIGNED TO:
Mr. and Mrs. C. E. Rau
Box 235
Grandview, Idaho 83624

1. Name of Applicant: Tommy L. Bates

Postoffice address: Grandview

County: Owyhee

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: 2.36 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 Lot 8 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14
of section 15 , T. 5 S , R. 3 E , B. M., County of Owyhee

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: \$ 2,000

8. Kind of works: Pump plant and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

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

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water .8 feet;
dimensions of flume:

Diameter of pipe 10 inches; length of conduit .8 miles.

Average grade per mile 7 feet.

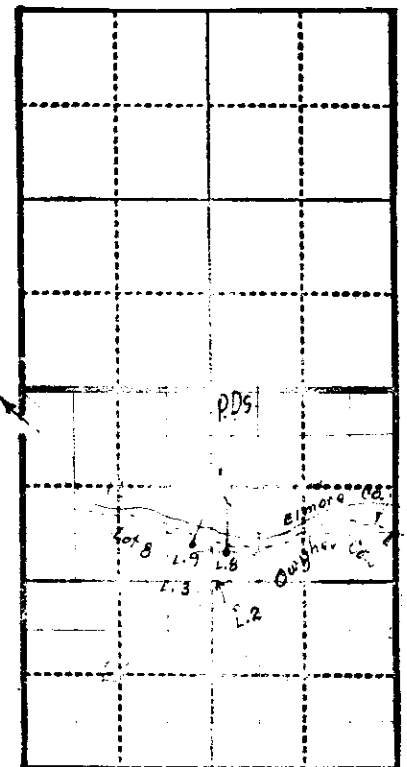
12. The time required for the completion of such work is 5 years.

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:

Use right for irrigation and mining on all of this land



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/ Tommy L. Bates Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 1:15 P.M. February 15, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 29483
Recorded in Book 103 Page 29483 Approved February 24, 1961
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 April 24, 1961 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 August 24, 1963
The whole of said work to be completed on or before February 24, 1966
Beneficial use of water appropriated in accordance herewith, to be made on or before February 24, 1972

WITNESS My hand this 24th day of February, 1961

s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 24th
day of February, 19 61. STATE OF IDAHO

day of _____, 19____. STATE OF IDAHO
 Countersigned:
 (SEAL) By s/ ARNOLD WILLIAMS By s/ ROBERT E. SMYLLIE
Governor.
Secretary of State.

REMARKS: Land is all of Gold Island

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 $\frac{1}{4}$	
5 S	3 E	14																	
		15																	
		22																	
		23																	
								</											

EXTENSION OF TIME APPROVAL

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above extension of time to December 31, 1967.

/s/ R. KEITH HIGGINSON,
State Reclamation Engineer

PERMIT NO. 29483
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that TOMMY L. BATES of Grandview, County of Owyhee, and State of Idaho, the holder of Permit No. 29483, issued upon Application No. 37482 bearing date of priority of February 15, 1961, authorizing the diversion of 2.36 second feet of waters of Snake River, tributary of Columbia River, County of Owyhee, 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 2.3 second feet of the waters of Snake River, tributary of Columbia River, that the point of diversion of said waters is Lot 8 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 14; Lot 9 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 15, both in Township 5 South, Range 3 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: Lot 8 in Section 14; Lots 8 and 9 in Section 15; Lot 3 in Section 22; Lot 2 in Section 23, all in Township 5 South, Range 3 East, Boise Meridian.

Proof of Completion of Works made: December 11, 1967

Witness my hand this 9 day of January, A.D. 1968

S/ R. KEITH HIGGINSON
State Reclamation Engineer

02-2161

RECEIVED

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, Permit No. 29483 to MR + MRS. C.E. RAU
Address: Box 235 GRANDVIEW, IDAHO 83624

*

Tommy L. Bates
Permit Holder

Ellen F. Bates
Wife of Permit Holder

STATE OF OREGON)
County of CLACKAMAS) ss

On this 9th day of FEBRUARY, 1970, before me, a Notary Public for the State of OREGON, residing at Box 403, Canby, OR personally appeared TOMMY L. BATES & ELLEN F. BATES known to me to be the person S whose name are subscribed to the within instrument and duly acknowledged to me that They executed the same.

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

Diane L. Weber

Notary Public
Residing at Box 403
Canby, Ore

My commission expires: Dec 18, 1970

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

02-2161
29483

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
JUN 20 1967

Department of Reclamation

APPLICATION FOR EXTENSION OF TIME

State of Idaho
County of ANWITHEE

Permit No. 29483

TOMMY L. BATES of GRAND VIEW
(name) (address)

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

That he is the holder, or the duly authorized agent of the holder, of Permit to Appropriate the Public Waters of the State of Idaho No. 29483.

That under the terms and conditions of said permit, work thereunder was required to be completed by AUGUST 27, 19 67.

That he has heretofore performed the following work described under said permit: CLEARED BRUSH, LEVELED THE LAND, PURCHASED THE PUMP & MOTOR, CONSTRUCTED DIKES & DITCHES, BUILT FENCES, CONSTRUCTED DAMS

Costing \$ APPROX. \$28,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: THE SNAKE RIVER IS, AND WILL BE SO HIGH DURING THE EARLY SUMMER & SPRING THAT WE CAN'T GET THE PUMP INSTALLED OR GET IDAHO POWER ACROSS THE CHANNEL TO COMPLETE THE POWER HOOK UP. ALSO WE ARE IN THE BUSIEST TIME OF OUR YEAR AND CAN'T GET ENOUGH TIME TO WORK ON IT UNTILL FALL.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to DECEMBER 31, 19 67.

Tommy L. Bates
(signature)
Subscribed and sworn to before me this 17th day of June, 1967.

W. B. Bladear
(notary public)

My commission expires 11-29-67.

Date of receipt at office of Department of Reclamation June 20, 1967.

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above extension of time for permit 29483.

Witness my hand this 28th day of June, 19 67.

R. Keith Higginson
State Reclamation Engineer

29483
Form 12

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29483/02-2161)

in the name of MR. & MRS. C. E. RAU)

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,

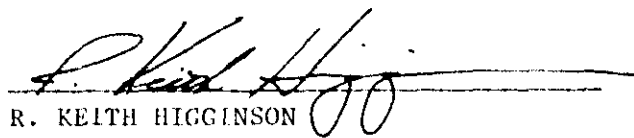
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 29483 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 Procedures 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 22ND day of JUNE, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

29483
02-2161

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 13 day of Aug, 1970, and the last publication being on the 20 day of Aug, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 20 day of Aug, 1970.

Leonard S. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF PUBLICATION

Notice is hereby given that Mr. and Mrs. C. E. Rau, Box 235, Grand View, Idaho, have received an approved permit No. 29483/02-2161 issued by the Idaho State Department of Water Administration authorizing the diversion of 2.25 cfs per second of water from the Snake River.

The priority was established under this permit on February 15, 1961, and the permit was approved February 15, 1961. Water is to be diverted by pump plant and ditches and pipeline from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 8), Sec. 14 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 9), Sec. 15, T. 5 S., R. 3 E., B. M., Owyhee County, to be used for irrigation in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 8) Sec. 14; SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 8), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 9), Sec. 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 3) Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) Sec. 23; T. 5 S., R. 3 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before December 31, 1973. 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 Department
of Water Administration

Published in the Owyhee Nugget, Marsing, Idaho on August 13 and August 20, 1970.

copy
OK
10-28-70

02-2161
29483

Permit No. 29483STATE OF IDAHO
Department of ReclamationRECEIVED
DEC 13 1967

Proof of Completion of Works

AFFIDAVIT OF HOLDER

Department of Reclamation
STATE OF IDAHOCounty of Owyhee

ss.

Tommy L. Bates, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 29483, and that his postoffice address is Grandview, Idaho
State of IdahoSecond: That the name of the stream from which said water is to be diverted is Snake RiverThird: That the point of diversion of said water is Gold Island, Grandview
Lot 8 (sw $\frac{1}{4}$ sw $\frac{1}{4}$), Section 14; Lot 9 (se $\frac{1}{4}$ se $\frac{1}{4}$), Section 15,
T. 5 S, R. 3 E, B. M., Owyhee County.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 31, 19 67.Fifth: That the use for which said water is intended is IrrigationSixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:I. Kind of Works: Pump installation, suction pipe, standpipe and culvert
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE) to ditch pad.

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 One sump approx. 30' dia. by 3.5' deep; one 15" P. pump; one 22" by 8" suction line; one 158 15' by 30" metal standpipe; one 10' by 15" metal outlet pipe
(STATE WHETHER WOOD, EARTH STONE OR CONCRETE) to ditch pad.(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit width at bottom feet, width at water line
(STATE WHETHER DITCH, FLUME OR PIPE)
feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.Seventh: That said works are capable of conducting to the place of intended use 115 M/I
or 2.3 second feet of water.Eighth: That water appropriated under said permit is available for 118.6 acres of land described as follows: Lot 8 in Section 14; Lots 8 and 9 in Section 15; Lot 3 in Section 22; Lot 2 in Section 23, all in Township 5 South, Range 3 East Boise Meridian, in Owyhee county, State of Idaho.Ninth: Remarks:—That Subscribed and sworn to before me this 11 day of December, 19 67Tommy L. Bates
(SIGN HERE)Anna G. Bailey
Postmaster
NOTARY PUBLICMy commission expires 11-29-71

29483

W. J. DeLong
Notary Public for Idaho
Commission expires 11-29-71

February 5, 1976

Re: Permit No. 02-2161

Mr. & Mrs. C. E. Rau
Box 235
Grandview, ID 83624

Dear Mr. & Mrs. Rau:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:Rb

Enc.

January 22, 1976

Mr. & Mrs. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. & Mrs. Rau:

A representative of this Department has made an examination of the works covered by your Permit No. 29483/02-2161 and has found the following:

Quantity of water diverted: 2.06 cfs Source: Snake River

Amount of water that can be recognized as beneficially used under Idaho law: 2.0 cfs

The maximum quantity diverted shall not exceed 500 acre feet, or 5.0 acre feet per acre, per year.

Point of diversion: Lot 9 of Sec. 15, Twp. 5 S, Rge. 3 E, B. M.

Beneficial use: Irrigation of 100 acres within Lot 8 (22), Sec. 14; Lots 8 & 9 (75), Sec. 15; Lot 3 (1), Sec. 22; Lot 2 (2), Sec. 23; Twp. 5 S, Rge. 3 E, B. M.

Priority established: February 15, 1961

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

5. Location of Point(s) of Diversion:

Location of Form(s) of Diversion:

						(Lot #8)			
Township	<u>5S</u>	N/S,	Range	<u>3E</u>	E/W, B.M.,	Section	<u>14</u>	Subdivision	<u>SW 1/4 SW 1/4</u>
								(Lot #9)	<u>Owyhee</u>
Township	<u>5S</u>	N/S,	Range	<u>3E</u>	E/W, B.M.,	Section	<u>15</u>	Subdivision	<u>SE 1/4 SE 1/4</u>
									<u>Owyhee</u> ✓
									County
Township		N/S,	Range		E/W, B.M.,	Section		Subdivision	1/4 1/4
									County

Other Points of Diversions:

Description of diverting works: Water is lifted by 15 hp 6" pump into 36" standpipe—then gravity flow to diversion boxes and thru ditches.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 118 *100*

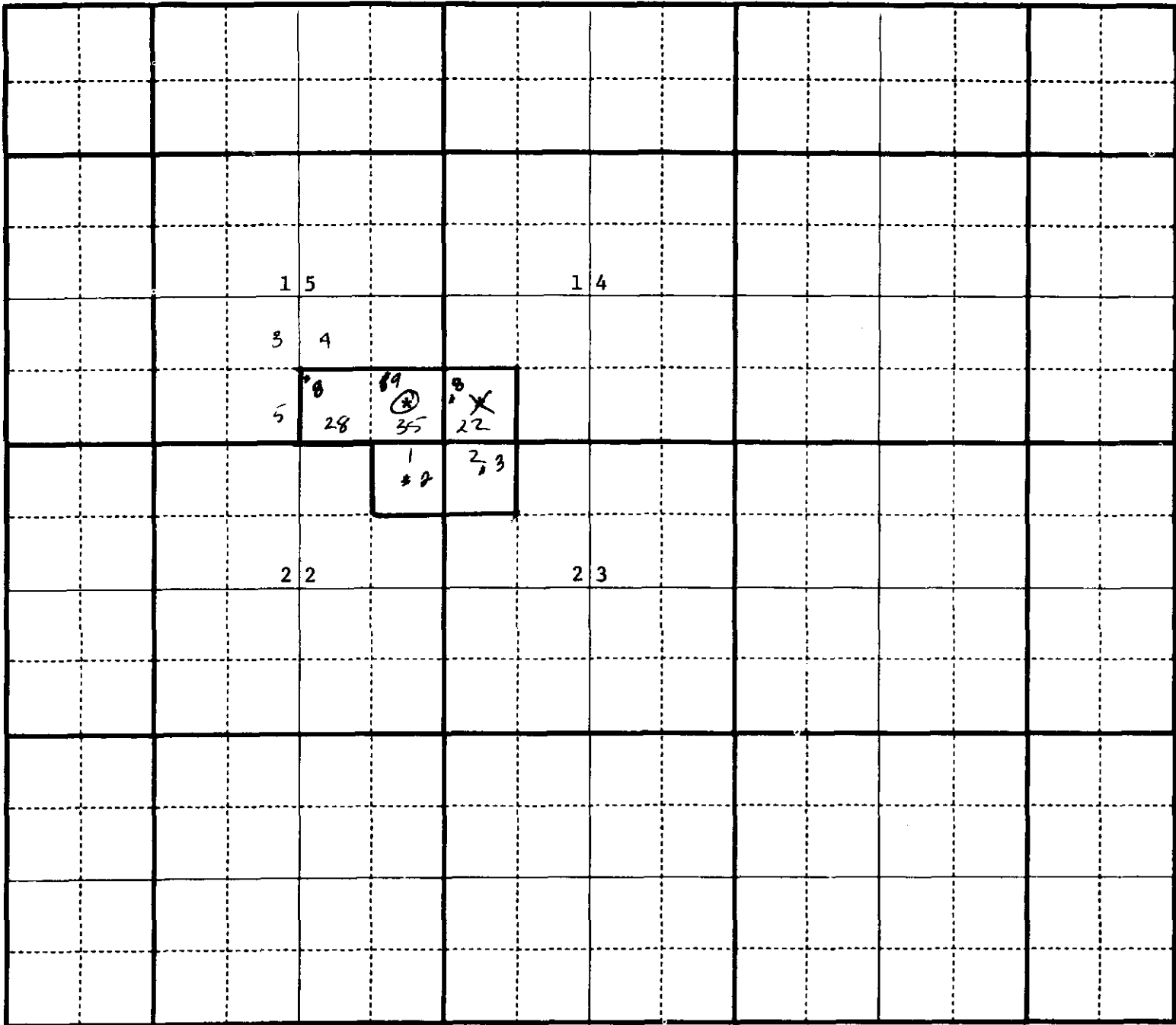


Diagram of System

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

C.E. Raus River at plat 2

[illegible]

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

C. E. Rau River at A#1

797

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

April 29, 1975

RECEIVED

MAY 13 1975

Department of Water Resources

C. E. Rau
Box 235
Grandview, ID 83624

Re: Permit No. 02-2161

Dear Mr. Rau:

Our records indicate that you are the holder of Water Right Permit No. 02-2161. You have made Proof of Beneficial Use, but before the final license can be issued, an examination of your diversion system must be made by a representative of this department.

I would like to schedule a time that would be convenient for you to meet with me to inspect your water system. Please contact me either by phone or letter and we can set an appointment for this purpose.

Sincerely,

M. CLAYNE BARRON
W. R. Technician II

MCB:cla

Dear Mr. Barron,
Any morning between 11 o'clock and
noon would be fine; however, would
appreciate knowing your scheduled time in advance.

DATE OF EXAM 5-27-75

ACREAGE
Found 100
Recommended 100

Irrigation Requirement 5.0 Ac Ft/Ac

USE
Irrigation Q= 2.0 c.f.s. V= 500 AF/Ann. from Mar 15 to Nov 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 2.06 cfs Method of measurement Pigmy meter # R656

Total Q recommended 2.0 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 500 A.F.

Recommended Amendments:

P.D. _____
Place of Use See item 6
Other _____
None _____

MEASUREMENT CALCULATION:

See attached notes

SYSTEM DESCRIPTION:

Danier cent. Pump (Ser. # 190628) w/ 15 HP U.S. Motor (# 548795) w/ 6" intake & outflow.
into 3" riser, gravity system.

REMARKS:

Examiner's Signature Vol. Clayton Brown Date 5-27-75

Checked by _____ Date _____

Approved by _____ Date _____

December 17, 1973

Re: Permit No. 29483/02-2161

Mr. & Mrs. C. E. Rau
Box 235
Grand View, Idaho 83624

Dear Mr. & Mrs:Rau:

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

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

02-2161

Identification No. _____
Permit No. 29483 - 02-2161

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
DEC 6 1973

Department of Water Administration

1. a) Name of Permit Holder Carl E. Rau
b) Post Office Address Box 235, Grand View, Idaho
2. Permit Number 29483
3. Date of Priority that you are prepared to establish Feb. 15, 1961
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: Lot 8, SW 1/4 SW 1/4, Section 14
Township 5 S., Range 3 E. Boise Meridian, Other points of diversion:
Lot 9, SE 1/4 SE 1/4, S. 15, T. 5 S., R. 3 E., B.M.
5. a) The amount of water and use to which the water has been applied:
amount 2.36 second ft for Irrigation purposes from April 1 to Nov. 1 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 2.36 second ft 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: _____
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: None
b) Describe the agreement or understanding by which you take water from the works: None
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) Water is lifted by 15 hp 6" pump into 36" standpipe--then gravity flow to diversion boxes and through ditches.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None required.
c) Give well drillers name and address and date the well was completed _____

Exam typed 12/12/73 by JK

02-2161

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S	3 E	14										Gov. Lot 8							23
		15															Lots 8 & 9		82
		22	Lot 8														47	35	12
		23	12				Lot 2												1
							1												

Total number of acres irrigated 118

10. Remarks:

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

Dec 6 1973
(Date)

Carl E. Ran
(Signature)

State of Idaho)
ss.
County of Ada)

On this 6th day of December, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Deanna Fildt
Notary Public residing at Bowen, Idaho

My commission expires June 15, 1977

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

248035

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

INSURED NO.

DATE DELIVERED

10/2/72

3

SHOW WHERE DELIVERED (*only if requested*)

02-2161

POD Form 3811 Apr. 1969

c35-16-71248-11

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE



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

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN
TO

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

02-2161

October 1, 1973

CERTIFIED MAIL

#24835

Re: Permit No. 29483/02-2161

Mr. & Mrs. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. & Mrs. Rau:

One of the conditions of approval of your water Permit No. 29483/02-2161 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 31, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

02-2161

October 28, 1970

Re: Permit No. 29483/02-2161

Mr. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. Rau:

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 December 31, 1973, 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

29483
02-2161

September 28, 1970

Re: Permit No. 29483/02-2161

Mr. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. Rau:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until December 31, 1973; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Owyhee Nugget, Marsing, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

02-2161
29483

July 30, 1970

Re: Permit No. 29483/02-2161

Mr. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. Rau:

The legal notice for the above-referenced permit is being published in the
Owyhee Nugget, Marsing, Idaho on August 13
and August 20, 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/DG

29483
02-2161

July 30, 1970

Re: Permit No. 29483/02-2161

Owyhee Nugget
Marsing,
Idaho 83639

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 C.E. Rau, Box 235, Grandview, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

02-2161
29483

RECEIVED
JUL 1 1970

NOTICE OF EXISTING WATER PERMIT

Department of Reclamation

Notice is hereby given that Mr. & Mrs. C. E. Rau, Box 235,
Grandview, Idaho, have ~~had~~ received an approved permit no.

29483/02-2161 issued by the Idaho State Reclamation Department authorizing the diversion ~~addage~~ of 2.3 cubic feet per second ~~addage~~ of water from the Snake River.

The priority to be established under this permit is February 15, 1961, and the permit was approved February 24, 1961. Water is to be diverted by

pump plant and ditches and pipeline from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 8), Sec. 14 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 9), Sec. 15, T. 5S, R. 3E, B.M.,
Owyhee County, to be used for irrigation

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 8) Sec. 14; SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 8), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 9), Sec. 15;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 3) Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) Sec. 23; T. 5S, R. 3E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before December 31, 1973. Any protests against the issuance of the license for the above referenced permit should be filed with the Department of Reclamation 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
State Reclamation Engineer

Published in the Owyhee Nugget, Marsing, Idaho, on
August 13 and August 20, 1970.

State Reclamation Engineer: Permit No. 29483/02-2161

You are hereby authorized to have the attached notice published at my expense in the Owyhee Nugget of Marsing, Idaho; published in the county in which the works are situated.

C. E. Rau
(Signature)

Box 235, Grandview, Idaho
(Address)

Debbie L. Rau

June 29, 1970
(Date)

If relevant, please make addition to copy as noted above.

C. Rau

29483
02-2161

June 22, 1970

Re: Permit No. 29483 (New No. 02-2161)

Mr. & Mrs. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. & Mrs. Rau:

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,

Dorian Clay
Appropriation Examiner

DC:DR
Enc: Order
Advertising package

29483
02-2161

March 16, 1970

Re: Permit No. 29483/02-2161

Mr. and Mrs. C. E. Rau
Box 235
Grandview, Idaho 83624

Dear Mr. and Mrs. Rau:

Please find enclosed a copy of the assignment in connection with the above referenced permit. We have kept the original for our files.

Also find a copy of the permit no. 29483/02-2161. Please be advised that proof of beneficial use is due on or before February 27, 1972.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

Enc: copy of assignment
copy of permit

29483
02-2161

2/18/70

Mr. McElbowney

would appreciate
transfer of water
permit as per attached
assignment. Thank you.

Carl Roney

29483
02-2161

February 16, 1970

Re: Permit No. 29483/02-2161

Carl Rau
Box 235
Grandview, Idaho 83624

Dear Mr. Rau:

We are in receipt of your letter of February 12, 1970. Please be informed that in order for this permit to be placed into your name, you must submit the assignment to this department. I am enclosing an affidavit for you to submit as proof of beneficial use for this permit.

As this permit must be advertised before it can be licensed, we shall send you the proper forms upon receipt of the assignment. Your prompt attention to the above matters would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/jmb

Enc. B/u package

29483
2/16/70

Box 222
Grandview, Ida
Feb 12, '70

Department of Reclamation
Mr. Donald McEldowney
Water Rights Clerk

Dear Mr. McEldowney,

Regarding water permit 29483
in the name of Tommy L.
Bates:

A certificate of Completion
was issued in January, 1968.

Since that date we have put
the allotted water to beneficial
use (Sept. 69) and Mr Bates
has completed and notarized
an assignment in our
favor.

We would appreciate your
advice as to what is
required of us now.

Thank you,

Carl Ray

29483
02-2161

January 9, 1968

Re: Permit No. 29483

Tommy L. Bates
Grandview,
Idaho 83624

Dear Mr. Bates:

Enclosed herewith is your Certificate of Completion of
Work on the above numbered permit.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:kd

Enclosure: Certificate

29483

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that TOMMY L. BATES
 of Grandview, County of Owyhee, and State of
Idaho, the holder of Permit No. 29483, issued upon
 Application No. 37482, bearing date of priority of February 15, 1961, authorizing the
 diversion of 2.36 second feet of waters of Snake River, tributary
of Columbia River,

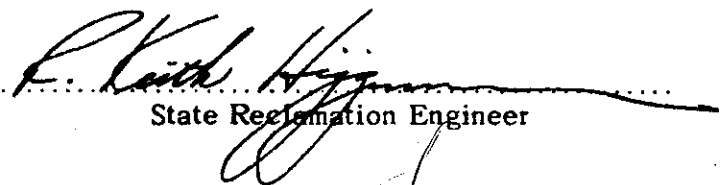
County of Owyhee, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.3 second feet of the waters of Snake River, tributary
of Columbia River,

that the point of diversion of said waters is Lot 8 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 14; Lot 9
(SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 15, both in Township 5 South, Range 3 East, Boise
Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: Lot 8 in Section 14; Lots 8 and 9 in Section 15;
Lot 3 in Section 22; Lot 2 in Section 23, all in Township 5 South, Range 3 East
Boise Meridian,

Proof of Completion of Works made: December 11, 1967

Witness my hand this 9 day of January, A. D. 19 68


 State Reclamation Engineer

December 15, 1967

Re: Permit No. 29483

Tommy L. Bates
Grand View, Idaho 83624

Dear Mr. Bates:

Pursuant to our telephone conversation, the point of diversion for the above referenced permit is as follows:

Lot 8 (SW~~SW~~), Section 14; Lot 9 (SE~~SE~~), Section 15,
T. 5 S, R. 3 E, B.M., Owyhee County.

If we can be any further service, please do not hesitate to contact us.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJ

29483

December 13, 1967

Re: Permit No. 29483

Tommy L. Bates
Grand View, Idaho 83424

Dear Mr. Bates:

Please be advised that before the department can accept your recently submitted proof of completion of works, the point of diversion must be described by the United States Public Land Survey system, and the notary's seal must be affixed to the document.

Please make the necessary corrections and additions and re-submit the proof of completion of works promptly.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJ

Enc: Your Form 6

29483

Permit No. 29483STATE OF IDAHO
Department of Reclamation

RECEIVED

DEC 13 1967

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Owyhee

ss.

Tommy L. Bates

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 29483, and that his postoffice address is Grandview, Idaho
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 Gold Island, Grandview

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 31, 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 (or were not) fully completed and consisted of the following:

I. Kind of Works: Pump installation, suction pipe, standpipe and culvert
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE) to ditch pad.

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 One sum approx. 30" dia.
one 15" H.P. pump; one 22" by 3" suction line; one 15" by 30" metal standpipe; one 10" by 15" metal culvert
(STATE WHETHER WOOD, EARTH STONE OR CONCRETE) to ditch pad.

(b) Capacity of reservoir _____ acre feet.

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

(d) Conduit _____ width at bottom _____ feet, width at water line _____
(STATE WHETHER DITCH, FLUME OR PIPE)
feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use 115 M/I
or 2.3 second feet of water.

Eighth: That water appropriated under said permit is available for 118.6 acres of land described as follows: Lot 8 in Section 14; Lots 3 and 9 in Section 15; Lot 3 in Section 22; Lot 2 in Section 23, all in Township 5 South, Range 3 East Boise Meridian, in Owyhee county, State of Idaho.

Ninth: Remarks:—That _____

Subscribed and sworn to before me this _____

11 day of December, 19 67

Anna H. Bailey
Postmaster NOTARY PUBLIC

My commission expires _____

29483

June 30, 1967

RE: Permit 29483

Tommy L. Bates
Grandview, Idaho 83624

Dear Mr. Bates:

Enclosed herewith is the Extension of Time on the
above referenced permit. This extension is to December
31, 1967 as requested.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Extension

29483

STATE OF IDAHO
Department of Reclamation

Application for Extension of Time for Completion of Works

State of Idaho

County of _____

RECEIVED
FEB 10 1966

Permit No. 29483

Tommy L. Bates

Department of Reclamation

State of Idaho, being first duly sworn, upon his oath deposes and says:That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29483.That under the terms and conditions of said permit, construction work thereunder was required to be completed by February 24, 1966.

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

(See Exhibit attached hereto, marked Exhibit "A" and by reference expressly made a part hereof)

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: (See Exhibit attached hereto, marked Exhibit "A" and by reference expressly made a part hereof)

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of works under said permit to February 24 August 27, 1967.Subscribed and sworn to before me this 3rd day of February, 1966W. Buladeau

Notary Public.

My commission expires 11-29-69Date of receipt at office of Department of Reclamation February 10, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, Assistant, 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. 29483 to August 27, 1967.Witness my hand this 10th day of February, 1966R. Keith Higginson
Assistant, State Reclamation Engineer

29483

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

September 29, 1967

Boise, Idaho

Re: Permit 29483

Tommy L. Bates
Grandview, Idaho

Dear Mr. Bates:

Under the terms of your Permit No. 29483 you are required to complete your diversion works on or before 12-31-67. 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

RKH:nw

29483

McElowney

June 15, 1967

Re: Permit #29483

Tommy Bates
Grandview,
Idaho 83624

Dear Mr. Bates:

Pursuant to our telephone call of today's date, we are forwarding
an application for extension of time.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: app. for ext.

29483

June 9, 1967

Re: Permit No. 29483

Mr. F. G. Rau
Mr. Carl E. Rau
Box 235
Grandview, Idaho 83624

Gentlemen:

Returned herewith is your application for extension of time on the above referenced permit.

Please be advised at this time, Tommy L. Bates is the current owner of this permit; therefore, we are not able to accept your application.

A permit to appropriate the public waters of the State of Idaho is personal property until such time as it becomes licensed; therefore, before you can take any action on this permit, you must obtain an assignment from Tommy L. Bates conveying all of Permit No. 29483 to yourself. A form for assignment is enclosed.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: App. for Ext. returned
Assignment form

29483

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

Boise, Idaho

June 1, 1967

Re: Permit No. 29483

Tommy L. Bates
Grandview, Idaho 83624

Dear Mr. Bates:

Under the terms of your Permit No. 29483 you are required to complete your diversion works on or before Aug. 27, 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

27483

June 1, 1967

Re: Permit 29483

Carl E. Rau
Box 235
Grand View, Idaho

Dear Mr. Rau:

Pursuant to your request, we are forwarding application for extension of time on the above referenced permit.

Please advise us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Extension of time form

29483

February 10, 1966

RE: Permit No. 29483

Tommy L. Bates
Grandview, Idaho

Dear Mr. Bates:

Enclosed is the approval on your extension of time on the above numbered permit. However, we can only grant the extension until August 27, 1967.

Very truly yours,

(Mrs.) EDNA P. RULE
Office Manager

EPR:ejw
Encl: Approval

cc: Howard Humphrey
Cosho, Humphrey and Child
Equitable Life Building
5th and State
Boise, Idaho

29483

RECEIVED
JAN 10 1964
SALT LAKE CITY, UTAH

EXHIBIT "A"

Prior to the year 1963, only certain miscellaneous work was performed in preparing the land for cultivation covered by State of Idaho Permit to Appropriate Public Waters, No. 29483, and with regard to the diversion of water to be applied thereto. Early in the year 1963, a substantial project was initiated to prepare said land for cultivation and for construction of the necessary diversion works to be completed early in the year 1964 with regard to all of the work on the land, and the construction of the diversion works and pumping plant, it being the intention to have said land under cultivation for the growing season of 1964.

Between the 1st day of February, 1963, and the 24th day of October, 1963, the work performed consisted of grading, filling in, leveling, surfacing, and otherwise improving the land on the island, which is the subject of this water permit, as well as the building of access roads and construction of certain diversion works, all at a total expense in excess of \$19,000.00.

Because of the expense of the land leveling exceeding original estimates, it was necessary to delay completion of the diversion works with the intention of having the land under cultivation for the growing season of 1965. In the winter and spring beginning in 1964 through 1965, the Snake River rose to a higher level than had been experienced upon

this island at any time in the past to the knowledge of your affiant, causing the destruction of certain dikes, dams and access roads, and an actual flooding of portions of the island, and which high water continued well into the growing season of 1965, and also prevented access to and from the said island as a result of destruction of the access roads.

This high water was a result of extremely high precipitation throughout the State of Idaho, and a warming of weather during the winter months of 1964 and early 1965, which caused not only great destruction of properties along the Snake River but, together with other sources of water, caused great destruction throughout the State of Oregon on the Columbia River.

The work for completion of the diversion works and land preparation was performed at the instance of Paul F. Little, who is purchasing this island, being the land covered by the aforesaid water permit, under a long-term contract, and a dispute arose between Paul F. Little and the contractor performing the work for him, as to the quality of the work performed and the price charged therefor.

Such dispute resulted in an action brought by the contractor (one Robert Ford) to foreclose a mechanic's lien upon all of the land within the island, together with land on the mainland across from the island and bordering the Snake River.

Such suit was commenced in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, Civil No. 2824, by complaint filed on June 18, 1964, and continued until settled by an agreement and a consent decree, entered in such court on the 21st day of December, 1965.

Such suit, being a lien foreclosure suit, was one which brought in question title to the water and water right covered by this permit in that the plaintiff was attempting to establish a lien upon the land and water right and have such land sold at Sheriff's sale, together with all water rights appurtenant thereto or used in connection therewith.

Such litigation prevented this applicant, through Paul F. Little, from proceeding with the construction and completion of the necessary works for the diversion of the water applied for under the application and the aforesaid permit, and is anticipated that all of such work shall be completed, and the water actually applied to beneficial use and the raising of crops upon said island within the extension period requested in the attached application, of which this exhibit is made a part.

For the most part, the land leveling, filling, grading, and surfacing performed in order to cultivate the land, can still be utilized, and has been done at great expense.

The roads, dams, dikes and diversion works destroyed must be completely rebuilt, in order to properly divert water from the Snake River under this permit and to apply the same to beneficial use.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dec. 1, 1965

Re: Permit No. 29483

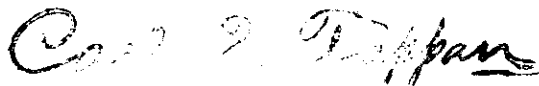
Tommy L. Bates
Grandview, Idaho

Dear Mr. Bates:

Under the terms of your Permit No. 29483 you are required to complete your diversion works on or before Feb. 24, 1966. 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

29483

July 10, 1961

Via Certified Mail

RE: Permit No. 29483

Mr. Tommy L. Bates
Grandview, Idaho

Dear Mr. Bates:

Complaint has come to this office that a dam or fill you have built across a high water channel or slough of Snake River near Grandview, Idaho has obstructed or cut off the flow of water to an irrigation pump belonging to another user from the river.

I would like to know by what or whose authority or approval you built this dam or fill. Regardless of who OKed this work it is not right and probably unlawful to build any kind of works in or across a stream channel of Idaho which interferes with a user's right to divert water for irrigation.

Will you please inform this office of the purpose of your action? It is the case you have an approved permit to divert water from Snake River for irrigation of certain described land, but this does not give you authority to interfere with another irrigation diversion already operating.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

ENC:mr

Blind copy: David E. Little

Go Mayfield Stage

29483

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE



Deliver *ONLY* to
addressee



Show address where
delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

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

Tommy L Bates

SIGNATURE OF ADDRESSEE'S AGENT IF ANY

DATE DELIVERED

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

July 11/1961

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$3.00

POSTMARK OF
DELIVERING OFFICE

JUL
1961

IDAHO

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

RETURN
TO

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

19232

STREET AND NO. OR P. O. BOX

Room 107, State House

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

U. S. Form 3811 Jan. 1958

RECEIVED from

Name Department of Reclamation
Address Rm 107, Statehouse

(Affix stamp here for fee, if issued as a certificate of mailing)



(Postmark and of 1961)

the following-described pieces of Certified mail.
(Insert "Insured," "C. O. D.," "Certified," or "Ordinary")

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	Postage (exclusive of other charges or fees)	Insurance or C. O. D. fee	Amount due sender if C. O. D.	Endorsement on article	Return receipt fee	Special-delivery fee	Special-handling charge	Restricted delivery fee	Remarks
1 19232	Tommy L. Bates, Ironview, Ark	4	20			10				29483
2										
3										
4										
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6										
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14										
15										

Total number of pieces listed by sender 1

(Write number here in words)

Total number of pieces received at post office One

Postmaster, per _____

(Name of receiving employee)

*Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."

29483

Please send Original
to Bates. via Certified
Mail.

G.M.B.
Little's copy regular mail
GMB

29483

March 8, 1961

Re: Permit No. 29483

Mr. Tommy L. Bates,
Grandview, Idaho.

Dear Mr. Bates:

We enclose Permit No. 29483 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. 30452 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

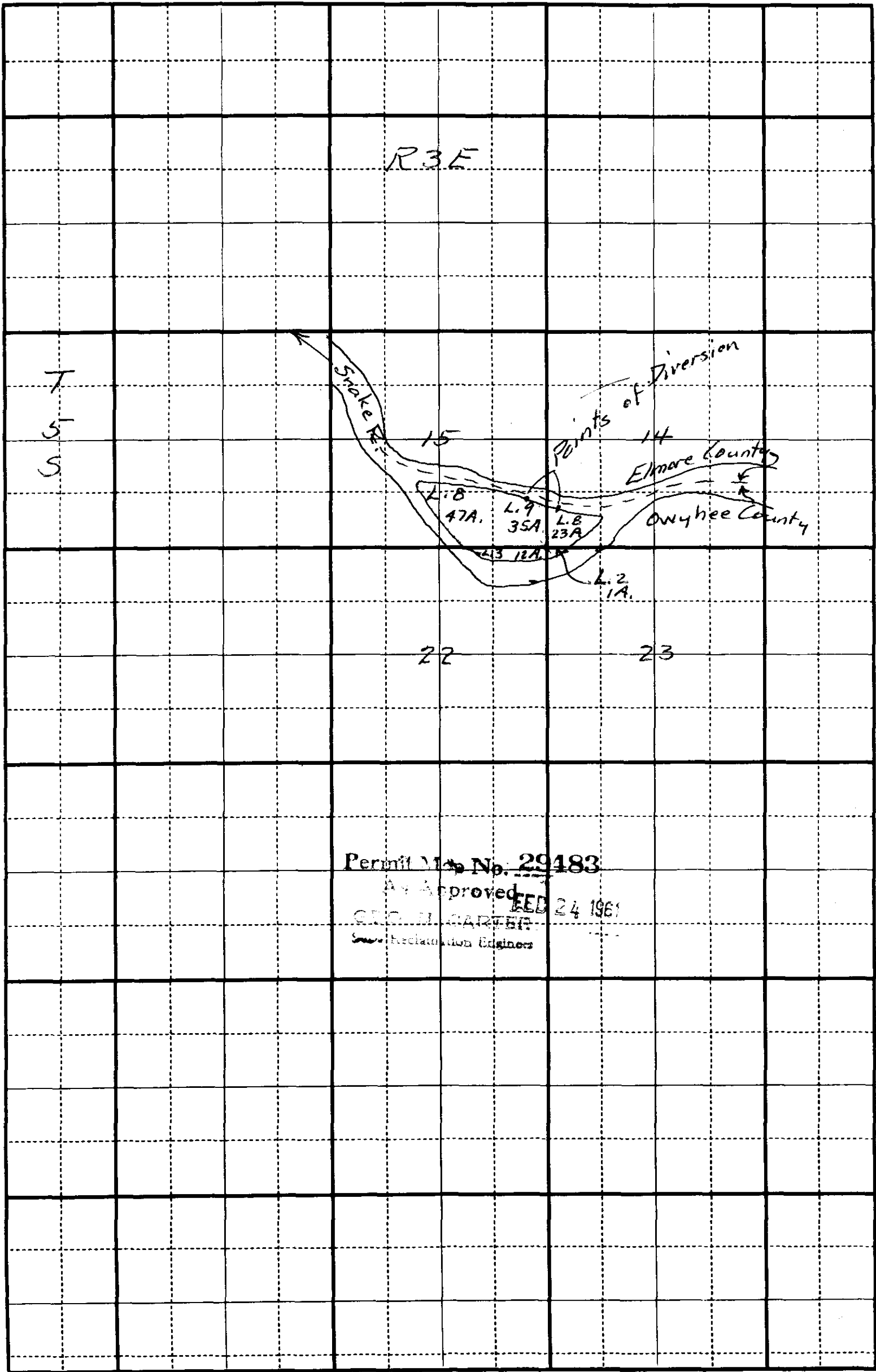
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

29483

NAME OF APPLICANT Tommy L. Bates

Form No. 0



Permit Map No. 29483
As Approved FEB 24 1961
C. C. H. CARPENTER
Survey Reclamation Engineer

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

29483