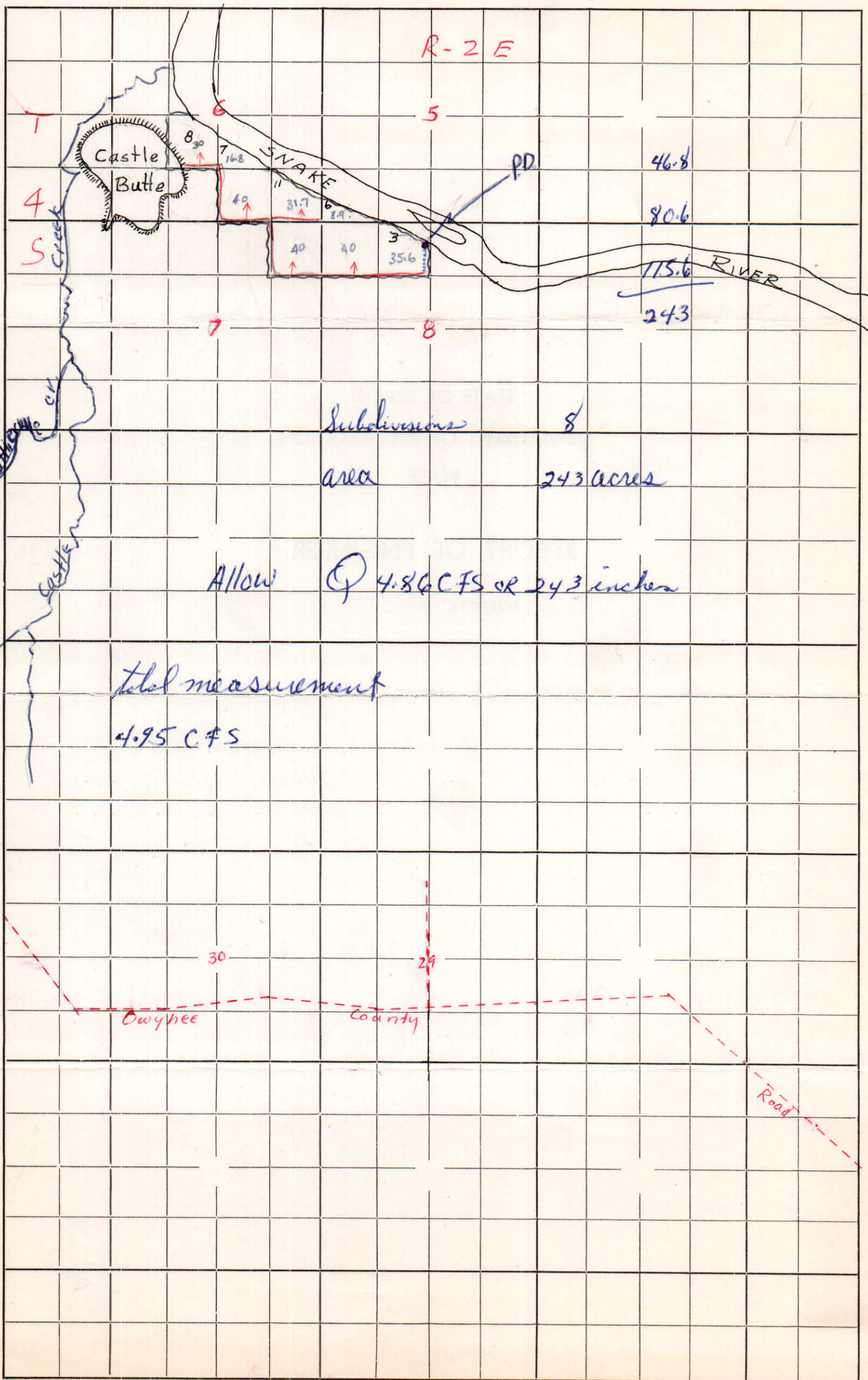




PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss.

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 4 consecutive weeks, the first publication being on the 21 day of November, 19 63, and the last publication being on the 12 day of December, 19 63;

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 12 day of

December, 19 63.

Leonard L. Hawes
NOTARY PUBLIC

My commission expires 9-10-64

(SEAL)

RECEIVED
APR 2 1964
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 23rd day of December, 1963, at Nampa City Hall, County of Canyon, State of Idaho, before Geneva Russell, proof will be submitted of the application to beneficial use of 5.02 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 26203 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 is Melvin Leavitt, Route 4, Nampa, Idaho.

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

The amount applied to beneficial use is 5.02.

The point of diversion of said water is Approx. 1584 feet distant from, and 428' S. E. along So. bank of Snake River, the N. W. corner of Section 8, T 4 S., R 2 E, B. M. in Lot 3 of Sec. 8, T 4 S, R 2 E, B. M., County of Owyhee.

The place where said water is used (LEGAL DESCRIPTION) 251 acres in Lot 6, Sec. 5; Lot 7, 8, 11 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Lot 3, Sec. 8, T 4 S, R 2 E, B. M.

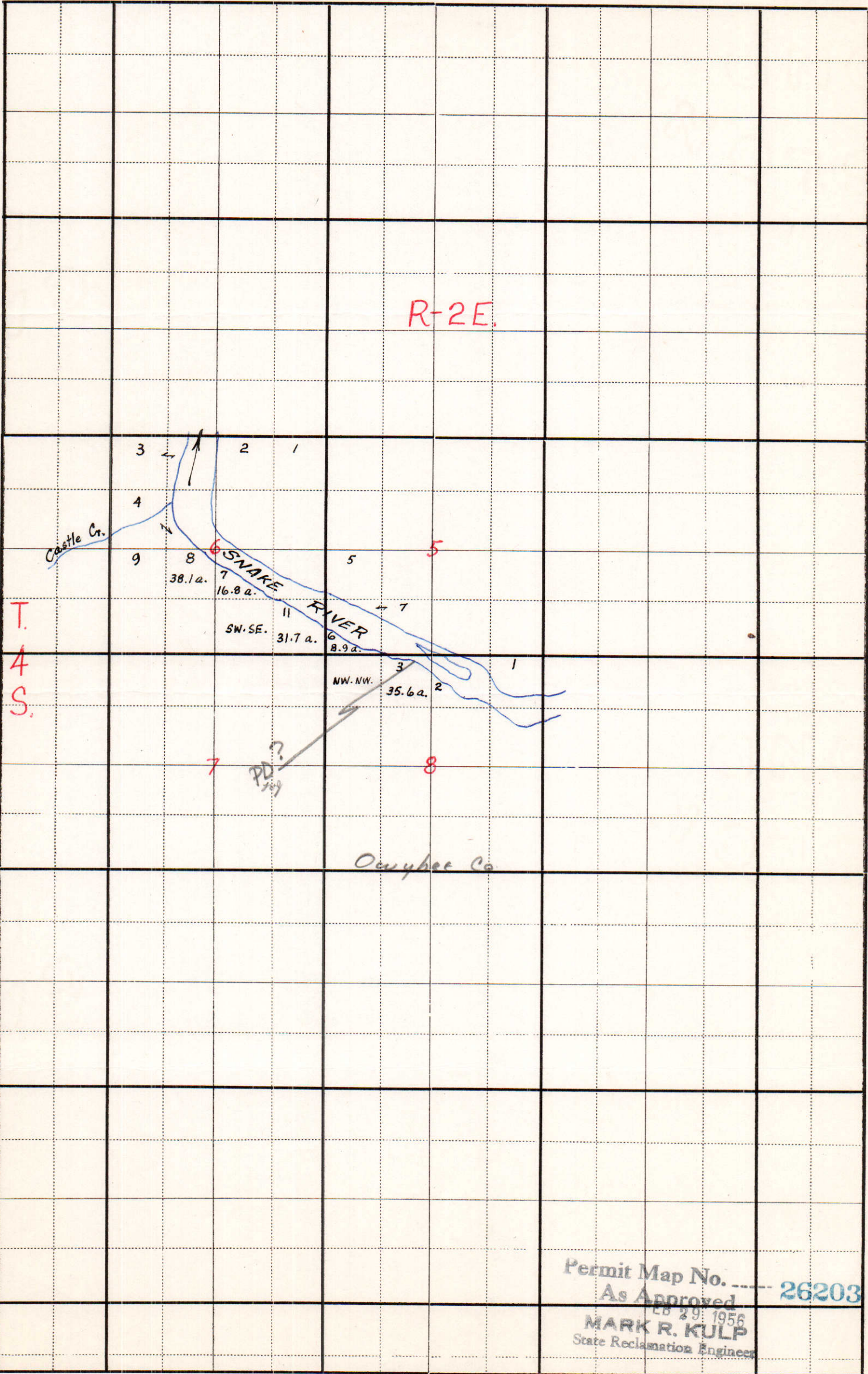
The date of priority which said user is prepared to establish is December 16, 1956.

CARL E. TAPPAN,
State Reclamation Engineer
(Nov. 21 — Dec. 12)

26203

NAME OF APPLICANT MELVIN LEAVITT

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

26203

State of Idaho

License and Certificate of Water Right

Water License No. 26203

Amount 4.86 c.f.s.

Water District No.

Priority December 16, 1956

THIS IS TO CERTIFY that MELVIN LEAVITT of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 24, 1956; that Permit No. 26203 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.02 second feet, was issued thereunder on January 25, 1961, showing that said works were completed on the 9th day of January, 1961; and that on the 23rd day of December, 1963,

MELVIN LEAVITT

of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation, under Use Permit No. 26203 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8068, on the 22 day of December, 1964; The right hereby confirmed dates from December 16, 1956; The Point of Diversion is located

in the NE 1/4 NW 1/4, Sec. 8, Tp. 4 S, R. 2 E., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.86 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	2 E.	5	SW 1/4 SW 1/4 (Lot 6)	8.9	8.9
			NW 1/4 SE 1/4 (Lot 7)	16.8	16.8
			NE 1/4 SW 1/4 (Lot 8)	30.0	30.0
			SE 1/4 SE 1/4 (Lot 11)	31.7	31.7
			SW 1/4 SE 1/4	40.0	40.0
		7	NE 1/4 NE 1/4	40.0	40.0
			NE 1/4 NW 1/4 (Lot 3)	35.6	35.6
			NW 1/4 NW 1/4	40.0	40.0
			Total number of acres to be irrigated:		243.0

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 22nd day of December, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

02-2126 26203

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34091
PERMIT No. 26203
DISTRICT No.

Melvin Leavitt
Rte. 4,
Nampa, Idaho

1. Name of Applicant: MELVIN LEAVITT

Postoffice address: Rte. 4, Nampa

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 5.022

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of Columbia River

4. Location of point of diversion: approx. 1584

and 428' SE along the So. bank of Snake River
feet distant from the NW /

corner of Section 8, T. 4 S., R. 2 E., B.M., and is in ~~the~~ Lot 3, (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

of Section 8, T. 4 S., R. 2 E., B.M., County of ~~Canyon~~ 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 , 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: \$6000.00

8. Kind of works: Pump- pipeline - ditch

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

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit 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 Two additional years.

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

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

16. (a) Is reservoir to be used? ☒ No ☐ Yes 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.

MELVIN LEAVITT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. February 24, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26203

Recorded in Book 93 Page 26203 Approved Feb. 29, 1956

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

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

Work to begin on or before April 29, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 29, 1958

The whole of said work to be completed on or before March 1, 1961

Beneficial use of water appropriated in accordance herewith, to be made on or before March 1, 1963

WITNESS My hand this 29th day of February, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 29th
day of February, 19 56.
STATE OF IDAHO

STATE OF IDAHO

Countersigned:

(SEAL)

By JAS. H. YOUNG

Secretary of State.

By ... ROBERT E. SMYLLIE.

Governor.

REMARKS: Point of Diversion is on the applicants own land. Applicant is applying for a Right of Way for his ditch on Federal land.

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 $\frac{1}{4}$	
4 S.	2 E.	5																8.9	
		6																126.6	
		7	40															40.0	
		8																75.6	
Total Number of Acres to be Irrigated																		251.1	

Permit No. 26203

✓
CERTIFICATE OF COMPLETION OF WORKS ✓

TO ALL WHOM IT MAY CONCERN:

This is to certify that MELVIN LEAVITT of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 26203 issued upon Application No. 34091 bearing date of priority of February 24, 1956, authorizing the diversion of 5.022 second feet of waters of Snake River, County of ~~Canyon~~ ^{Blaine}, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho, relating 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 5.02 second feet of the waters of Snake River, tributary of Columbia River, that the point of diversion of said waters is Lot 3, (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 8, T. 4 S., R. 2 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

251 acres in Lot 6, Sec. 5; Lot 7, 8, 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 3, Sec. 8, T. 4 S., R. 2 E., B. M.

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

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: January 9, 1961

LICENSE ISSUED FOR 4.86 SEC. FL
LICENSE PAGE NO. 8268

December 22, 1964

Re: Permit No. 26203

Mr. Melvin Leavitt
Route #4
Nampa, Idaho

Dear Mr. Leavitt:

Enclosed is the License and Certificate of Water
Right on the above numbered permit.

Also enclosed is departmental receipt No. 32563
in the amount of \$16.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

26203

RT-4, Nampa, Ida.
Dec. 11, 1964

Department of Reclamation
Boise, Idaho..

RECEIVED
DEC 11 1964
Department of Reclamation

Dear sir:

In reply to your letter of Aug. 4, 1964
I am enclosing a check for \$16.00 for a
License and Certificate of Water Right.

yours truly
Melvin Leavitt

26203

August 4, 1964

Re: Permit No. 26203

Melvin Leavitt
Rt 4
Nampa, Idaho

Dear Mr. Leavitt:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 26203 shows the pump & ditches are capable of conveying 243 miner's inches, or 4.86 c.f.s. of water for the irrigation of 243 acres.

Upon receipt of the statutory fee of \$ 16.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of December 16, 1956 to the use of 4.86 second feet of surface water with the point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 3) Sec. 8 from Snake River for irrigation of 243 acres in the Lot 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 5, Lot 8 (NE $\frac{1}{4}$ SW $\frac{1}{4}$), Lot 7 (NW $\frac{1}{4}$ SE $\frac{1}{4}$), SW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 11 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7; Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 4 S., R. 2 E., B.M.

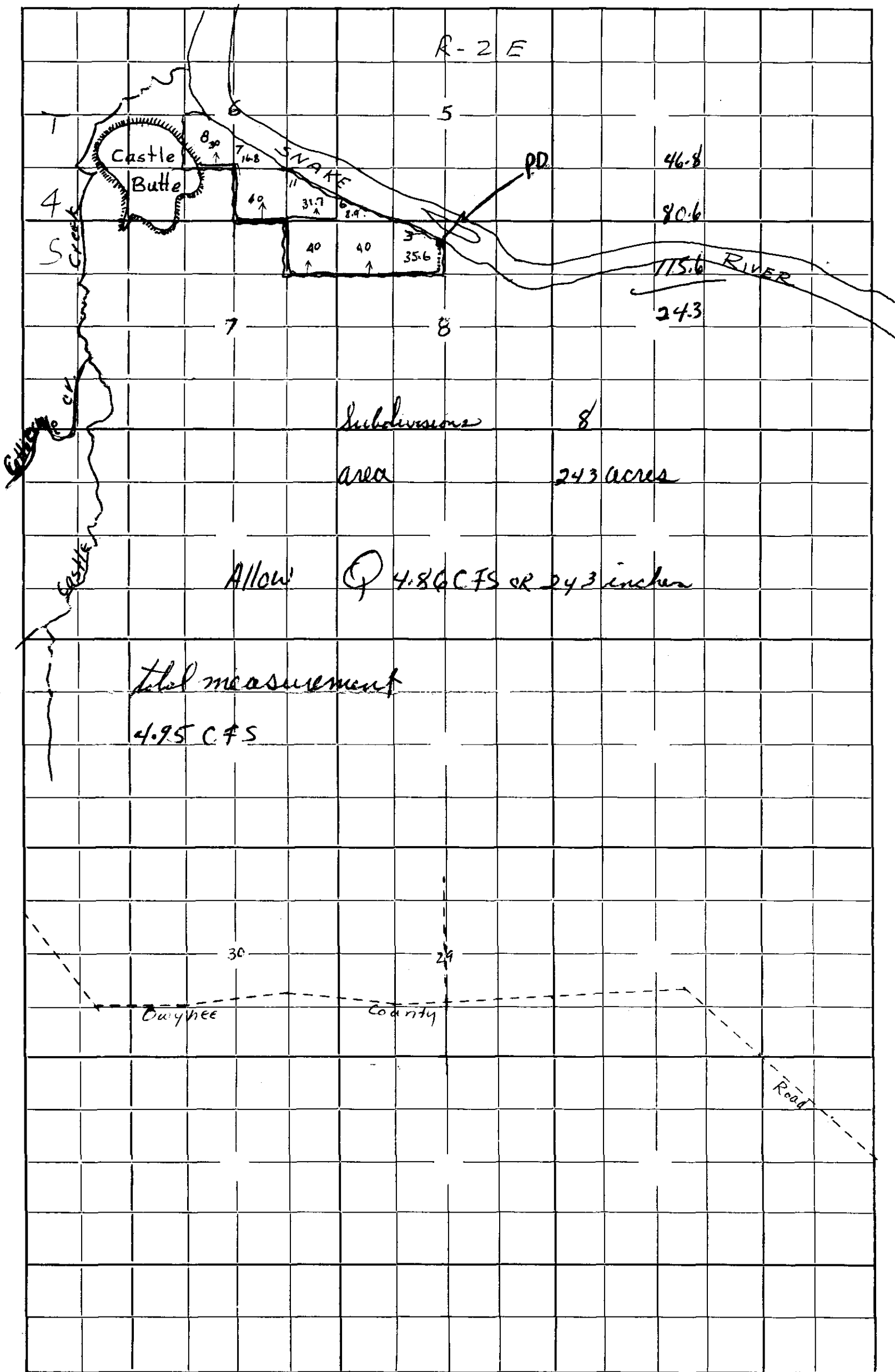
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

26203



Allow Q 4.86 CFS or 243 inches

Total measurement

4.95 CFS

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26203

REPORT ON PROOF OF Beneficial Use

Melvin Leavitt, Rt. #4, Nampa, Idaho

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

Permit No. 26203

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Melvin Leavitt
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 8
T. 4 S R. 2 E.B.M. County of Canyon Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: 60 H.P. F.M. Motor # F-301039 Fairbanks Morse pump # PW 2067 12" x 15' Column 5' x 18' Casing 12" x 630' steel mainline into open ditches

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):

SWSE

Lot 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 5., Lot 8 (NE $\frac{1}{4}$ SW $\frac{1}{4}$), Lot 7 (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Lot 11 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 6., NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7., Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) & NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 all in Twp. 4 S., Rge. 2 E.B.M.

Total No. of acres 251.1

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

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

Remarks: M. Melvin Leavitt (owner) participated in the examination

measurement was made with Cippolletti weir 81 over 2' weir or 247.5 inches

This examination was made on the 30th day of July, 1964

(Signed) How Hebert

Examiner.

26203

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 3 1964

Department of Reclamation

604-12 part F-1
1314
63-112-1
441-5-4
Melvin Leavitt
Route #4
Nampa, Idaho
Permit No. 26203

Examination for Beneficial Use

County ~~Canyon~~ Owyhee

Sec. 8 T. 1 S. R. 2 EBM

Quantity: 5.022 cfs

Source: Snake River

P. D.: LOT 3, (NENW) 8-45-2 E

Use: Irrigation

Filed: 2-24-56

Due: 3-1-63

Extension:

Protest:

Completion of Works: 1-25-61

Other Rights: None

Installation - Mr. Leavitt

1M April 1962

April 2, 1964

Re: Permit N26203

Melvin Leavitt
Route #14
Nampa, Idaho

Dear Mr. Leavitt:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the OWYHEE NUGGET, all submitted in proof of completion of works ~~and beneficial use on Permit No. 26203.~~ ^{26203.}

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

26203

26203

March 27, 1964

RE: Permit No. 26203

Mr. Melvin Leavitt
Route #14
Nampa, Idaho

Dear Mr. Leavitt:

We acknowledge receipt of the depositions of yourself, the holder of the Permit and also the two witnesses, but to date we have not received the affidavit of publication from the Owyhee Nugget. If you have not already received it will you please get it and forward to us as it is a very necessary part of your file.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

26203

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MAR 27 1964

Department of Reclamation

Permit No. 26203

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Melvin H. Leavitt - farmer - Rt. 4
Hamphra, Idaho. President of the State of Idaho

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

Ans. _____

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

Ans. Permit No. 26203 Dated 3:00 P.M. Feb. 29, 1956
Date of priority Feb. 24, 1956 12-16-56

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

Ans. Snake River approx. 1584 ft. distant from the N.W. Corner
and 428 ft S.E. along the So. bank of Snake River
Lot 3 (NE 1/4 NW 1/4) Sec. 8, T. 4 S., R. 2 E., B.M.

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

Ans. Four Banks Morse pump engineer designed pumps to
produce 5.02 sec. ft. of water. It consists of a
60 H.P. vertical motor and 12" turbine pump, lifting water
73 ft. through a 12" pipe line with a run of 638 ft. & carried to
land thru a one to one-half mile open ditch. Water measured
over a weir in ditch, was approximately five sec. ft.

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

Ans. Water is used for irrigation of 256 acres in Lot 6, Sec 5;
Lot 7, 8, 11 SW 1/4 SE 1/4, Sec 6; NE 1/4 NE 1/4, Sec 7;
NW 1/4 NW 1/4, Lot 3, Sec. 8, T. 4 S., R. 2 E., B.M.
Barley, alfalfa hay & corn have been grown on land.
A trailer house is located near the pump. A steel grainery near to center of ranch.

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

Ans. not a ground water permit.

26203

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

Ans. _____

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

Ans. _____

5.00 second feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. _____

It is usually turned on in Mar. and runs almost continually until Oct.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. _____

M

None

(Sign)

William H. Leavitt

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 City Hall, Nampa, Idaho, County of Canyon, State of Idaho, on this 23rd day of December, A. D. 1963.

Geneva B. Russell

My commission expires

4-21-66

26203

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MAR 27 1964

Department of Reclamation

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Hal C. Stewart, 38, Rt. 4, Nampa, Idaho.

farmer and laborer. Located four miles south of Nampa on 12th Ave. Rd.
Resident of the State of Idaho

Ques. 2. Are you acquainted with Melvin Leavitt, the holder of Permit No. 26203? How long have you known him and where does he reside?

Ans. yes
32 years, Four miles south of Nampa on
12th Ave Rd.

Ques. 3. Have you read or heard read said Permit No. yes ²⁶³⁰², and are you familiar with its provisions and conditions?

Ans. yes yes.

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

Ans. Snake river; approx. 1584 feet distant from the NW
corner of Sec. 8, T4S, R2E, B.M. and in lot 3 NE 1/4 NW 1/4
Sec. 8, T4S, R2E, B.M. County of Burghes. 60 H.P. Electric
motor and turbine pump, about 600 ft of 12" pipe and 1 1/2 mile ditch

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

Ans. about 5, about that amount, 5 sec. ft.

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

Ans. For irrigation, water is taken from a canal
running the full length of the ranch. Cultivated
crops are grown, mostly alfalfa hay, and grain.

26203

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

Ans.

For Irrigation only.

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

Ans.

Sand loam to clay loam,
About an inch to the acre, or 250 inch.

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

Ans.

No.

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

Ans.

I have worked on the ranch a few days each
summer of 1961, 1962 and 1963. Have
seen crops being irrigated.

(Signed)

Hal C Stewart

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 City Hall,ampa, Idaho County of Canyon, State of Idaho, on this 23rd day of December, A. D. 1963.

Geneva B. Russell

Notary Public.

My commission expires 4-21-66.

26203

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 27 1964
Department of Reclamation

PERMIT NO. _____

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. Iceland Hennis 35 farmer, Route 4 Box 88
Nampa, Idaho Resident of State of Idaho.

Ques. 2. Are you acquainted with Melvin Leavitt, the holder of Permit No. 26203? How long have you known him and where does he reside?

Ans. yes 20 years - 4 miles south of Nampa on 12th Ave. Rd.

Ques. 3. Have you read or heard read said Permit No. 26203, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. Snake river. Lot 3 NE 1/4 NW 1/4 Sec 8
T 4 S. R. E. B. M. County of Bwyher. 60 H.P. Electric
motor and turbling pump, about 600 ft of 12" pipe and
1 1/2 miles of ditch

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

Ans. About 5, About 5 sec. ft.

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

Ans. For irrigation. Water is taken from entire Canal
which is about 1 1/2 miles long. Cultivated crops are
grown, mostly hay and grain.

26203

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

Ans. 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.

Ans. sandy loam and clay loam
about an inch per acre or 250 in.

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

Ans. No

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

Ans. I visited the farm in 1960 and saw the water
being pumped up into the ditch and there used for
irrigation.

Ieland Hennis

(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in City Hall, Nampa, Idaho, County of Canyon, State of Idaho, on this 23rd day of December, A. D. 1963.

Geneva B. Russell

Notary Public.

My commission expires 4-21-66.

26203

March 20, 1964

Re: Permit No. 26203

Melvin Leavitt
Route #4
Nampa, Idaho

Dear Mr. Leavitt:

Notice was published in the Marsing Owyhee
Nugget that you would make proof of beneficial use of water
from Snake River, December 23, 1963, before Geneva Russell,
at Nampa City Hall.

The deposition forms were sent to you
November 13, 1963.

We have no record of ever receiving the
depositions.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26203

November 13, 1963

Re: Permit No. 26203

Mr. Melvin Leavitt,
Route #1,
Nampa, Idaho.

Dear Mr. Leavitt:

This acknowledges the Notice of Proof of ~~Submission of Evidence~~ Application of Water to Beneficial Use under Permit No. 26203. The proofs are to be made at 10:00 o'clock A.M., on the 23rd day of December, 1963, before Geneva Russell, Nampa City Hall, Nampa, Idaho, Notary Public.

As of this date we have mailed the Notice to the Omyee Nugget, Marsing, Idaho, 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,

~~W. N. CARTER~~
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

26203

Re: Permit No. 26203
Melvin Leavitt

Date: November 13, 1963

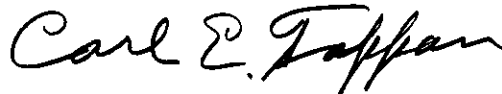
Owyhee Nugget,
Marsing, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to December 23, 1963 the date set for proof; the expense of the publication is to be paid by the applicant Melvin Leavitt of Rt. #1, Nampa, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

CET:pmk

26203

November 12, 1963

Re: Permit No. 26203

C
O
P
Y

Melvin Leavitt
Route #4
Nampa, Idaho

Dear Mr. Leavitt:

We received the forms, legal notice of your intention to make proof of beneficial use of the water under above noted permit.

You show the point of diversion in Lot 3, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 4 S., R. 2 E., whereas your permit shows Lot 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8. Also Lot 3 in Section 8 is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8. The tie you show would place the point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, or Lot 3.

We have changed your notice describing the point of diversion as approx. 1584' distant from, and 428' S. E. along So. bank of Snake River, the NW $\frac{1}{4}$ Corner of Sec. 8, T. 4 S., R. 2 E., B. M., in Lot 3, Sec. 8, T. 4 S., R. 2 E., B. M., County of Owyhee.

The notice is being sent to the Owyhee Nugget, Marsing, as shown above. It probably will not be published until next week and you can contact the paper if you want the description Lot 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26203

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Nov. 8 1963
(P. O.) Rt. 4 Nampa, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Boise Nugget of Marsing, Idaho published in
or Owyhee Cronica) of Homedale, Idaho
the county in which the works are situated.

Melvin Leavitt

(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.

26203

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

Notice is hereby given that at 10 A.M. on the 23 day of Dec., 1963,
at Nampa City Hall, County of Canyon, State of Idaho, before
General Russell, proof will be submitted of the
application to beneficial use of 5.02 cubic feet per second of the waters of
Snake River in accordance with the terms and conditions of
Permit No. 26,203 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 _____

Melvin Leavitt, Route 4, Nampa, Idaho.

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 5.02

The point of diversion of said water is Approx. 1584' distant
from, and 428' S.E. along S.E. bank of Snake River, the
NW Corner of Sec. 8, T4S, R2E, B.M. in Lot 3
Sec 8, T4S, R2E, B.M. County of Owyhee

The place where said water is used (LEGAL DESCRIPTION) 251 acres in Lot 6,
Sec 5; Lot 7, 8, 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7;
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 3, Sec 8, T. 4 S., R. 2 E B.M

The date of priority which said user is prepared to establish is Dec. 23, 1963
Dec. 16, 1952

CARL E. TAPPAN
State Reclamation Engineer

26203

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 26203

Date:

Jan. 2, 1963

Melvin Leavitt
Route #4
Nampa, Idaho

Dear Mr. Leavitt:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26203 is due not later than March 1, 1963. 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.

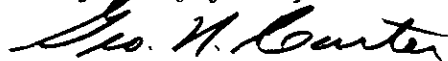
We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the 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 your 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.

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



GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10 - 11

26203

January 25, 1961

Re: Permit No. 26203

Mr. Melvin Leavitt
Route #1
Nampa, Idaho

Dear Mr. Leavitt:

We enclose Certificate of Completion of Works issued
on Permit No. 26203.

Also enclosed is departmental receipt No. 30427 in the
amount of \$5.00 covering the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Aule
Chief Clerk

EPR:ew

Enc. certificate
receipt

26203

January 11, 1961

RE: Permit No. 26203

Melvin Leavitt
Rt 4
Nampa, Idaho

Dear Mr. Leavitt:

The Proof of Completion of Works you submitted to this office is acceptable, provided you remit the \$5.00 fee for the Certificate of Completion of Works.

Kindly remit at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
JAN 23 1961
Department of Reclamation

January 11, 1961

RE: Permit No. 26203

Melvin Leavitt
Rt 4
Nampa, Idaho

Dear Mr. Leavitt:

The Proof of Completion of Works you submitted to this office is acceptable, provided you remit the \$5.00 fee for the Certificate of Completion of Works.

Kindly remit at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr

Enclosed find check for 5.00
Melvin Leavitt

26203

Permit No. _____

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
JAN 1 11 1961

Department of Reclamation

STATE OF IDAHO

County of Owyhee }

ss.

Melvin Leavitt

, 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. 26203, and that his postoffice address is Rt. 4, Nampa, Idaho
State of _____

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 _____

Lot 3 Sec. 8 T. 4 S. R 2 E B. M. Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Mar. 1, 1961.

Fifth: That the use for which said water is intended is for irrigation of 251 Acres

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: Installation of Pump + pipe line + ditch

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

II. Dimensions of work: 60 H.P. Motor + Pump; 630' of 12" pipe; 2 Mile ditch

(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 _____

251 second feet of water.

Eighth: That water appropriated under said permit is available for 251 acres of land described as follows: Lot 7 + 8 and the SW 1/4 SE 1/4 Sec 6 T. 4 S.

Range 2 East B. M. Idaho, Containing 94.90 Acres;
+ Lot 11 Sec 6, NE 1/4 NE 1/4 Sec. 7, Lot 6 Sec 5, NW 1/4 NW 1/4
+ Lot 3 Sec 8 all in Township R. + M. afore said
Containing 156.20

Ninth: Remarks:—That Pump and pipe line has been
instaled, ditch has been built and water
put on land.

State of Nevada

County of Washoe

Jan 9-1961

Subscribed and sworn to before me this

9 day of January, 1961Melvin Leavitt

(SIGN HERE)

William A. McFarland

NOTARY PUBLIC

My commission expires My Commission Expires August 9, 1964

26203

K. Smith

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

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Re: Permit No. 26203

January 3, 1961

Melvin Leavitt
Route #4
Nampa, Idaho

Dear Sir:

Under the terms of your permit No. 26203 you are required to complete your diversion works on or before March 1, 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

ew
Enc. Form 6

26203

March 6, 1956

RE: Permit No. 26203

Mr. Melvin Leavitt
Route 4
Nampa, Idaho

Dear Mr. Leavitt:

We enclose Permit No. 26203 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 27848 for the \$6.25 filing fee.

Very truly yours,

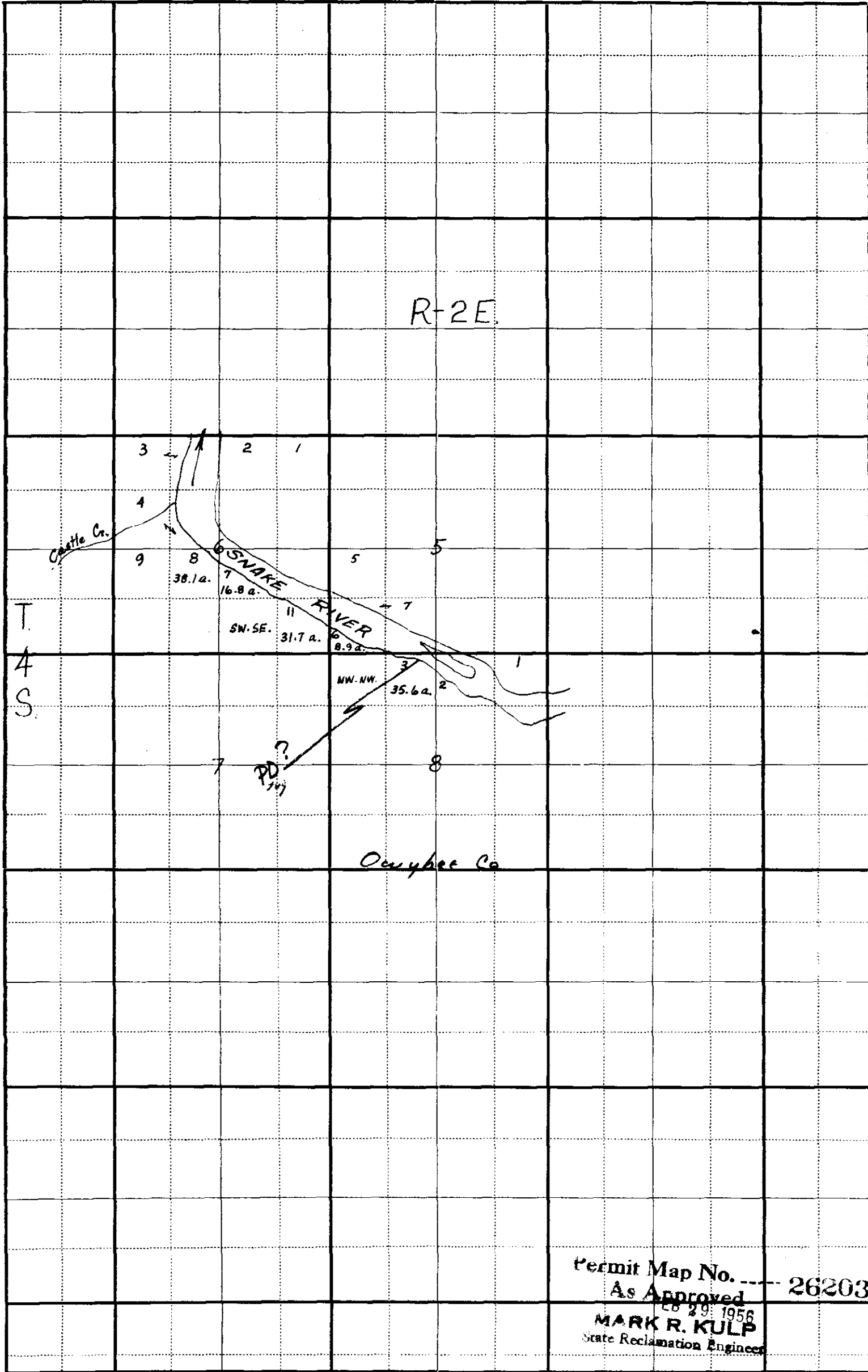
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

Enc.

26203



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

Notice is hereby given that at 10 A. M. on the 23rd day of December, 1963, at Nampa City Hall, County of Canyon, State of Idaho, before Geneva Russell, proof will be submitted of the application to beneficial use of 5.02 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 26203 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 is Melvin Leavitt, Route 4, Nampa, Idaho.

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

The amount applied to beneficial use is 5.02.

The point of diversion of said water is Approx. 1584 feet distant from, and 428' S. E. along So. bank of Snake River, the N. W. corner of Section 8, T 4 S., R 2 E, B. M. in Lot 3 of Sec. 8, T 4 S, R 2 E, B. M., County of Owyhee.

The place where said water is used (LEGAL DESCRIPTION)

251 acres in Lot 6, Sec. 8; Lot 7, 8, 11 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Lot 3, Sec. 8, T 4 S, R 2 E, B. M.

The date of priority which said user is prepared to establish is December 16, 1956.

CARL E. TAPPAN,
State Reclamation Engineer
(Nov. 21 — Dec. 12)