

Gage 8E

← Township 54 N
← Township 6 S

to Bureau

to Hammon

33

34

1

29

28

58

19

21

10

P.D.

98

ACRES

4

AREA - 98 ACRES ✓

SUBD - 5 ✓

Q - ALLOW 1.80 c.f.s. ✓

45 AF / ACRE / SEASON = 441 A.F. / YR. ✓

ced



~~62-2133~~
62-2133
26449

RECEIVED
JUL 13 1967
Department of Reclamation

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

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

MOUNTAIN HOME NEWS

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

4 consecutive weeks, the first publica-
tion having been made on the 15th day
of June, 1967, and
the last publication having been made on the
6th day of July,
1967; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

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

Lloyd S. Waters
Subscribed and sworn to me this 6th
day of July, 1967.
Jane Lathrop
Notary Public

NOTICE OF PROOF APPLI-
CATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that on
the 10th day of July, 1967, at
Glenns Ferry, County of Elmore,
State of Idaho, before George F.
Robertson, Glenns Ferry, Idaho,
proof will be submitted of the
application to beneficial use of
3.0 cubic feet per second of the
waters of the Snake River in
accordance with the terms and
conditions of Permit No. 26449
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

The name and post office ad-
dress of the person or corpora-
tion holding said permit Frank
M. and Joan Marker, Hammett,
Idaho.

The use to which said water
has been applied is irrigation.

The amount applied to beneficial
use is 3.0 c. f. s.

The point of diversion of said
water is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T.
6 S, R. 8 E, B.M.

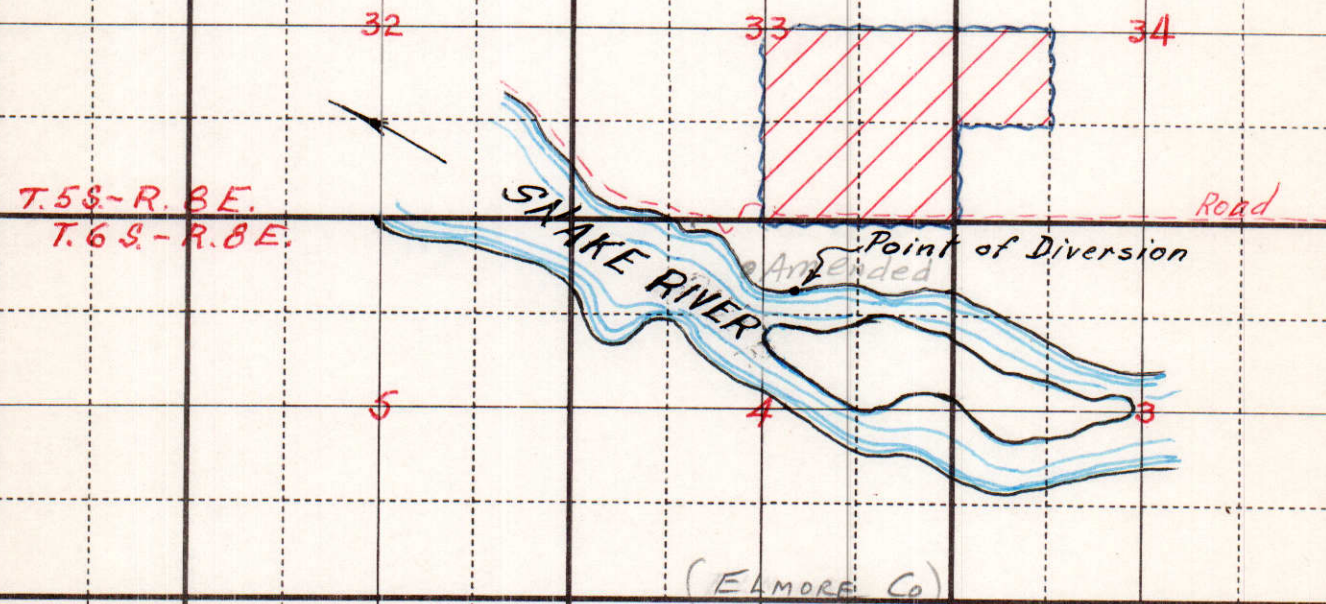
The place where said water is
used (LEGAL DESCRIPTION)
SE $\frac{1}{4}$, Sec. 33, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
34, T. 5 S, R. 8 E, B.M.

The date of priority which said
user is prepared to establish is
July 17, 1956.

R. KEITH HIGGINSON
State Reclamation
Engineer

First publication June 15, 1967.
Last publication July 6, 1967.

26449



Permit Map No. 26449
As Approved
JUL 25 1956
MARK R. KULP
State Reclamation Engineer

WATER LICENSE

Water License No. 26449/02-2133 Priority July 17, 1956 Amount 1.80 c.f.s.

THIS IS TO CERTIFY, that Jacob M. Kauffman - Assignee - FRANK M. & JOAN MARKER of Hammett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 17, 1956; that Permit 26449/02-2133 was issued pursuant to said application; that the proposed works were completed on or about 1956 with a storage or carrying capacity of 1.80 c.f.s., said works consisting of pump, motor, and concrete ditch; and that on July 10, 1967 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 441 acre feet per season, with a maximum rate of diversion of 1.80 cubic feet per second of the waters of Snake River, tributary of Columbia River, for the purpose of irrigation from April 1 to October 31; and for from to; and for from to; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NE 1/4 NW 1/4, Sec. 4, T. 6 S., R. 8 E., B.M., and other additional points, in the County of Elmore; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 441 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 S	8 E	33													29	1	19	21	70
		34									28								28

Total number of acres irrigated 98

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

21st day of March, 19 69.

[Signature] State Reclamation Engineer

2 2133

26449/02-2133

02-2133 26449

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34343
PERMIT No. 26449
DISTRICT No.

1. Name of Applicant: Jacob M. Kauffman

Postoffice address: Hammett

County: Elmore

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:

- (b) Treasury stock:
- (d) Other resources:
- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 3.0 cubic feet per second.

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

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

corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 4 , T. 6 S. , R. 8 E. , B.M., County of Elmore

5. Water is to be used for Irrigation

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

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

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

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

(c) Water is to be returned 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: \$ 8,000.00

8. Kind of works: Pump, pipe-line 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 5 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe 14 inches; length of conduit Approx. 1800 feet pipeline miles.

Average grade per mile feet.

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

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

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

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

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5 S.	8 E.	33 34												40	40	40	40	160 40	
Approximately 150 acres can be irrigated. Total Number of Acres to be Irrigated-150																			
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 26449																			
26449.	Comes now Jacob M. Kauffman and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26449. That the point of diversion is described in said permit as being located NW1/4 NE1/4 of Sec. 4., Twp. 6 S. Rge. 8 E. B.M. That he now requests that the point of diversion be changed to a point located NE1/4 NW1/4 of Section 4, Twp. 6 S., Rge 8 E.B.M. That his reasons for desiring to make such change are as follows: With this location it reduces the amount of pipe line from 1800 feet to 300 feet of pipe line.																		
	That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																		
	Signed at Boise, Idaho, this 30th day of January 1957.																		
	/s/ Jacob M. Kauffman																		
Date of receipt at Department of Reclamation January 30, 1957.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
			I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and fore-going application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 26449. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																
			/s/ Mark R. Kulp																
Recorded in the Department of Reclamation January 31, 1957.			State Reclamation Engineer																

Permit No. 26449
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JACOB M. KAUFFMAN of Hammett, County of Elmore, and State of Idaho, the holder of Permit No. 26449 issued upon Application No. 34343, bearing date of priority of July 17, 1956, authorizing the diversion of 3.0 second feet of waters of Snake River, County of Elmore, 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 3.0 second feet of the waters of Snake River, tributary of Columbia River; that the point of diversion of said waters is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 6 S., R. 8 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

150 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34; SE $\frac{1}{4}$, Sec. 33, T. 5 S., R. 8 E., B. M.

Witness my hand this 25th day of July, A. D. 1961.

s/ RALPH W. THOMAS,
 Deputy State Reclamation Engineer

Proof of Completion of Works Made: July 24, 1961

A S S I G N M E N T

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 26449 to FRANK M. MARKER and JOAN MARKER, his wife of Hammett, Idaho.

s/ JACOB M. KAUFFMAN
 Permit Holder

s/ BERNICE W. KAUFFMAN
 Wife of Permit Holder

STATE OF OREGON)
) ss
 County of Josephine)

On this 1st day of June, 1962, before me, a Notary Public for the State of Oregon residing at _____ personally appeared Jacob M. Kauffman and Bernice W. Kauffman, his wife, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

My commission expires 4/22/65

(SEAL)

s/ EUGENE M. DENNY
 Notary Public
 Residing at Grants Pass, Oregon

March 21, 1969

Re: Permit No. 26449/02-2133

Frank M. & Joan Marker
Hammett,
Idaho 83627

Dear Mr. & Mrs. Marker:

Enclosed you will find your Water License issued on the above numbered permit. Also enclosed is departmental receipt No. 2640 in the amount of \$10.00 covering the fees.

The additional land you mentioned will have to be covered by a new permit. We are enclosing an application form to be filled out and returned along with the proper fees, to cover this additional land.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

✓
filed

Hammett, Idaho
Feb. 2, 1969

Dear Sir

The letter regarding the fee for the certificate of Water Right was overlooked. I hope this can be straitened out. I'm sending the \$10.00 + if I need to come into the Office about this I will. I have approximately 60 acres more land I plan to sprinkle Irrigate will I have to make another filing for this

Sincerely
Frank M. Marker

26449
2-2-69

November 4, 1968

Re: Permit No. 26449 02. 2132

Frank M. and Joan Marker
Hammett, Idaho

Dear Mr. and Mrs. Marker:

A representative of this department has made an examination of the works covered by your permit 26449 and has found the following:

Quantity of water diverted: 1.80 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.80 c.f.s.*

Purpose of use: Irrigation of 98 acres in SE $\frac{1}{4}$, Sec. 33,
NW $\frac{1}{4}$, Sec. 34, T. 5 S, R. 8 E, B.M.

The priority date established is: July 17, 1956.

A fee totaling \$ 10.00 must be received within 30 days from the date of this letter in order that we can issue you the ~~Certificate of Completion of Works~~ and the License and Certificate of Water Right as described above.

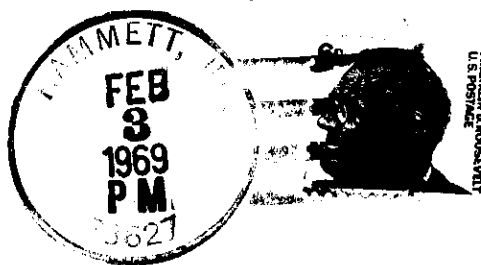
Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

*The maximum quantity diverted shall not exceed 441 acre feet per season.

Frank M. Marker
Star Route
Hammett Idaho
83627



Department of Reclamation
Slutehouse - annex 2
Boise Idaho 83707

02-2/33

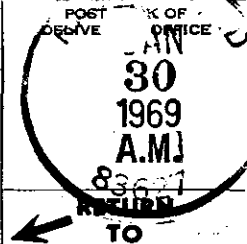
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

055-16-71848-10

POD Form 3811 Apr. 1967

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.



NAME OF SENDER

Department of Translation

STREET AND NO. OR P.O. BOX

Annex #2 Telephone

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

26449/02-2133

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom, date, and
address where delivered

☐

Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

Frank M. Joan Marker

00699

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Ida A. Marker

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

1-3 69

3

655-16-71548-10

GPO

26449105-0132

January 27, 1969

Re: Permit No. 26449/02-2133

02-2133

Frank M. and Joan Marker
Hammett, Idaho

Dear Mr. and Mrs. Marker:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit 26449/02-2133 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit licensing fees of \$10.00

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before March 10, 1969 why said permit should not be cancelled.

Permit 26449 claims the use of 3.0 cubic feet per second of water. The point of diversion was to be located NW1/4, Sec. 4, T. 6 S., R. 8 E., B. M., Elmore County

and the permit was approved July 25, 1956.

State Reclamation Engineer

Fee received 2/6/69

License pending issuance

*02-2133
9-26449*

November 4, 1968

Re: Permit No. 26449

Frank M. and Joan Marker
Hammett, Idaho

Dear Mr. and Mrs. Marker:

A representative of this department has made an examination of the works covered by your permit 26449 and has found the following:

Quantity of water diverted: 1.80 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.80 c.f.s.*

Purpose of use: Irrigation of 98 acres in SE 1/4, Sec. 33,
NW 1/4, Sec. 34, T. 5 S, R. 8 E, 9 N.

The priority date established is: July 17, 1956.

A fee totaling \$ 10.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

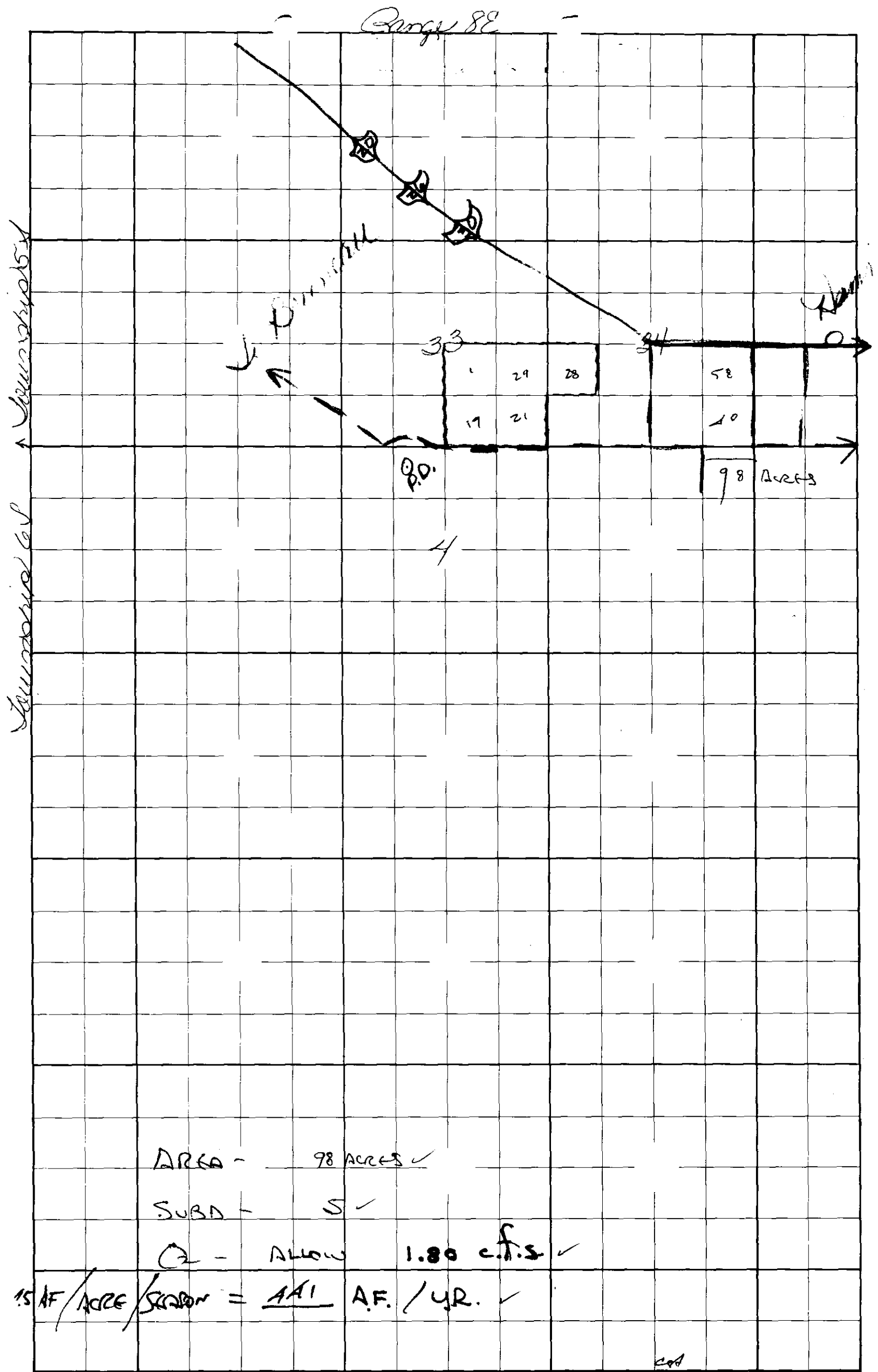
DWM:dj

*The maximum quantity diverted shall not exceed 441 acre feet per season.

05-8135

~~26449~~

26449



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 26449

REPORT ON PROOF OF Beneficial Use

02-2133
~~78-2087~~
26449

A-158

19

29

19

21

102

A G
8.0 32

159

E
82

C
85

A
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D
124

A
119

A
74

D
27

E
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A
14

G
62

I
15

A-160

~~82-2133~~
82-2133
26449

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

Permit No. 26449

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Jacob M. Kauffman Frank M. & Joan Marker

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the NE1/4 of Section 4

T. 6S R. 8E County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same: _____

(NEW) 30 HP UNCLOSED ELEC MOTOR # 4067840
TACUZZI CENTRIFUGAL PUMP Model # 30EME-1-D
SER # W3F0121
6" DISCHARGE - GATE VALVE - INTO 12" PIPESOCK - APPROX
35' LIFT - INTO CONCRETE CENTER DITCH - GRAVITY IRRIGATION

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

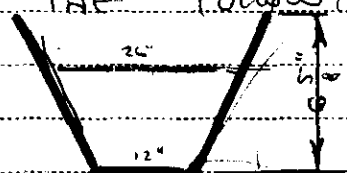
SE1/4, Sec. 33; NW1/4SW1/4, Sec. 34, T. 5S, R. 8E, B.M.

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

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

Remarks:

PUMPED CURRENT METER "BROKE" DURING MEASUREMENT
THE FOLLOWING IS AN ESTIMATED GUESS



$$\text{AREA} = (.55 \text{ ft}) (1.65 \text{ ft}) = .9075 \text{ sq. ft.}$$
$$\text{Velocity} = 80 \text{ ft} / 40 \frac{1}{2} \text{ Sec} = 1.98 \text{ ft/sec}$$

$$Q = (.9075 \text{ sq. ft.}) (1.98 \text{ ft/sec}) = 1.80 \text{ cfs.}$$

This examination was made on the 21st day of May, 19 68

(Signed) Dean Reynolds Examiner.

02-2133 26449

~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~

Frank M. and Joan Marker
Hammett, Idaho

*concrete dump on
river 12" - steel pipe
up it ditch.
Q-306fs.*

Permit No. 26449

Examination for Beneficial Use

County Elmore

Sec. 4 T. 6S R. 8E

Quantity: 3.0 c.f.s.

Source: Snake River

P.D.: NE 1/4, Sec. 4, T. 6S, R. 8E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works: July 24, 1961

Other Rights: none

Filed: July 17, 1956

Due: July 25, 1967

Made: July 10, 1967

Priority: July 17, 1956

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

26449

July 13, 1967

Re: Permit No. 26449

Mr. and Mrs. Frank M. Marker
Hammett, Idaho 83627

Dear Mr. Marker:

We acknowledge receipt of the depositions and affidavit of publication in the Mountain Home News submitted as proof of ~~com-~~
~~pletion of work~~ and beneficial use on Permit 26449.

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

26449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. _____

RECEIVED
JUL 13 1967
Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: FRANK
M. Marker and JOAN Marker HAMMETT IDAHO

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

Ques. 3. State number, approval date of permit, and date of priority: Permit No. 26449
12.1.66 Priority JULY 17, 1956

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

NE 1/4 NW 1/4 Sec. 4, T. 6 S, R. 8 E, B.M.

Ques. 5. Describe your works of diversion: CONCRET SUMP ON RIVER 12 IN.

STEEL PIPE UP TO DITCH; state amount of water they are capable of conveying from point of diversion to place of use: 3.0 C.F.S.; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____; if a well, state depth of well _____; depth and size of casing _____; depth to water _____; if pump is used, state discharge of pump: 3.0 C.F.S.; tell how it was measured or determined Weir

30 horse Electric Pump pumps 150"; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: IRRIGATION
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

S.E. 1/4, Sec. 33, N.W. 1/4 SW 1/4, Sec. 34, T. 5 S, R. 8 E, B.M.
150 acres irrigated

26449

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

150 acres dry land under irrigation

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1956 3.0 C.F. - Time used since first use:

10 years

Ques. 10. Describe all other water rights appurtenant to same place of use: none

Frank M. Marker
(sign) Joan Marker ^{Husband}
By Frank M. Marker

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Glenview Ferry, County of Blaine
State of Idaho, on this 10th day of July, A. D. 1967.

My commission expires:

Feb. 14, 1968

George F. Robertson

26449

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 26449

RE
JUL 13 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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

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

Kenneth A. Seese 45 Hammett, Idaho
Farming Hammett, Idaho

Ques. 2 Are you acquainted with Frank Marker, the holder of
Permit No. 26449? How long have you known him and where does he reside?

5 years Hammett, Idaho

Ques. 3. Have you read or heard said Permit No. 26449 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: Snake River

Give location of place of diversion, showing subdivision, section, township and range

Describe works for conveying water to place of use: Electric Pump

on Snake River Irrigation Ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3 Second Feet How much water have you seen being so
conveyed? 3 Second Feet

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

150 acres SE 1/4 Sec. 33, NW 1/4 SW 1/4, Sec 34 T5S,
R. 8E, BM

26449

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

none

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Farm Land, for 3 second Feet

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? 1956

Other times you have seen such use: each year since

(Signed):

Kenneth D. Seesee

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Glenns Ferry

 , County of Elmore, State of Idaho, on

this 10th day of July, A. D. 1967

George H. Robinson

Notary Public for the State of Idaho

Residing Glenns Ferry

My commission expires Feb. 14, 1968

26449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. 26449

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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

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

Bert A. Weller - 48 Hammett Idaho Box 65
Merchant & Farmer

Ques. 2 Are you acquainted with Frank Markes, the holder of
Permit No. 26449? How long have you known him and where does he reside?

5 years Hammett Idaho

Ques. 3. Have you read or heard said Permit No. 26449 read, and are you familiar
with its provisions and conditions: Yes ✓ No.

Ques. 4. State source of water supply: Snake River

Give location of place of diversion, showing subdivision, section, township and range
NE 1/4 NW 1/4 Sec. 4, T. 6 S, R. 8 E, B.M.

Describe works for conveying water to place of use: Electric Pump
on Snake River & Irrigation Ditch to head

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3 second ft How much water have you seen being so
conveyed? 3 - second ft

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

150 Acres
SE 1/4 - Sec 33 NW 1/4 SW 1/4 Sec 34 T. 5 S
R 8 E B.M.

26449

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

None

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Farm land 3 second FT

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? 1956

Other times you have seen such use: Each year Since 1956

(Signed):

Bert H. Waller

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Glenns Ferry

_____, County of Elmore, State of Idaho, on
this 10th day of July, A. D. 1967

George F. Robertson

Notary Public for the State of Idaho

Residing Glenns Ferry

My commission expires Feb. 14, 1968

26449

Department of Reclamation
Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

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

MOUNTAIN HOME NEWS

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

...4..... consecutive weeks, the first publica-
tion having been made on the ...15th..... day
of ...June....., 19..67.., and
the last publication having been made on the
...6th..... day of ...July.....
19..67...; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

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

Lloyd S. Waters
Subscribed and sworn to me this ...6th.....
day of ...July....., 19..67..
.....Jane Lathrop.....
Notary Public

26449

June 8, 1967

Re: Permit No. 26449

Frank M. and Joan Marker
Hammett, Idaho 83627

Dear Mr. and Mrs. Marker:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 26449. The proofs are to be made at o'clock on the 10th day of July, 1967, before George E. Robertson,
Glenns Ferry, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Mountain Home News, Mountain Home, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

DWM:dj

Encl.

cc: Notary

Donald W. McEldowney
Water Rights Clerk

26449

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that ~~at~~ ~~xxxx~~ on the 10th day of July, 1967,
at Glenns Ferry, County of Elmore, State of Idaho, before
George F. Robertson, Glenns Ferry, Idaho, proof will be submitted of the
application to beneficial use of 3.0 cubic feet per second of the waters of _____
the Snake River in accordance with the terms and conditions of
Permit No. 26449 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit _____
Frank M. and Joan Marker, Mammett, Idaho.

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 3.0 c.f.s.

The point of diversion of said water is NE1/4NW1/4, Sec. 4, T. 6 S, R. 8 E, B.M.

The place where said water is used (LEGAL DESCRIPTION) SE1/4, Sec. 33; NW1/4SW1/4, Sec. 34,
XXXX T. 5 S, R. 8 E, B.M.

The date of priority which said user is prepared to establish is July 17, 1956.

26449

R. KEITH HIGGINSON
State Reclamation Engineer

June 8, 1967

Re: Permit No. 26449

The Mountain Home News
Mountain Home, Idaho 83647

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to July 10, 1967. The expense of the publication is to paid by Frank M. Marker, Star Route, Hammett, Idaho.

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

26449

RECEIVED
JUN 8 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the MT Home News of
MT Home, Idaho Published in
the county in which the works are situated.

Frank M. Marker
Star Route
Hammett, Ida.

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

26449

RECEIVED
JUN 8 1967

Department of Reclamation

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 10 day of July, 1967,
at Glenns Ferry, County of Elmore, State of Idaho, before
George L. Robertson, proof will be submitted of the
application to beneficial use of 3.0 cubic feet per second of the waters of
Snake River in accordance with the terms and conditions of
Permit No. 26449 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit _____

Frank M. Marker and Joan Marker, Hammett, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 3.0 c.f.s.

The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 6 S, R. 8 E, B.M.

The place where said water is used (LEGAL DESCRIPTION) SE $\frac{1}{4}$, Sec. 33; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34,
T. 5 S, R. 8 E, B.M.

The date of priority which said user is prepared to establish is July 17, 1956

26449

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 26449

Date:

May 1, 1967

Mrs. Joan Marker
Mr. Frank Marker
Hammett, Idaho 83627

Dear Mr. and Mrs. Marker :

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26449 is due not later than **July 25, 1967**. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

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

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated -- by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public, as advertised in the publication notice.

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

Very truly yours,


-CARL E. HARRAN
-State Reclamation Engineer

Enc. Form 10 and 11

R. KEITH HIGGINSON
State Reclamation Engineer

26449

July 19, 1962

Re: Permit No. 26449

Frank M. Marker
Hammett, Idaho

Dear Mr. Marker:

Enclosed is the assignment of the above numbered permit from Jacob M. Kauffman and Bernice W. Kauffman to you and Joan Marker, which has been recorded in this office.

Also enclosed is departmental receipt No. 31144, in the amount of \$0.50 covering the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignment
receipt

26449

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

P. O. Box 2797

Boise, Idaho

July 17, 1962

RECEIVED
JUL 18 1962

Department of Reclamation

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

We are attaching an assignment of Permit No. 26449 from Jacob M. Kauffman and Bernice W. Kauffman to Frank M. Marker and Joan Marker of Hammett, Idaho. Fees of \$.50 are also attached.

Would you please indicate on the copy that this transfer has been accomplished and return it to this office?

Thank you.

Sincerely yours,

Edward W. Warr

Edward W. Warr
County Supervisor

Enclosures 2

jmc

26449

June 29, 1962

Re: Permit No. 26449
Jacob M. Kauffman

Edward H. Warr, Supervisor
Farmers Home Administration
Box 2797, Boise, Idaho

Dear Mr. Warr:

Returned herewith are check for \$2.00 signed by
Joan Marker, the original and carbon copy of assignment of
permit. Also is list of fees of this department.

The fee for recording an assignment is \$0.50,
and we do not have means to refund.

Kindly return the assignment with the proper
recording fee.

Very truly yours,

ED. H. CARTER
State Reclamation Engineer

By:

RALPH W. ADAMS, Deputy
State Reclamation Engineer

RT:ew

Enc. check
assignment

26449

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

PO Box 2797

Boise, Idaho

June 28, 1962

RECEIVED

JUN 29 1962

Department of Reclamation

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

We are attaching an assignment of Permit No 26449 from Jacob M. Kauffman and Bernice W. Kauffman to Frank M. Marker and Joan Marker of Hammett, Idaho. Fees of \$2.00 are also attached.

Would you please indicate on the copy that this transfer has been accomplished and return it to this office?

Thank you.

Sincerely yours,



Edward W. Warr
County Supervisor

26449

July 25, 1961

Re: Permit No. 26449

Mr. Jacob M. Kauffman
Hammett, Idaho

Dear Mr. Kauffman:

We enclose Certificate of Completion of Works
issued on Permit No. 26449.

Departmental Receipt No. 30666 was given to you
when you were in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. certificate

26449

Permit No. 26449STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada } ss.Jacob M. Rauffman, 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. 26449, and that his postoffice address is Hammett
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 NE 1/4 N.W. 1/4 Section 4 Twp 6 S. R8 EFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 25, 1961Fifth: 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, pipeline, Hatch
(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 _____ 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 3.0 second feet of water.Eighth: That water appropriated under said permit is available for 150 acres of land described as follows: NW 1/4 SW 1/4, Sec 34 SE 1/4, Sec 33 Twp 5 S Rge 8 E.

Ninth: Remarks:—That _____

Jacob M. Rauffman
(SIGN HERE)Subscribed and sworn to before me this 24th day of July, 1961Hammett
NOTARY PUBLICMy commission expires Feb 23-1964

26449

RT

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

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

May 1, 1961

Re: Permit No. 26449

Jacob M. Kauffman
Hammett, Idaho

Dear Sir:

Under the terms of your permit No. 26449 you are required to complete your diversion works on or before July 25, 1961. 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 of Works 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,

GEO. N. CARTER

STATE RECLAMATION ENGINEER

Enc. Form 6

26449

February 4, 1957

Re: Permit No. 26449

Mr. Jacob M. Kauffman
Hammett
Idaho

Dear Mr. Kauffman:

We enclose Application for Amendment to Permit No. 26449 which changed the point of diversion as described in the original permit to now read: NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 6 South, Range 8 East B.M.

This amendment was approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 93 of Permits, page 26449. It should be attached to the original permit to which it refers and of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Encl: (1)

26449

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 26449

Comes now Jacob M. Kauffman and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26449.

That the point of diversion is described in said permit as being located NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 4., Twp. 6 S., Rgn. 8 E., B.M..

That he now requests that the point of diversion be changed to a point located NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 4., Twp. 6 S., Rgn. 8 E., B.M.
nw

That his reasons for desiring to make such change are as follows:

With this location it reduces the amount of pipe line from 1800 feet
to 300 feet of pipe line.

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

Signed at Boise, Idaho, this 30th day of January 19 57

Jacob M. Kauffman

Date of receipt at Department of Reclamation January 30, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 26449. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
State Reclamation Engineer

26449

August 10, 1956

RE: Permit No. 26449

Mr. Jacob M. Kauffman
Hammett
Idaho

Dear Mr. Kauffman:

We enclose Permit No. 26449 and direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

As you will recall departmental receipt No. 28062 was handed you (in the amount of \$5.50) while in our Office.

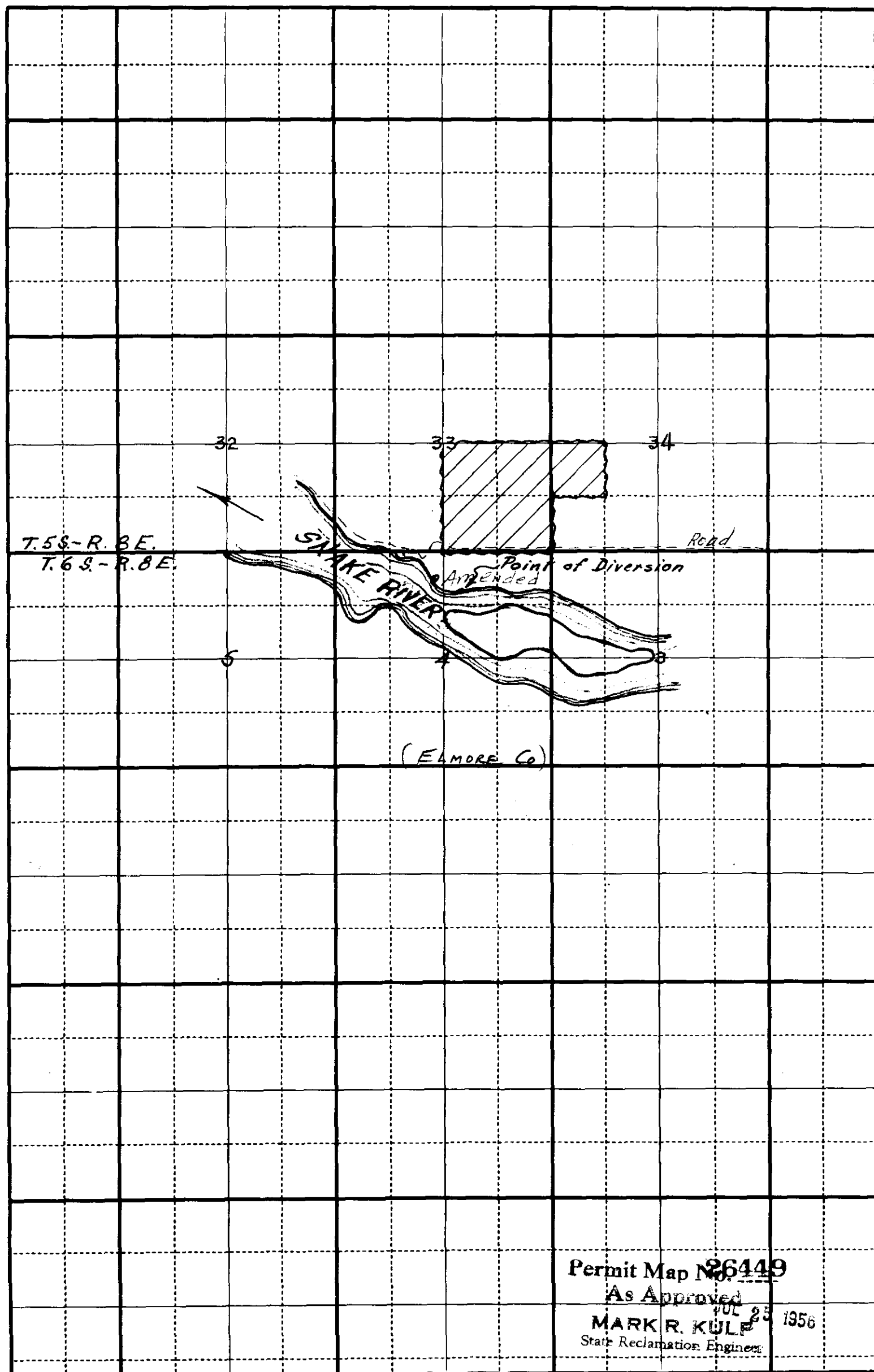
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu
Enc.

26449



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

26449

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 10th day of July, 1967, at Glenna Ferry, County of Elmore, State of Idaho, before George F. Robertson, Glenna Ferry, Idaho, proof will be submitted of the application to beneficial use of 3.0 cubic feet per second of the waters of the Snake River in accordance with the terms and conditions of Permit No. 26449 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit Frank M. and Joan Marker, Hammett, Idaho.

The use to which said water has been applied is irrigation.
The amount applied to beneficial use is 3.0 c. f. s.

The point of diversion of said water is NE 1/4 NW 1/4, Sec. 4, T. 6 S., R. 8 E., B.M.

The place where said water is used (LEGAL DESCRIPTION) SE 1/4, Sec. 33, NW 1/4 SW 1/4, Sec. 34, T. 5 S., R. 8 E., B.M.

The date of priority which said user is prepared to establish is July 17, 1956.

R. KEITH HIGGINSON
State Reclamation Engineer

First publication June 15, 1967.
Last publication July 6, 1967.