

T.  
5  
S

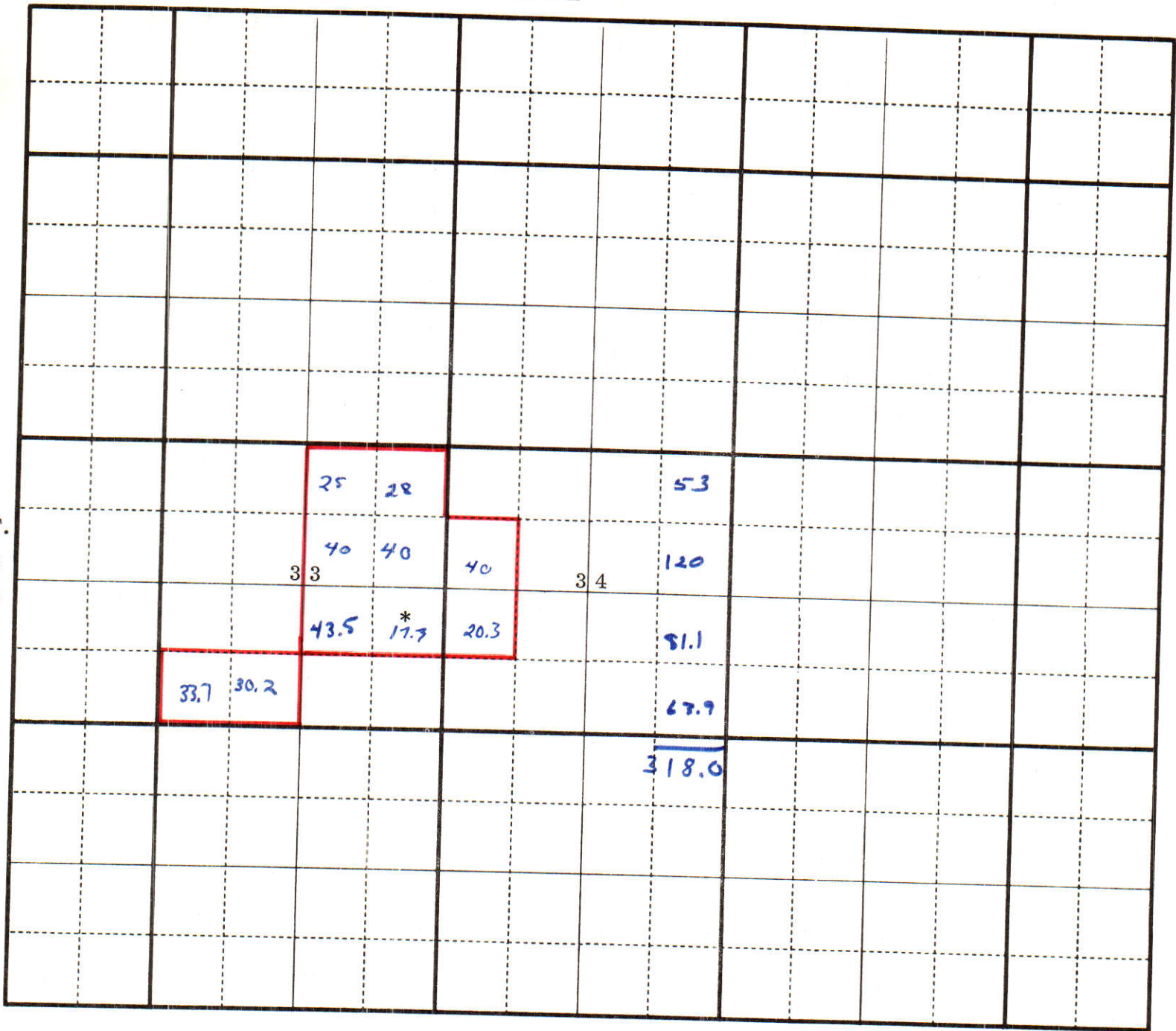
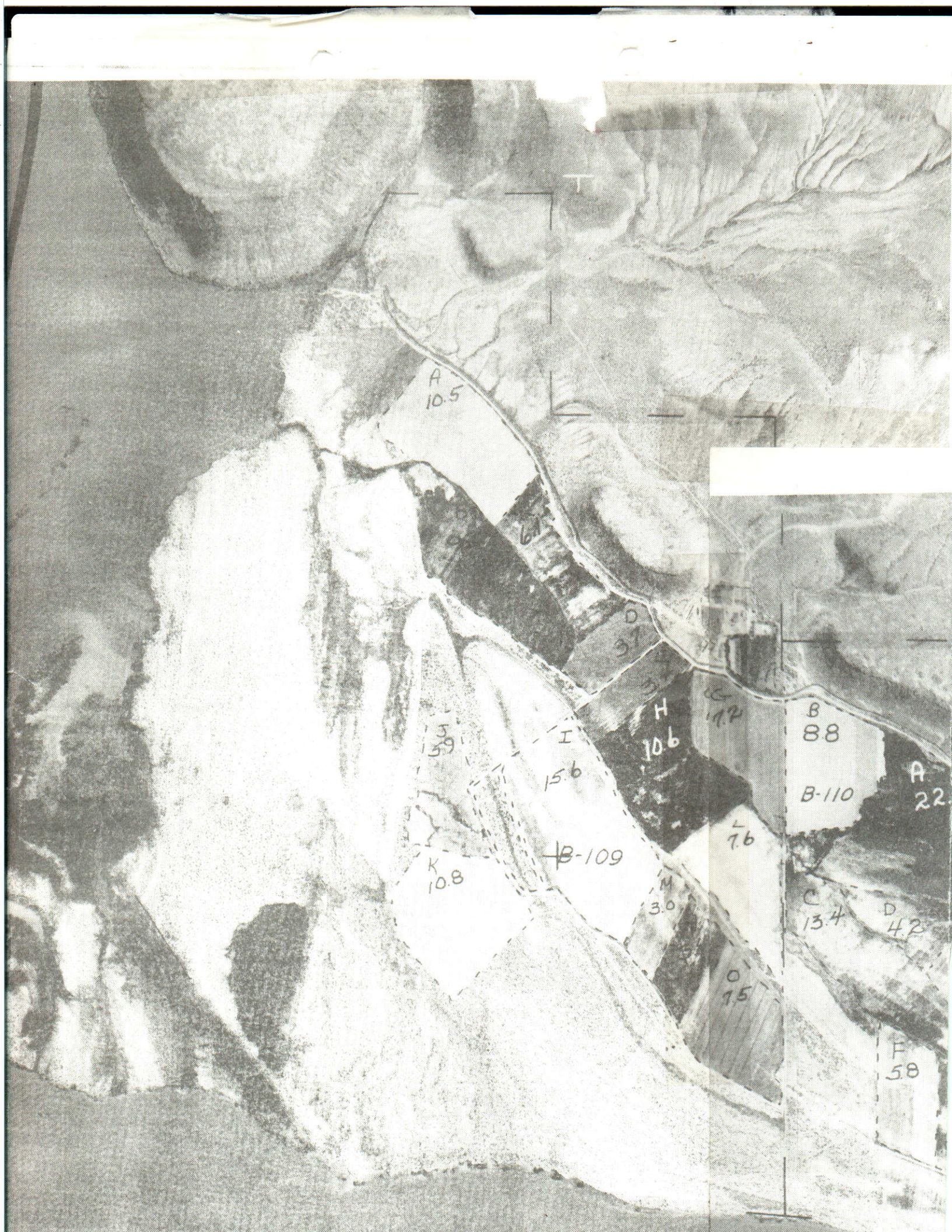
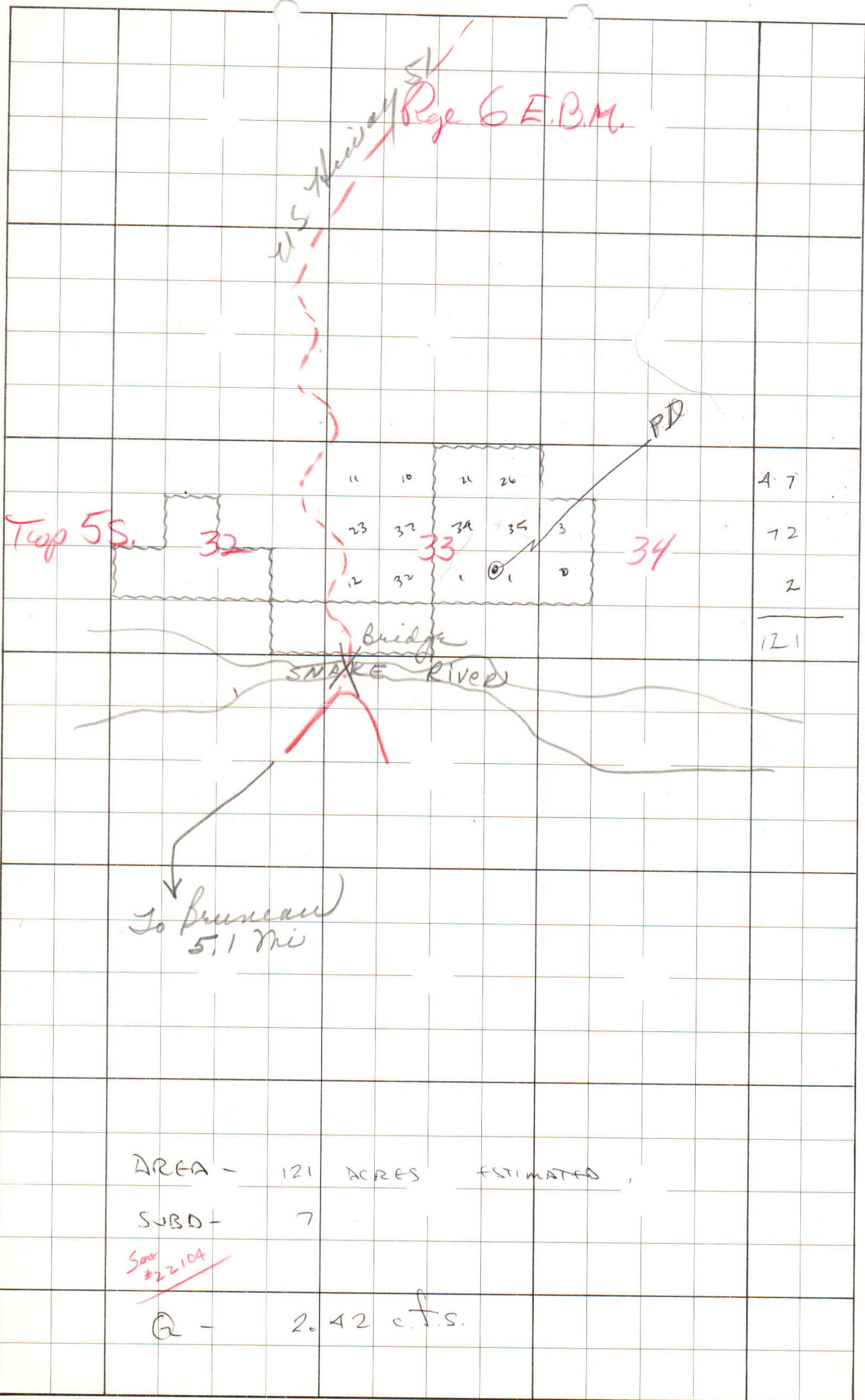


Diagram of System

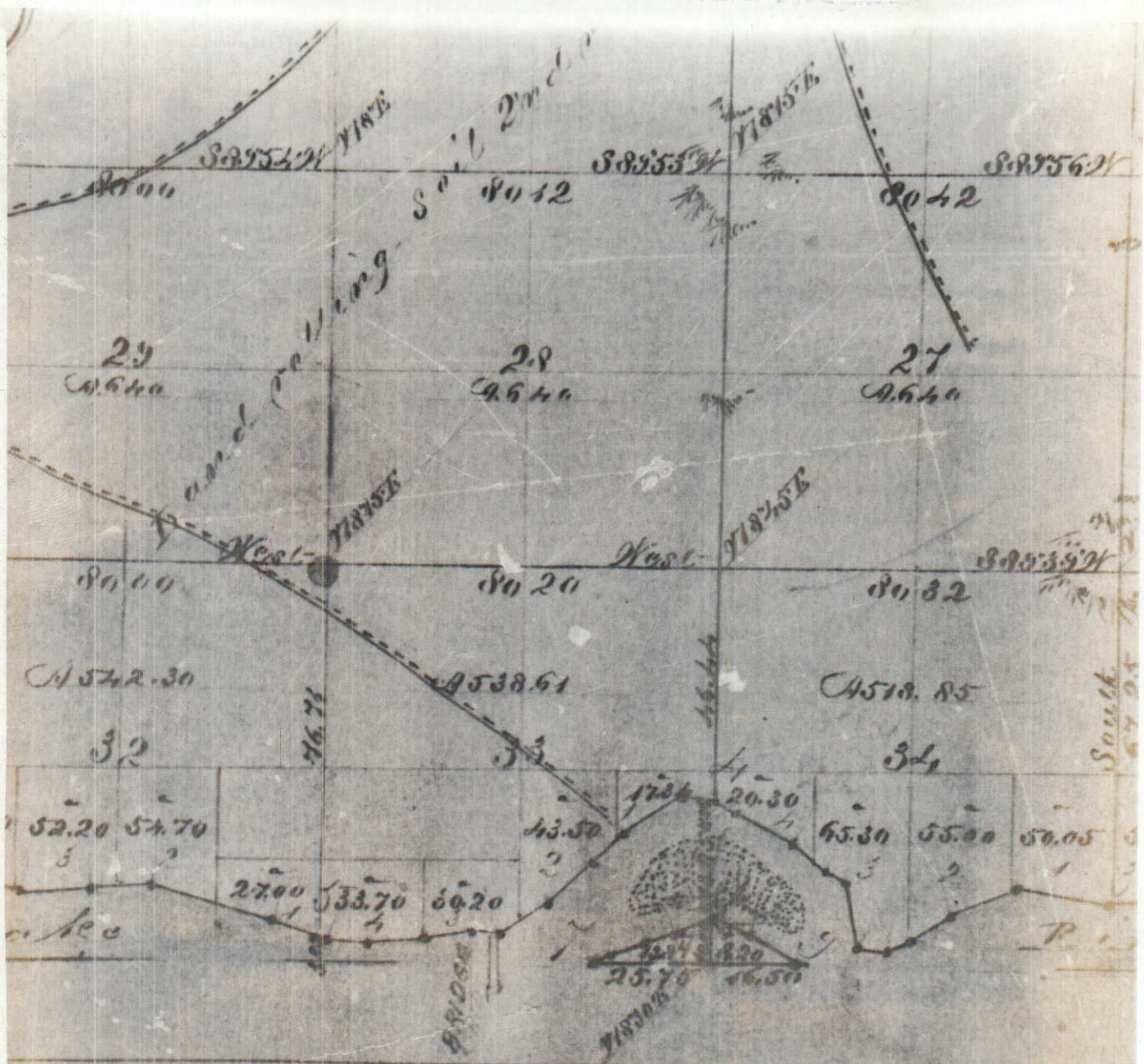








Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



| Tract | Amount of survey |        |       | When commenced   | When completed    | When closed      |
|-------|------------------|--------|-------|------------------|-------------------|------------------|
|       | Miles            | chains | links |                  |                   |                  |
| 61870 | 0.9              | 115    | 65    | December 9, 1869 | September 4, 1870 | October 1, 1870  |
| "     | 5.9              | 23     | 53    | October 4, 1870  | October 13, "     | November 1, 1870 |
| "     | 1.8              | 05     | 84    | " 12, "          | " " "             | " " "            |

NOTICE OF CORRECTION OF  
LEGAL NOTICE PUBLISHED  
UNDER THE PROVISIONS  
OF SECTIONS 42-214, 42-217,  
IDAHO CODE

Notice is hereby given that the legal notice printed in the Mountain Home News on July 29, August 5, 12, and 19, 1968, showing that Byron Stevens was to make

proof of application of water to beneficial use August 20, 1965, on Permit No. 19690/61-2079 was in error. The point of diversion was given as Lot 2, Sec. 33, T. 5 S, R. 6 E. B.M.; whereas, the actual point of diversion is Lot 1, Sec. 33, T. 5 S, R. 6 E, B.M.

That any protests against the approval of the depositions made August 20, 1965, must be filed at the Department of Reclamation, Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant and shall clearly set forth his objection to the approval of said proof of application of water to beneficial use.

Dated this 23rd day of July, 1968.  
R. KEITH HIGGINSON  
State Reclamation Engineer  
First publication August 1, 1968.  
Last publication August 8, 1968.  
Last date of protest September 3, 1968.

RECEIVED  
AUG 12 1968

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

.....2.... consecutive weeks, the first publica-  
tion having been made on the .....1..... day  
of ...August....., 1968, and  
the last publication having been made on the  
.....8..... day of ...August....  
1968...; 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 ..8.....  
day of ...August....., 1968.

Vivian M. Waters  
Notary Public

19690  
02-2124

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Scale: 2 inches equal 1 mile

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

Signed at Ranch Snake River, this 29 day of June, 1968.

Byron Stevens  
(signature)

**ACTION OF STATE RECLAMATION ENGINEER**

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approves the above application for amendment, No. 19690/61-2079.

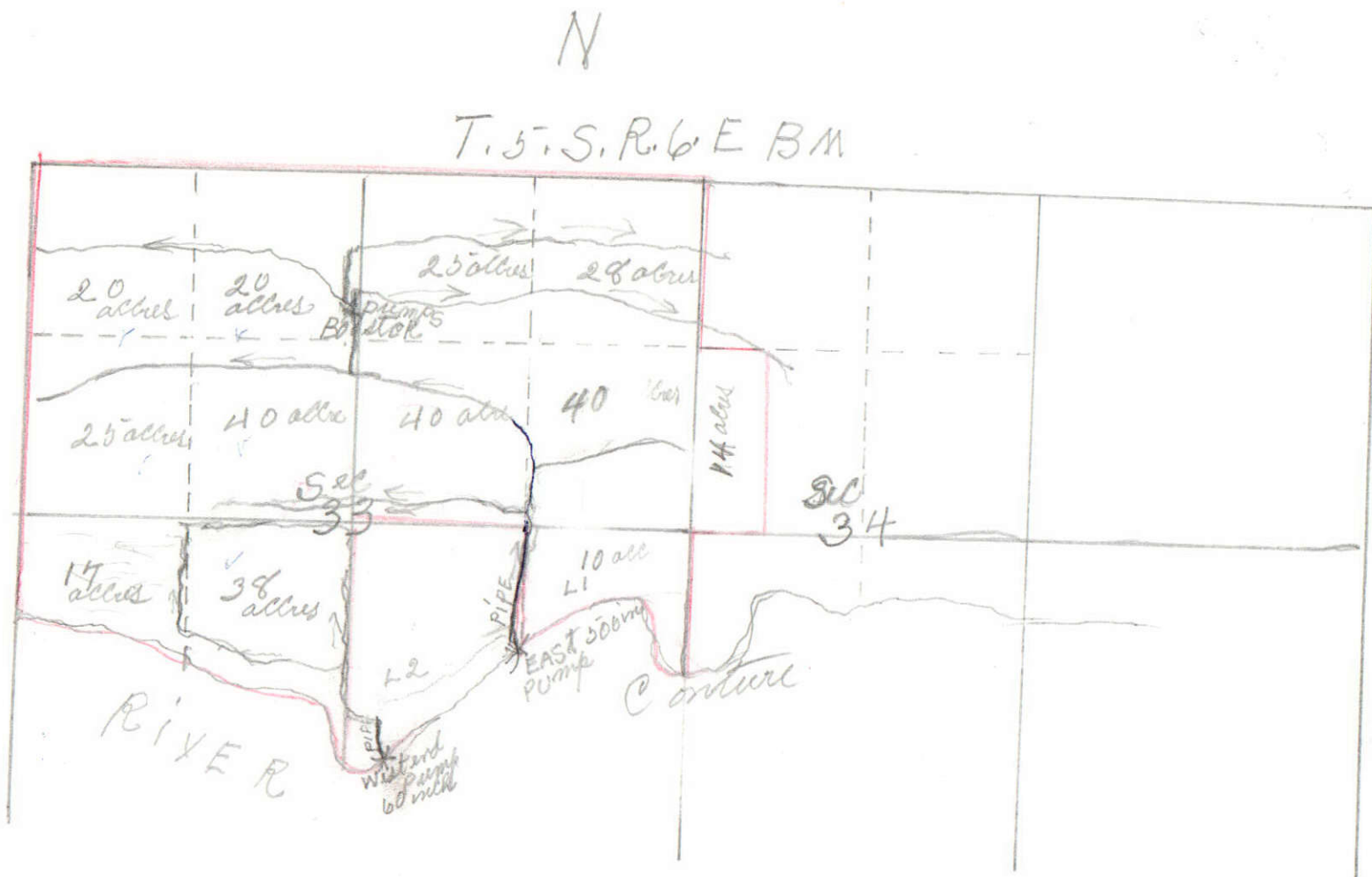
Witness my hand this 30th day of July, 19 68.

R. Keith Higginson  
State Reclamation Engineer

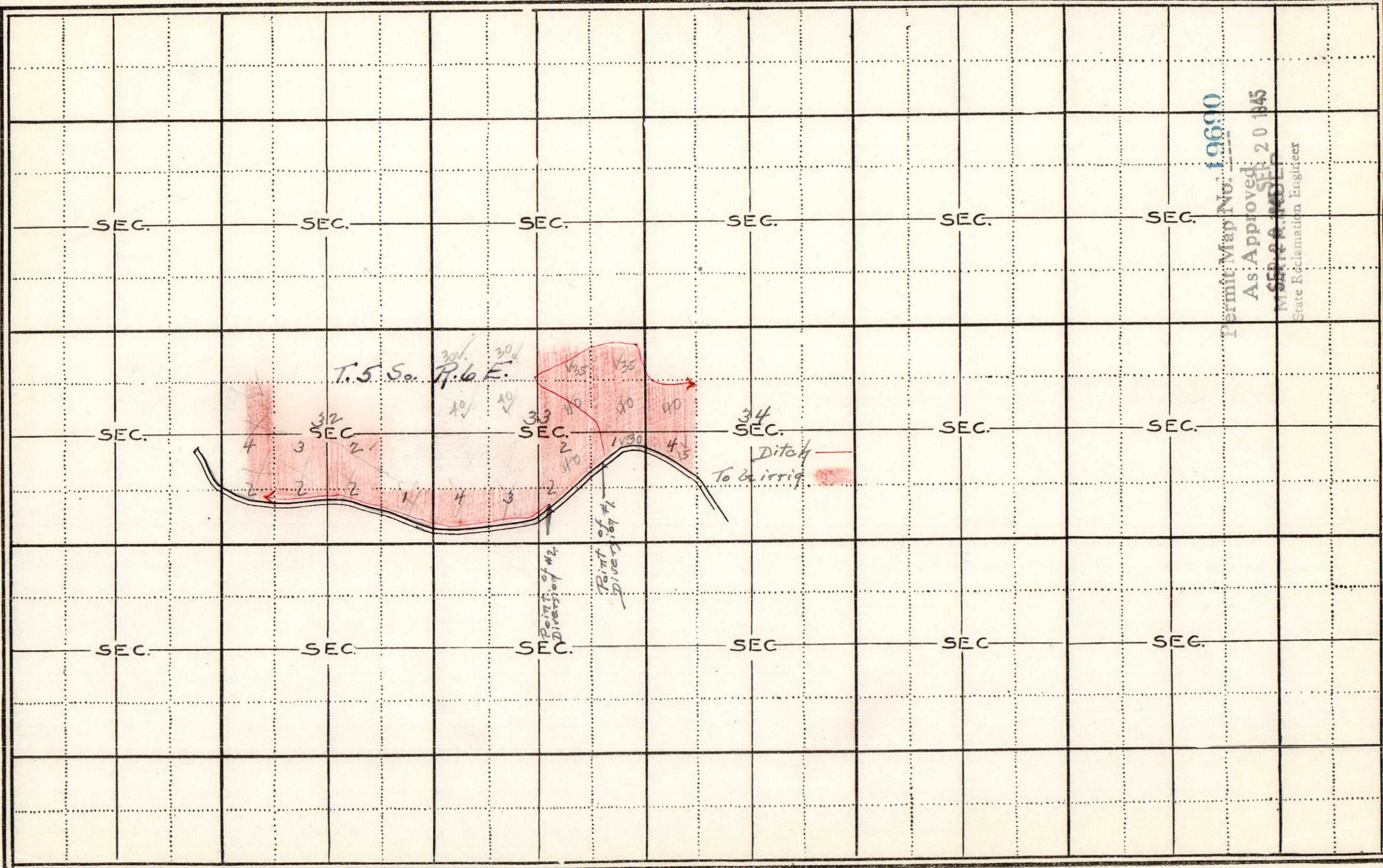
RECEIVED  
MAR 15 1966  
Department of Reclamation

RECEIVED  
SEP 14 1965  
Department of Reclamation

Department of Reclamation



This shows location of pumps also Booster pumps  
The Canal system for Irrigation  
And the acreage irrigated in each legal  
subdivision  
Then 160 acres in permit no 22104  
And 157 in permit no 19690



State of Idaho  
Department of Water Administration  
LICENSE OF WATER RIGHT

License of Water Right No. 19690/02-2124 Priority August 18, 1954 Amount 6.36 cfs  
(late proof)

THIS IS TO CERTIFY, that Byron Stevens  
of Mountain Home, Idaho, has complied with the terms and conditions of Permit  
No. 19690/02-2124 issued pursuant to Application for Permit dated September 18, 1945,  
and has submitted proof to the Department of Water Administration on August 20, 1965,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 8.0 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from the Snake River  
tributary of the Columbia River, is hereby confirmed in the following amounts:

Amount 6.36 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 6.36 cfs of water be diverted at  
any one time, said waters to be diverted within the

Lot 1 of Sec. 33, Twp. 5 S, Rge. 6 E, B. M.

in the county of Elmore; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 1,431 acre feet per year or \_\_\_\_\_  
4.5 acre feet per acre.

Description and location of place of use:

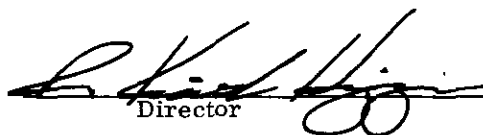
| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |            |            |            | SE 1/4     |            |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------|------------|------------|------------|------------|--------|--------|--------|
|      |       |      | 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  | 6 E   | 33   | 28     | 25     | 40     | 40     |        |        |        |        |        |            | 33.7       | 30.2       | 17.3       | 43.5       |        |        | 257.7  |
|      |       |      |        |        |        |        |        |        |        |        |        |            | (lot<br>4) | (lot<br>3) | (lot<br>1) | (lot<br>2) |        |        |        |
| 5 S  | 6 E   | 34   |        |        |        |        |        | 40     |        |        |        | 20.3       |            |            |            |            |        |        | 60.3   |
|      |       |      |        |        |        |        |        |        |        |        |        | (lot<br>4) |            |            |            |            |        |        |        |

Total number of acres irrigated 318

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 3rd day of

January, 19 74.

  
Director

62-2124

No. 19690

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

Application No. 27223  
Permit No. 19690  
District No.

Assigned to See death petition

1. Name of Applicant: ED L. STEVENS AND BYRON STEVENS

Postoffice address: Mountain Home

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:

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

2. Quantity of water claimed: Ten (10)

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the # 1 in Lot 1  
# 2 in Lot 2

of Section 33 , T. 5 S. , R. 6 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 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: \$ 3,000.00

8. Kind of works: Motor, pump 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 3 feet; width at water line 5 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 2 1/2 miles.

Average grade per mile 5.28 feet.

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

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

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

15. (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 waters of the State of Idaho as herein set forth.

ED L. STEVENS AND BYRON STEVENS Applicant.

By Stanton Park Agent.

Date of first receipt at Department of Reclamation: 11:30 A. M. September 18, 1945

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is 19690

Recorded in Book 71 Page 19690 Approved September 20, 1945

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 November 20, 1945 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 March 20, 1948

The whole of said work to be completed on or before September 20, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before September 20, 1956

Witness my hand this 20th day of September, 1945

MARK R. KULP  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, Governor of the State of Idaho, and IRA H. MASTERS, 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 20th day of September, 1945.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS  
Secretary of State.

By CHARLES C. GOSSETT  
Governor

Remarks:

14.

| Twp. | Range | Sec.                                      | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|------|-------|-------------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|      |       |                                           | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 5 S. | 6 E.  | 32                                        |                                |                                |                                |                                |                                |                                | 20                             |                                | 32.2                           | 29                             |                                |                                |                                | 54.7                           |                                | 27                             | 182.9  |
|      |       | 33                                        | 28                             | 25                             | 40                             | 40                             |                                |                                |                                |                                |                                |                                | 33.7                           | 30.2                           | 17.3                           | 43.5                           |                                | 257.7                          |        |
|      |       | 34                                        |                                |                                |                                |                                |                                |                                | 40                             |                                |                                |                                | 20.3                           |                                |                                |                                |                                |                                | 60.3   |
|      |       | Total number of acres to be irrigated - - |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | 500.9  |

14-A, Existing water rights and/or valid permits appurtenant to the lands to be irrigated are none

#### APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 19690

Come now Ed L. Stevens and Byron Stevens, and represent to the State Reclamation Engineer of the State of Idaho: That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 19690, and request that said Permit be amended as follows:

That the point of diversion described in said Permit as Diversion No. 1, located in Lot 1, Section 33, Twp. 5 S., Range 6 E., B.M. be abandoned and cancelled, and that only one point of diversion be described, namely in Lot 2, Section 33, Twp. 5 S., Range 6 E., B.M.

That the list of lands to be irrigated be amended to read as follows: In Section 33, Twp. 5 S., Range 6 E., B.M.: NE $\frac{1}{4}$  NE $\frac{1}{4}$  (28 acres), NW $\frac{1}{4}$  NE $\frac{1}{4}$  (25 acres), S $\frac{1}{2}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  (Lot 4) (33.7 acres), SE $\frac{1}{4}$  SW $\frac{1}{4}$  (Lot 3) (30.2 acres), NE $\frac{1}{4}$  SE $\frac{1}{4}$  (Lot 1) (17.3 acres), and NW $\frac{1}{4}$  SE $\frac{1}{4}$  (Lot 2) (43.5 acres)

In Section 34, Twp. 5 S., Range 6 E., B.M.: SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  (Lot 4) (20.3 acres) Making a total of 318 acres.

That the amount claimed be reduced from Ten cubic feet per second to 6.4 cubic feet per second.

That their reasons for desiring to make such amendments are as follows:

Ditches from the one point of diversion in Lot 2, as above, can cover all the land described in Sections 33 and 34, and the 182.9 acres described in the permit in Section 32 will be eliminated.

That no one will be injured by such amendments, and that such changes will be made at Permit holders' own risk.

Dated at Boise, Idaho, this 25th day of August, 1950.

Date of receipt at Department of Reclamation Aug. 25, 1950.

ED L. STEVENS  
BYRON STEVENS Permit Holders

LICENSE ISSUED FOR 6.4 CFS. FT.  
LICENSE PAGE NO.

## 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. 19690. 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

Permit No. 19690

## CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ED L. STEVENS and Byron STEVENS of Mountain Home, County of Elmore, and State of Idaho, the holders of Permit No. 19690, issued upon Application No. 27223 bearing date of priority of September 18, 1945, authorizing the diversion of Ten (10) second feet of the waters of Snake River, County of Elmore, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 6.4 second feet of the waters of Snake River; that the point of diversion of said waters is in Lot 2, Section 33, Township 5 South, Range 6 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE<sup>1</sup><sub>4</sub>, S<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>4</sub>, N<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub> Section 33; SW<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub> and NW<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub> Section 34, Township 5 South, Range 6 East, B.M.

Witness my hand this 31st day of August, A. D. 1950.

MARK R. KULP  
State Reclamation Engineer

Proof of Completion of Works made August 22, 1950.  
Certificate of Completion of Works issued August 31, 1950.

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 19690.

Comes now Ed L. and Byron Stevens and represents to the State Reclamation Engineer of the State of Idaho:  
That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 19690.  
That the point of diversion is described in said Permit as being located in Lot 2, Section 33, Township 5 South, Range 6 East, B. M.  
That they now request that the point of diversion be changed to a point located in Lot 1, Section 33, Township 5 South, Range 6 East, B. M.  
That their reasons for desiring to make such change are as follows:  
The dam originally built in Lot 2 and on which proof of completion of works was made has been washed out and it is necessary to construct a new dam at a new point of diversion.  
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 12th day of September, 1955.

ED L. STEVENS  
BYRON STEVENS

Date of receipt at Department of Reclamation September 12, 1955.

## 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. 19690. 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

DECREE ESTABLISHING FACT OF DEATH  
OF JOINT TENANT \*

✓ Superior Court of the State of California for the County of San Diego. Petition of BYRON STEVENS to Establish Fact of Death of E. L. STEVENS, whose full name is EDWARD L. STEVENS, deceased. (See in Permit file No. 22104). ✓

Recorded March 11, 1966.

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

614 State Street  
Statehouse - Annex 2  
Boise, Idaho 83720  
(208) 384-2190



Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection

January 8, 1974

Re: Permit No. 19690/02-2124

LaVern Miller  
Route 3, Box 104  
Nampa, Idaho 83651

Dear Mr. Miller:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

We are also enclosing Receipt #13506 in the amount of \$20.00 for the licensing fee.

Sincerely,

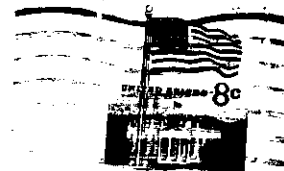
BOBBY D. FLEENOR  
Assistant Director

jfr

Enclosure

02-2124

Dr. W. LaVern Miller  
Rt. 3 Box 104  
Nampa, Idaho 83651



Dept. of water administration  
State House annex 2  
Boise  
Ida

83707

02-2124

December 26, 1973

Re: Permit No. 19690/02-2124

Byron Stevens  
Star Route B, Box 30  
Mountain Home, ID 83647

Dear MR. Stevens:

A representative of this Department has made an examination of the works covered by your Permit No. 19690/02-2124 and has found the following:

Quantity of water diverted: 8.0 cfs Source: Snake River

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

The maximum quantity of water diverted shall not exceed 1,431 acre feet per season.

Beneficial use: For irrigation of 318 acres within the NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 33; SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 34; all in Twp. 5 S, Rge. 6 E

Point of diversion: Lot 1 Sec. 33, Twp. 5 S, Rge. 6 E, B.M.

The priority date established is: August 18, 1954 (late proof)

A fee totaling \$ 20.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth above.

If you do not concur with these findings, please contact this office within the 30 day period.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

jfr

cc: LaVerne Miller  
Route 3  
Nampa, Idaho 83651

02-2124

# DEPARTMENT OF WATER ADMINISTRATION

## FIELD REPORT

1. Name of permit holder Byron Stevens Katherine Miller  
 Post office address Bruneau, Idaho Phone \_\_\_\_\_  
 Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

2. Source of water supply: Groundwater ☐ Surface water ☒ Snake River  
 (name spring, stream, etc.)  
 Tributary to \_\_\_\_\_

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for Irrigation  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15  
 (mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
 (mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
 (mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

Permit No. 19690/02-2124  
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 10.0 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5S N/S, Range 6E E/W, B.M., Section 33, Subdivision Lot # 1 1/4 1/4 Elmore  
 County  
 Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision 1/4 1/4 \_\_\_\_\_  
 County  
 Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision 1/4 1/4 \_\_\_\_\_  
 County

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: pump, canals & ditches

Proof made: 8-20-65

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 |        |
| 5S   | 6E    | 33   | 28     | 25     | 40     | 40     |        |        |        |        |        |        | 33.7   | 30.2   | 17.3   | 43.5   |        |        | 257.7  |
|      |       |      |        |        |        |        |        |        |        |        |        |        | lot 4  | lot 3  | lot 1  | lot 2  |        |        |        |
|      |       | 34   |        |        |        |        |        |        | 40     |        |        |        | 20.3   |        |        |        |        |        | 60.3   |
|      |       |      |        |        |        |        |        |        |        |        |        |        | lot 4  |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

2 2124

TOTAL ACREAGE 318

R. 6 E

T.  
5  
S

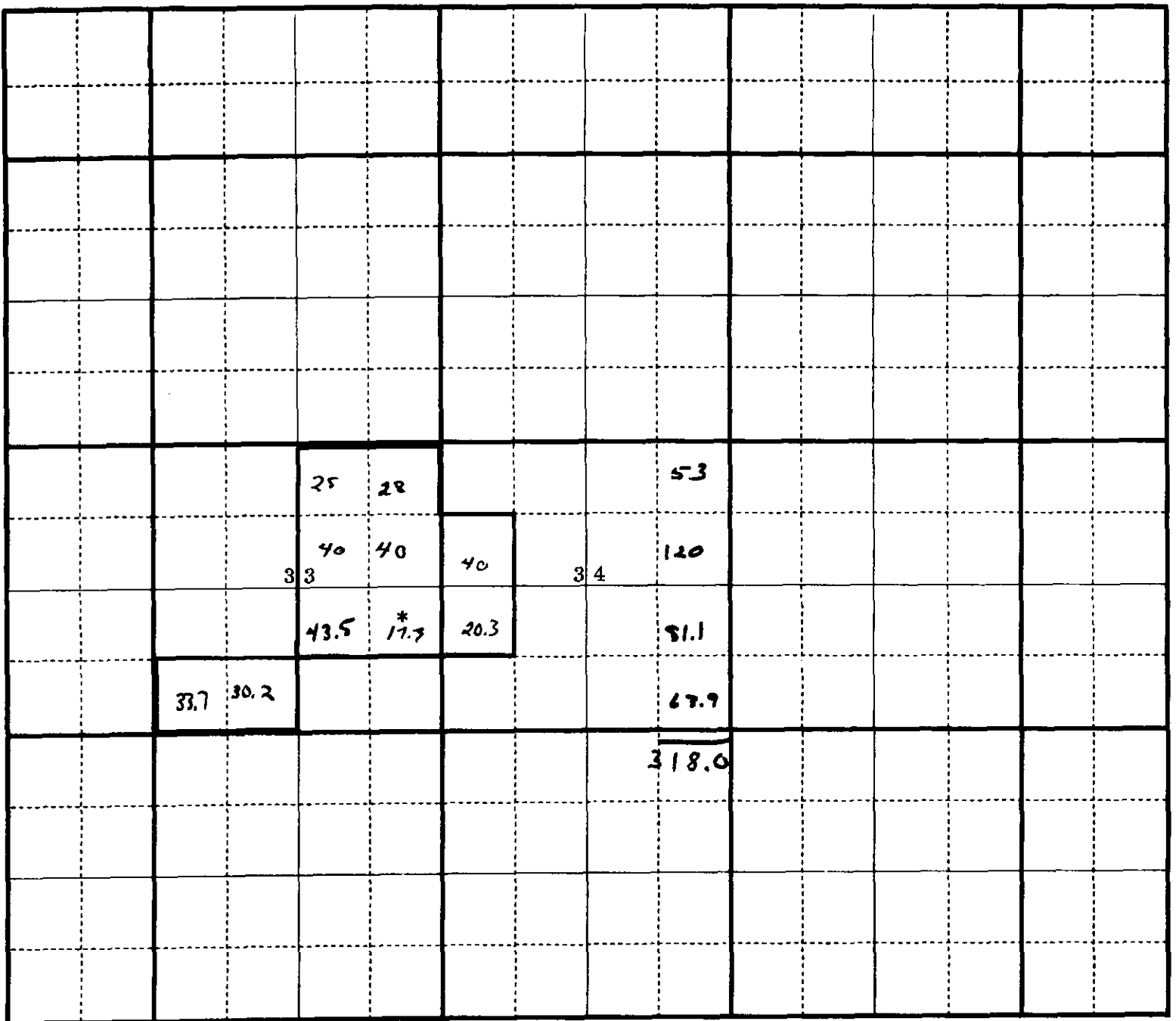


Diagram of System

2 2124

DATE OF EXAM 3 July 73

22325

ACREAGE  
Found 318  
Recommended 318

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 6.36 c.f.s. V = 1431.0 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: Snake River  
twp. 5 N 8 Rge 6 E/W, B.M., Sec. 33, Sub. Lot #1  $\frac{1}{4}$  Elmore County

Exchange? yes \_\_\_\_\_ no ✓

Name source exchanged with: \_\_\_\_\_  
twp. 5 N 8 Rge 6 E/W, B.M., Sec. 33, Sub. Lot #1  $\frac{1}{4}$  Elmore County

Point of injection:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_ County

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_ County

Total Q measured 8.0 cfs Method of measurement Weir

Total Q recommended 6.36 cfs Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 1431.0 Acsf

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None

MEASUREMENT CALCULATION:

Q = 8.0 cfs

V = 1431.0 AF/ANN (4.5)(318) = 1431.0

Note: Acreage recommended as on permit (318 Acres)

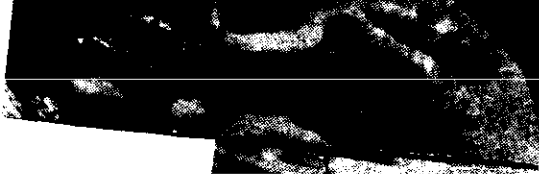
SYSTEM DESCRIPTION: Motor  
Approx 200 HP Pump with Turbine pump 16" discharge 300'  
North to open concrete ditches. Bypass valve at the pump  
returns water to the river when demand is less than the  
amount the pump lifts.  
2-10 HP Pumps Relift water to Higher ditches for irrigation by gravity.

REMARKS:  
system has been installed approx 20 years  
Output of system is somewhat variable depending  
upon need (bypass valve returns flow to river)

Examiner's Signature James Booker Date 4 Sept 73

Checked by \_\_\_\_\_ Date \_\_\_\_\_

Approved by \_\_\_\_\_ Date \_\_\_\_\_





2829  
5013

B-112

D  
71

72

22.0

B  
8.1  
16

A  
5.6

F  
8.2

G  
7.0

N  
17.5

3.1  
16.6

P  
7.7

19690  
#1

116

108  
DIV

89

3.9

70

ACT #2

2210A

LF 3F 5C 33

**.85**

SNAKE

**River at**

STU

.90

92

24

97

33

•

4

10

33

100

10

35

22

No. \_\_\_\_\_ of \_\_\_\_\_ Sheets. Comp. by \_\_\_\_\_ Chk. by \_\_\_\_\_

|    |     |     |     |     |     |     |     |     |
|----|-----|-----|-----|-----|-----|-----|-----|-----|
| .0 | .10 | .20 | .30 | .40 | .50 | .60 | .70 | .80 |
|----|-----|-----|-----|-----|-----|-----|-----|-----|



Form 23  
2M-4-65

~~amend PD to lot 1~~

22 104

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. 19690

REPORT ON PROOF OF Beneficial Use

02 - 2124

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

Permit No. 19690

This proof is for Beneficial Use

In Water District No. ~~right but the permit is right~~

1. Name of applicant Byron Stevens

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the 1st 1 of Section 33

T. 5 S R. 6 E.B.M. County of Elmore

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

10 HP ELECTRIC CHALLENGER BELGIUM MADE  
MOTOR # 15 mm 16202 98461

BERKELEY VERT TURBINE PUMP # 5616575

18" DISCHARGE THROUGH 18" PILE STOCK ONE

MILE - OPEN DISCHARGE INTO CONCRETE DITCH - EARTH DITCH

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):

SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 32., NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 33.,

SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 34., all in Twp. 5 S., Rge. 6 E.B.M. (500.9 acres)

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

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

Remarks: BE LA KAN RIVER CONTACTED

NOTE 10 HP WELDON HOUSE - JOHNSTON PUMP RELIFT

ALSO 20 HP ELEC ALSO CHALLENGER MOTOR -

CENTRIFUGAL RELIFT PUMP

CURRENT METER MEASUREMENT TAKEN

Q = 4.78 c.f.s.

This examination was made on the 8TH day of SEPT, 1967

(Signed) D. R.

Examiner.

Adok per  
plat

Byron Stevens  
Star Rt. "B", Box 30  
Mtn. Home, Idaho

Permit No. 19690

Examination for Beneficial Use

County Elmore

Quantity: 10 cfs Sec. 33 T. 58 R. 6 EBM

Source: Snake River

P.D.: Lot 1, Sec. 33., Twp. 58; Rge. 6 EBM

Use: Irrigation

Extension:

Protest:

Completion of Works: Made August 22, 1950

Other Rights:

Filed: September 18, 1945

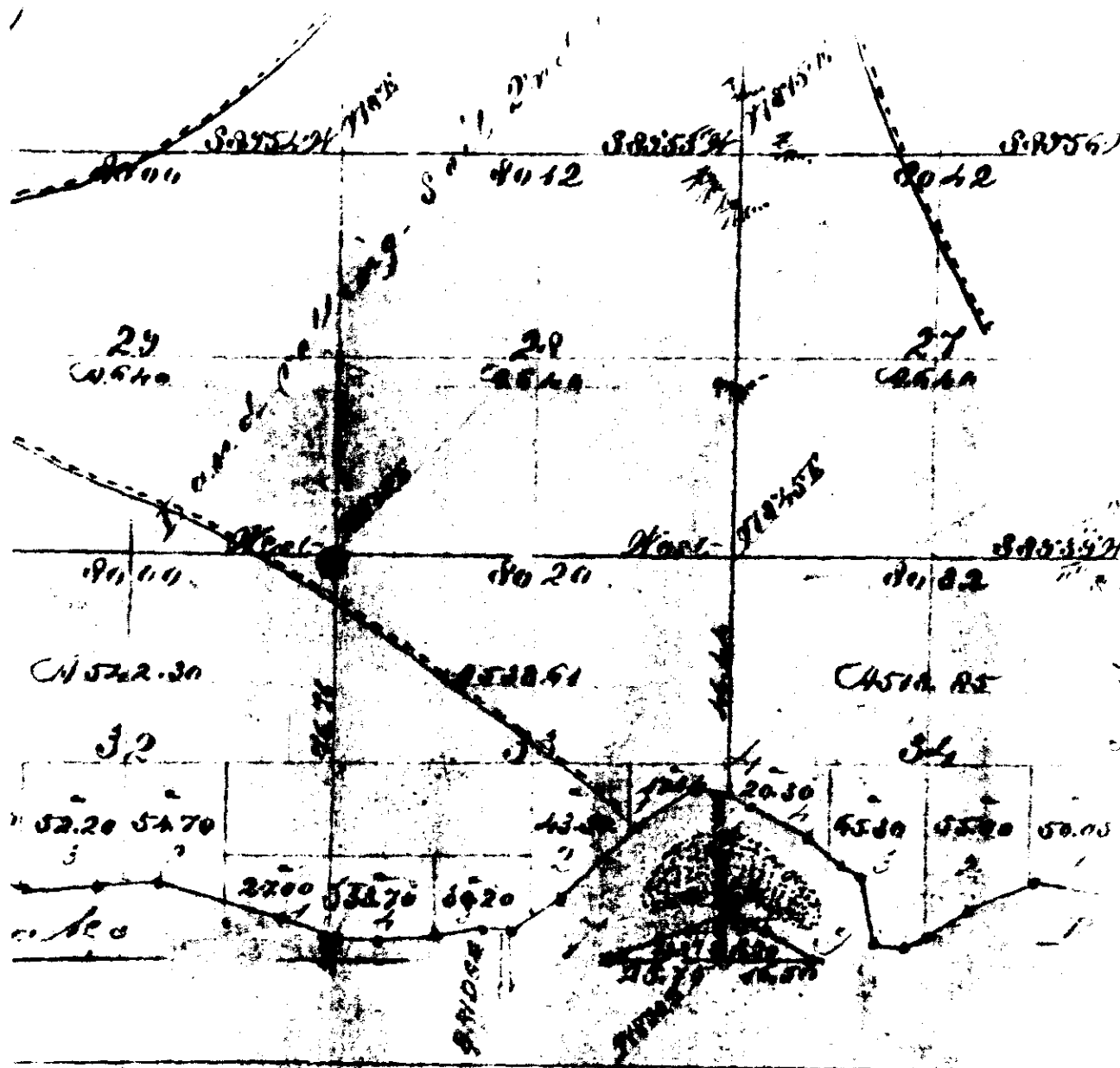
Due: B/U due September 20, 1956

---

### 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.
-



| Year | Area of Survey |        |       | When commenced  | When completed |
|------|----------------|--------|-------|-----------------|----------------|
|      | Miles          | chains | links |                 |                |
| 1870 | 0.8            | 15     | 45    | December 9 1869 | September 1870 |
|      |                | 23     | 53    | October 4 1870  | October 1870   |
|      |                | 05     | 81    | " 12 "          | " "            |

July 30, 1968

RE: Permit 19690/61-2079

Byron Stevens  
Star Route B - Box 30  
Mountain Home, Idaho 83647

Dear Mr. Stevens:

Enclosed herewith is an approved copy of the amendment to point of diversion you submitted to this office for recording. Departmental receipt No. W-330 is enclosed. This amount (\$5.00) covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH  
Administrative Assistant

MRB:ejw

Enclosures



NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE  
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Mountain Home News on July 29, August 5, 12, and 19, 1965, showing that Byron Stevens was to make proof of application of water to beneficial use August 20, 1965, on Permit No. 19690/61-2079 was in error. The point of diversion was given as Lot 2, Sec. 33, T. 5 S, R. 6 E, B.M.; whereas, the actual point of diversion is Lot 1, Sec. 33, T. 5 S, R. 6 E, B.M.

That any protests against the approval of the depositions made August 20, 1965, must be filed at the Department of Reclamation, Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant and shall clearly set forth his objection to the approval of said proof of application of water to beneficial use.

Dated this 23rd day of July, 1968.

\_\_\_\_\_  
R. KEITH HIGGINSON  
State Reclamation Engineer

Date of First Publication \_\_\_\_\_

Date of Last Publication \_\_\_\_\_

Last Date of Protest \_\_\_\_\_ September <sup>3</sup>~~2~~, 1968

19690  
02-2124

July 23, 1968

Re: Permit No. 19690/61-2079  
Byron Stevens

Mountain Home News  
Mountain Home, Idaho 83647

Gentlemen:

Enclosed is a legal notice which is to be published once a week for two consecutive weeks. Insert the dates of first and last publication in one copy and return to us along with a galley proof for proofing.

The cost of the publication is to be paid by Byron Stevens, Star Route B, Box 30, Mountain Home, Idaho. Please send the bill and the affidavit of publication to him and he will forward the affidavit to this department.

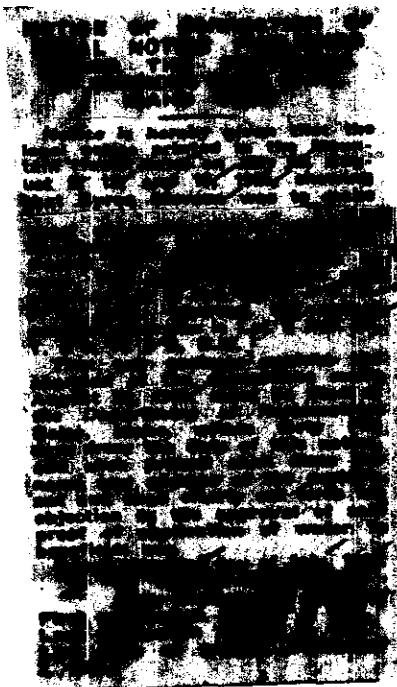
Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:dj

Enc: legal notice (2 copies)

cc: Byron Stevens



RECEIVED

AUG 12 1968  
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

.....2..... consecutive weeks, the first publica-  
tion having been made on the ....1..... day  
of ...August....., 1968, and  
the last publication having been made on the  
.....8..... day of ...August.....  
19.68...; 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 8.....

day of ...August....., 1968.

Vivian M. Waters  
Notary Public

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

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

Byron Stevens  
(signature)

Star Rt B, Box 30  
Mountain Home Idaho  
(address)

June 27, 1968  
(date)

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 when proof is for completion of works.

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

\_\_\_\_\_  
Engineer

02-2124  
19690

RECEIVED  
JUL 2 1968  
Department of Reclamation

Comes now Byron Stevens of (address) \_\_\_\_\_

No. 19690/61-2079, and requests that the permit and permit map be changed as follows:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)

[illegible]

19690

A hand-drawn diagram on a grid showing a 3D coordinate system. The origin is labeled '0'. The x-axis is labeled 'x' and has a tick mark at '34'. The y-axis is labeled 'y' and has a tick mark at '5'. The z-axis is labeled 'z' and has a tick mark at '10'. A point is marked with a dot at the coordinates (34, 5, 10).

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

Byron Stevens  
(signature)

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho,

Witness my hand this 30th day of July, 19 68

July 19 88  
R. Keith Higgins  
State Reclamation Engineer

June 26, 1968

Re: Permit No. 19690/61-2079

Byron Stevens  
Star Route "B", Box 30  
Mountain Home, Idaho

Dear Mr. Stevens:

Thank you for your letter of June 22, 1968. First of all let us explain the new number that we are using to identify your permit. Permit No. 19690/61-2079 is the old permit you previously had which was known as 19690. Due to some re-modifications in the filing system of the Department of Reclamation it has become necessary to re-number the permits. The number that the permit is now known by is 61-2079; however, for clarification of records we will use both numbers and separate them with a slash mark ("/".)

We are enclosing the letters you sent to this department with your June 22, 1968 letter. Also enclosed is an additional set of amendment forms and form 11 for you to sign. If you will return these after following the directions of the letter of April 2, 1968, a copy of which is enclosed, we may begin the final processing.

As for Permit No. 22104, now 22104/02-2092, we will send you a fee letter on July 1, 1968. After paying the fees indicated in the fee letter, we will license this permit and the processing will be complete.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

Enclosure: Amendment forms  
Form 11  
Copy of April 2, 1968 letter  
Copies of September 14, 1965 letters

19690  
02-2124

Byron Stevens  
Star Rt B, Box 30  
Mountainhome Idaho 83647

June 22, 1968

Department of Reclamation  
Mr Donald W. McEldowny  
Appropriation Examiner

Department of Reclamation

Dear Sir

In answer to your letter of June 19, 1968 regarding Re: Permit No 19690/~~61-2879~~  
I did not receive the letter from the department dated April 22, 1968.  
Regarding the field examination of September 8, 1967,  
So I have not got the application form nor the department's form 11,  
So if you can send me duplicate forms, I will take care of the same  
at once.

Very truly yours,

Byron Stevens

I find in checking over my records that you have made some mistake  
on the one permit, it should have been 22104.

I am incloseing the two acknowledgements made by the department  
on September 14, 1965 showing the correct re; permit numbers,  
When you write I would like to have them sent back to me.

19690  
02-2124

June 19, 1968

Re: Permit No. 19690/61-2079

Byron Stevens  
Star Route "B", Box 30  
Mountain Home, Idaho

Dear Mr. Stevens:

As of this date we have not received a reply to our April 2, 1968 correspondence, a copy of which is enclosed. We would appreciate hearing from you as soon as possible.

Very truly yours,

Donald W. McElldowney  
Appropriation Examiner

DW:ks

Enclosure: Copy of 4-2-68 letter

19690  
02-2124

DON SAMUELSON  
GOVERNOR



30 days  
R. KEITH HIGGINSON  
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

April 2, 1968

Re: Permit No. 19690

61-2079

Byron Stevens  
Star Route "B", Box 30  
Mountain Home, Idaho

Dear Mr. Stevens:

The results of the field examination conducted by the Department of Reclamation conducted September 8, 1967, indicate that before issuance of a water license in connection with this permit, we will require that you file an application for amendment for the point of diversion.

This change would change the point of diversion from that listed in the permit to Lot 1, section 33, T. 5 S, R. 6 E, B.M., Elmore County as found during the field examination.

Also, you will be required to publish a correction notice, advertising your amendment. We are enclosing an application form which has partially been completed. Please review the document and if you agree with its contents sign the amendment and return with a \$5.00 application fee.

Also enclosed is the department's form 11, authorization for this department to publish a correction notice at your expense. Please sign the correction notice and return it with the fee and the application for amendment.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DW:ks

Enclosure: Amendment form partially completed  
Form 11

02-2124  
19690

July 31, 1967

Re: Permits 19690 & 22104

Byron Stevens  
Star Route B  
Box 30  
Mountain Home, Idaho 83647

Dear Mr. Stevens:

Pursuant to your letter of July 26, 1967, we plan to make a field inspection on the above referenced permits sometime during this 1967 irrigation season.

Very truly yours,

Donald J. Watts  
Field Engineer

DJW:nw

Star Rt B. Box 30  
Mountain Home Ida July 26 - 1967

Department of Reclamation  
Boise, Ida.

RECEIVED  
JUL 28 1967

Dear Sirs.

I am writing in regards  
to Two water permits here on  
the Snake river.

Permit No 22104

Permit No 19690

The depositions of holder and two  
witnesses also affidavit of publication  
in the Mountain Home News  
all submitted in proof of works  
and beneficial use.

Have been approved by Mr Carl E.  
Fappin and your department.

And is waiting for inspection by  
your field Engineer. Of Sept 14 - 1965  
I was wondering when inspection  
could be made.

The lands that these permits cover have  
been sold under a long term contract.  
And deeds and papers are in Escrow in the  
bank. And on completion of said water  
permits, I am supposed to put them  
also in Escrow with other papers.  
according to contract.

That is the reason I am concerned  
about the matter.

19690  
02-2124

Because if something should happen to me, it might complicate the deal. For the people concerned if they were not complete and in Escrow.

I am gone quite a lot of the time in the summer months as I do quite a lot of fishing.

Should the field man come while I am away, Mr Owen Young is there most of the time. He could show him around. His phone no is 845-2257.

And there is Jerry Gingerich. He is farming most of the land that the permits cover. He could show him also. His phone no is 845-2255.

So if I should be gone at the time of inspection I am sure there would be some one there that could show him around.

I am sincerely yours  
Byron Stevens

January 11, 1966

RE Permit No. 19690, Ed L. Stevens and Byron Stevens  
22104, Ed L. Stevens and Byron Stevens

O. A. Nielson  
Lybrand, Ross Brothers & Montgomery  
Room 330  
Idaho First National Bank Building  
Boise, Idaho

Dear Mr. Nielson:

Pursuant to our phone conversation of January 10 we have the following information on the permits in question.

Permit No. 19690 issued to Ed L. Stevens and Byron Stevens is for 6.4 c.f.s. from Snake River diverted in Lot 1, Sec. 33, T. 5 S., R. 6 E., B.M. The land irrigated is NE $\frac{1}{4}$ NE $\frac{1}{4}$ , 28A; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , 25A; SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$  (Lot 4), 33.7A; SE $\frac{1}{4}$ SW $\frac{1}{4}$ , (Lot 3) 30.2A; Sec. 33; SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  (Lot 4), 20.3A, Sec. 34 a total of 318 acres all in T. 5 S., R. 6 E., B.M. Completion of works proof was made August 22, 1950. Listed priority is September 18, 1945; however, proof of beneficial use, which was due September 20, 1956, has not been made and the actual priority date depends upon when this proof is made.

Permit No. 22104 issued to E. L. Stevens and Byron Stevens is for 3.2 c.f.s. from Snake River diverted in Lots 1 and 2, Sec. 33, T. 5 S., R. 6 E., B.M. The land irrigated is NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 33, T. 5 S., R. 6 E., B.M. Completion of works proof was made May 19, 1956. Listed priority is May 14, 1951; however, proof of beneficial use, which was due May 19, 1958, has not been made. Until this proof is made no actual priority date is set by this department.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

Donald Watts  
Office Engineer

DW:mr

19690

E. L. and Byron Stevens  
Star Route, Box 30  
BrunEAU, Idaho

Permit No. 19690

Examination for Beneficial Use

County Elmore

Sec. 33 T. 58 R. 6 EBM

Quantity: 10.0

Source: Snake River

P.D.: Lot 1

Use:

Extension:

Protest:

Completion of Works:

Other Rights:

Filed:

Due:

---

### 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.
-

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

Permit No. 19690.....

This proof is for Beneficial Use In Water District No. \_\_\_\_\_

- [illegible]

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

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

Remarks: \_\_\_\_\_

This examination was made on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

(Signed) \_\_\_\_\_

19690

Form 23  
2M-4-65

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. 19690

REPORT ON PROOF OF Beneficial Use

S T A T E O F I D A H O  
D E P A R T M E N T O F R E C L A M A T I O N  
Boise, Idaho

March 4 1966

Re: Permit No. 19690

To: Ed. L. and Byron Stevens  
Mountain Home, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 19690 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Depositions of Holder and two witnesses were not received in this office which  
were to be made in connection with the proof of water to Beneficial Use

you are hereby notified in compliance with Sec. 42-311, Idaho Code that said Permit No. 19690 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 19690 claims the use of 10 cubic feet per second of the waters of Snake River with point of diversion located in Lot 1, Sec. 33., Twp. 5 S., Rge. 6 E.B.M.

Elmore County of

and was approved September 20, 1945.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 4th day of March 1966

  
\_\_\_\_\_  
State Reclamation Engineer

By:

\_\_\_\_\_  
Assistant

19690

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
SEP 14 1965

RECEIVED  
MAR 15 1966

PERMIT NO. 19690

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.

Ans. Z. W. Tindle; 60 years of age; reside at Indian Cove, Idaho;  
farmer; address: Hammett, Idaho.

Ques. 2. Are you acquainted with Byron Stevens, the  
holder of Permit No. 19690 ☒? How long have you known him and where does  
he reside?

Ans. Yes. I have known him since 1958. He resides at Rio Vista,  
at the Snake River Bridge on Highway No. 51.

Ques. 3. Have you read or heard read said Permit No. 19690 ☒, 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. Point of diversion is in Lot 2 on the approximate  
boundary line between Lots 1 and 2 in Sec. 33, T. 5 S., R. 6 E., B.M.  
Water is pumped from Snake River into ditches at this point of  
diversion and conveyed by canals and ditches to place of use.

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. 3.2 second feet

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

Ans. Water is used for irrigation; the land is all cultivated and is  
all leveled and fenced. Two residence houses and two barns have been  
constructed for use in connection with this permit and Permit No. 22104.  
Water produced by the east pump on the approximate boundary between Lots  
1 and 2, Sec. 33., T. 5 S., R. 6 E., B.M., produces water for irrigation  
of 10 acres in Lot 1, 25 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , 28 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , 40  
acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  and 40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 33, and 14 acres  
in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 34, T. 5 S., R. 6 E., B.M.

19690

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

Ans. Not applicable.

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. Medium sandy loam. About 1 inch per acre.

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. Since 1953 I have seen all the land worked and irrigated and have helped level and work the land.

B. W. Lindell  
(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 Mountain Home, County of Elmore, State of Idaho, on this 20th day of August, A. D. 19 65.

[Signature]

Notary Public.

My commission expires June 29, 1967.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
MAR 15 1966  
Department of Reclamation

PERMIT NO. 19690 ✓

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.

Ans. J. D. Shenk; 66 years of age; reside at Hammett, Idaho;  
farmer; address: Star Route, Hammett, Idaho.

Ques. 2. Are you acquainted with Byron Stevens, the holder of Permit No. 19690 ✓? How long have you known him and where does he reside?

Ans. Yes, since 1931. He resides on a farm at the Snake River Bridge on Highway 51, near Bruneau, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19690 ✓, 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. Point of diversion is in Lot 2 on the approximate boundary line between Lots 1 and 2 in Sec. 33, T. 5 S., R. 6 E., B.M. Water is pumped from Snake River into ditches at this point of diversion and conveyed by canals and ditches to place of use.

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. 1.2 second feet.

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

Ans. Water is used for irrigation; the land is all cultivated and is all leveled and fenced. Two residence houses and two barns have been constructed for use in connection with this permit and Permit No. 22104.

Water produced by the east pump on the approximate boundary between Lots 1 and 2, Sec. 33., T. 5 S., R. 6 E., B.M., produces water for irrigation of 10 acres in Lot 1, 25 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , 28 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , 40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  and 40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 33, and 14 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 34, T. 5 S., R. 6 E., B.M.

19690

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

Ans. Not applicable.

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. Medium sandy loam. About 1½ inch per acre.

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. Since approximately 1948.

(Signed)

J. D. Shenk.

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 Mountain Home County of Elmore, State of Idaho, on this 20th day of August, A. D. 1965.

[Signature]  
Notary Public.

My commission expires June 29, 1967

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 19690

\*\*\*\*\*

RECEIVED  
SEP 14 1965  
Department of Reclamation

RECEIVED  
MAR 15 1966

Department of Reclamation PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ed L. Stevens

Ques. 1. State your name, residence occupation and postoffice address: Byron Stevens  
Elmore County Snake River Bridge Highway 51. Star. 100 B. Box 30

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:

Permit no 19690 With Priority Aug 25 1950

Ques. 3. State number, approval date of permit, and date of priority:

Permit no 19690 With Priority Aug 25 1950 - Aug 25, 1950

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

Point of diversion Lot 2 in Sec 33 Township 5 South Range East Bm

Ques. 5. Describe your works of diversion: 1 Pump and Electric motor with pipe line

Capacity of Pump 300 inches; state amount of water they are capable of conveying from point of diversion to place of use: 450 inches; Give name of canal or ditch

or other works by which water is conducted to such place of use: East and Canal also 2

Booster Pumps with Pipe lines to higher lands; if a well, state depth of well \_\_\_\_\_; depth and size of casing \_\_\_\_\_; depth to water \_\_\_\_\_; if pump is used,

state discharge of pump: 14 inch at pump leading to 24 inch pipe line; tell how it was measured or determined \_\_\_\_\_

\_\_\_\_\_; if sprinkler irrigation, give number and size of nozzles and operating pressure: \_\_\_\_\_

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

NW 1/4 of NE 1/4 25 acres NE 1/4 of NE 1/4 28 acres SW 1/4 of NE 1/4 40 acres  
SE 1/4 of NE 1/4 40 acres and 10 acres in lot 1 all in Sec 33  
Township 5 South Range East Bm  
and in SW 1/4 of NW 1/4 14 acres in Section 34 Township  
5 South Range East Bm.

19690

State nature of all improvements which have been made as a direct result of said use:  
The land is all fenced, leveled and ditches installed and two residence houses and two barns have been constructed in connection with this permit and Permit No. 22104.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Not applicable.

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

All used for irrigation. ✓

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:

Not applicable.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1955, approx. 450 inches- Time used since first use:

Used every year since 1955.

Ques. 10. Describe all other water rights appurtenant to same place of use: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(sign) Byron Stevens

\*\*\*\*\*

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

Mountain Home, County of Elmore

State of Idaho, on this 20th day of August, A. D. 19 65.

My commission expires: June 29, 1967

For Hall  
Notary Public for Idaho,  
Residing at Mountain Home, Idaho.

18-4-60

See 22104 for  
court order, however  
Exhibit "A" describing  
real property is missing.

O.A. Neilson - 3431641  
promised to obtain the data  
as soon as possible tho it  
will be some time.

RT

we can still issue  
license in both names.

19690

Department of Reclamation

## Affidavit of Publication

RECEIVED  
MAR 15 1966

County of Elmore }  
STATE OF IDAHO } ss.

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

### MOUNTAIN HOME NEWS

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

....4.... consecutive weeks, the first publica-  
tion having been made on the 27<sup>th</sup> day  
of July, 1965, and  
the last publication having been made on the  
19<sup>th</sup> day of August,  
1965; 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.

Subscribed and sworn to me this 25<sup>th</sup>  
day of August, 1965.

James Lathrop  
Notary Public

**NOTICE FOR PUBLICATION  
NOTICE OF PROOF  
APPLICATION OF WATER  
TO BENEFICIAL USE**  
Notice is hereby given that at  
10:00 A.M. on the 20th day of  
August, 1965, at Mountain Home,  
County of Elmore, State of Idaho,  
before Perce Hall, proof will be  
submitted of the application to  
beneficial use of 10 cubic feet per  
second of the waters of Snake  
River in accordance with the  
terms and conditions of Permit  
No. 19690 heretofore issued by the  
Department of Reclamation of the  
State of Idaho.  
The name and post office ad-  
dress of the person or corporation  
holding said permit, Byron Ste-  
vens, Star Route "B" Box 30,  
Mountain Home, Idaho.  
The use to which said water  
has been applied is Irrigation.  
The amount applied to benefi-  
cial use is 10 c.f.s.  
The point of diversion of said  
water is Lot 2 Section 33, Twp.  
5S, Rge. 8 E. B.M.  
The place where said water is  
used ☒ LEGAL ☒ DESCRIPTION  
NE 1/4 SW 1/4 NW 1/4 Sec.  
33, SW 1/4 NW 1/4 NW 1/4 Sec.  
tion 34 all in Twp. 5S, Rge. 6E.  
The date of priority which said  
user is prepared to establish is  
August 18, 1954.  
Carl E. Tappan  
State Engineer  
First publication July 27, 1965.  
Last publication Aug. 19, 1965.

19690

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

Notice is hereby given that at 10:00 A.M. on the 20th day of August, 1965, at Mountain Home, County of Elmore, State of Idaho, before Perce Hall, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 19690 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, Byron Stevens, Star Route "B," Box 30, Mountain Home, Idaho.

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

The amount applied to beneficial use is 10 c.f.s.

The point of diversion of said water is Lot 2, Section 33, Twp. 5S, Rge. 6 E. B.M.

The place where said water is used (LEGAL DESCRIPTION  
NE $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ , Section  
33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec-

tion 34, all in Twp. 5S, Rge. 6 E.

The date of priority which said user is prepared to establish is August 18, 1954.

Carl E. Tappan  
State Engineer

First publication July 29, 1965.  
Last publication Aug. 19, 1965.

RECEIVED

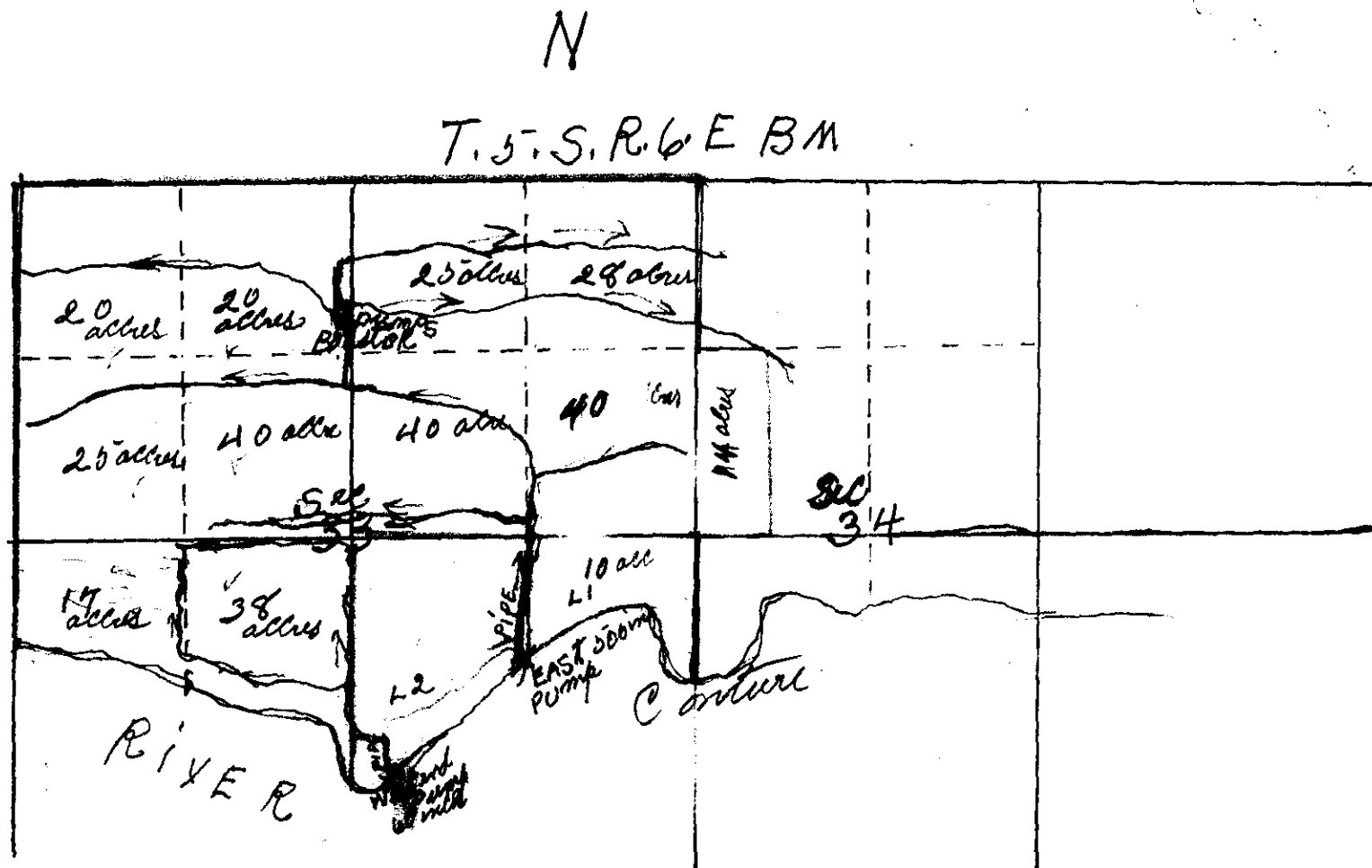
MAR 15 1966

Department of Reclamation

RECEIVED

SEP 14 1965

Department of Reclamation



This shows location of pumps also Booster pumps  
 The Canal system for Irrigation  
 And the acreage irrigated in each legal  
 subdivision  
 There 160 acres in permit no 22104  
 and 157 in permit no 19690

March 15, 1966

Re: Permit No. S. 22104  
and 19690

Byron Stevens  
Star Rt. "W", Box 30  
Mountain Home, Idaho

Dear Mr. Stevens:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the MOUNTAIN HOME NEWS, all submitted in proof of completion of works and beneficial use on Permit No. S. 19690 and 22104.

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,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:

19690

RECEIVED  
JUL 14 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 14 JULY 1965  
(P. O.) STAR ROUTE "B", Box 30, MOUNTAIN HOME, IDA.

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published  
at my expense in the MOUNTAIN HOME NEWS of  
MOUNTAIN HOME, IDAHO. Published in  
the county in which the works are situated.

+ Byron Stevens

(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

19690

RECEIVED  
JUL 14 1965NOTICE FOR PUBLICATION  
NOTICE OF PROOF APPLICATION OF WATER  
TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 10:00 A.M. on the 20<sup>th</sup> day of August, 1965,  
at MOUNTAIN HOME, County of ELMORE, State of Idaho, before  
PERCE HALL, proof will be submitted of the  
application to beneficial use of 10 cubic feet per second of the waters of SNAKE  
RIVER in accordance with the terms and conditions of  
Permit No. 19690 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  
ByRON STEVENS, STAR ROUTE "B" Box 30, MOUNTAIN HOME, IDAHO

The use to which said water has been applied is IRRIGATION

The amount applied to beneficial use is 10 C.F.S.

The point of diversion of said water is LOT 2, SECTION 33, TWP 5S,

RGE 6 E. B.M.

The place where said water is used (LEGAL DESCRIPTION) NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>,  
SECTION 33, SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> SECTION 34, ALL IN TWP 5S, RGE 6E.

The date of priority which said user is prepared to establish is August 18, 1954

Carl E. Tappan  
State Reclamation Engineer

19690

Re: Permit No. **19690**  
**Byron Stevens**

Date: **July 20, 1965**

**Mountain Home News,**  
**Mountain Home, Idaho.**

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to **August 20, 1965** the date set for proof; the expense of the publication is to be paid by the applicant **Byron Stevens,** of **Star Route "B", Box 30, Mountain Home, Ida.,** to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

*Carl E. Tappan*  
CARL E. TAPPAN  
State Reclamation Engineer

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

19690

July 20, 1965

Re: Permit No. 19690

Mr. Byron Stevens,  
Star Route "B", Box 30,  
Mountain Home, Idaho.

Dear Mr. Stevens:

This acknowledges the Notice of Proof of ~~Completion of Works~~ and Application of water to Beneficial Use under Permit No. 19690. The proofs are to be made at 10:00 o'clock A.M., on the 20th day of August, 1965, before Perce Hall, Mountain Home, Idaho Notary Public.

As of this date, we have mailed the Notice to the Mountain Home News Mountain Home, 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,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.  
EPR:pmk  
cc: Notary

19690

September 15, 1965

RE: Permits #19690, 22104  
Ed L. & Byron Stevens

Hall & Rowett  
Attorneys at Law  
Mtn. Home, Idaho  
Attention Mr. Perce Hall

Dear Mr. Hall:

Returned herewith, are the proofs taken in connection with the above numbered permits. On permit No. 19690, we have an amendment to change the point of diversion to only Lot 2 and not Lots 1 and 2. Also, the advertisement was for only one point of diversion in Lot 2.

If this is not correct, it will mean that the permit will have to be readvertised and an amendment to the point of diversion will have to be submitted. There is a fee of \$1.00 for recording each amendment.

It is further noted, that both the permits are in the names of E. L. Stevens and Byron Stevens. We require the signature of both holders on the depositions. If Byron Stevens is the only owner, we will require an assignment form from E. L. Stevens. The recording fee is 50¢ for each assignment.

Enclosed are amendment and assignment forms for your use. Please make the necessary corrections and return promptly.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

M. RUSSELL BOSCH  
State Water Rights & Records Clerk

MRB:ejw  
Encl: Forms

19690

HALL & ROWETT  
ATTORNEYS AT LAW  
MOUNTAIN HOME, IDAHO

PERCE HALL  
ROBERT M. ROWETT

September 13, 1965

TELEPHONE  
587-4412

RECEIVED  
SEP 14 1965

Department of Reclamation

Idaho Department of Reclamation  
State House  
Boise, Idaho

Gentlemen:

Re: Permit No. 19690 and  
No. 22104.

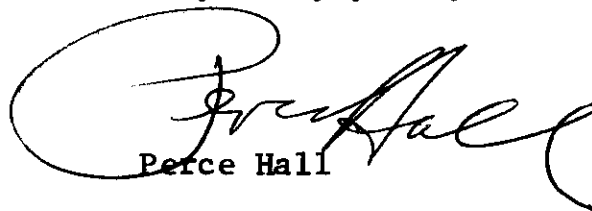
In behalf of Byron Stevens I am enclosing the following:

In connection with Permit No. 19690, I am enclosing Affidavit of Publication, Deposition of Holder and Deposition of Two Witnesses.

In connection with Permit No. 22104, I am enclosing Affidavit of Publication, Deposition of Holder and Deposition of Two Witnesses.

I am also enclosing a sketch made by Mr. Stevens to help explain the manner of irrigation.

Very truly yours,

  
Perce Hall

PH:sa  
Enclosures

19690

September 14, 1965

Re: Permit No. 19690

Ed. L. Stevens and Byron Stevens  
Star Route, Box 30  
Brunau, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the MOUNTAIN HOME NEWS, all submitted in proof of ~~completion of work~~ and beneficial use on Permit No. 19690

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,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:

19690

November 28, 1965

RE: Permits No. 19690, 22104  
Ed L. and Byron Stevens

Hall and Rowett  
Attorneys at Law  
Mountain Home, Idaho  
Attention: Mr. Perce Hall

Dear Mr. Hall:

We have still received no reply to our letter of September 15, 1965.

It is mandatory that we receive the proofs and the corrections requested in order to bring these permits to license.

Very truly yours,

M. RUSSELL BOSCH  
State Water Rights  
and Records Clerk

MRB:ejw

19690

August 19, 1957

RE: Permit No. 19690

Mr. LaVerne Miller  
Route #3  
Nampa, Idaho

Dear Mr. Miller:

As per you telephone call Friday evening, stating you are perpared to make proof of Beneficial Use on Permit No. 19690.

Before these proofs 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 the County newspaper. For this required information, we have enclosed Form 10, in duplicate, which you are to complete and return. In filling out this form be sure to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the place where the depositions will be taken, and, the name of the Notary before whom you will appear to make the depositions of proof ( any placee convenient for you and your two witnesses), the quantity of water filed on, for what purpose it is used, and the lands which are irrigated- by legal land description.

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

At the time we send the Notice to the newspaper, we will also send to you the forms for the depositions of holder and two disinterested witnesses, which are to be executed at the time, on the date set, at the place and before the Notary, as was advertised in the publication of Notice.

In checking the record of Permit No. 19690, we find the name of the holder as being Ed L. Stevens and Bryon Stevens. Therefore, if you wish the License to be issued in you name, an assignment from The Stevens to you will be necessary. A Form for this purpose is enclosed, to be completed and returned to this office together with a recording fee of 50¢.

Completion of works was completed and Certificate issued- August 31st, 1950. Beneficial Use proofs were due September 20th, 1956. Priority date on this Permit is September 28, 1945, therefore at the time the License is issued the priority date will be advanced the number of days the beneficial use proofs

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By  
Chief Clerk

KPR:vm- Encl.

19690

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 27, 1956

Messrs. Ed L. & Byron Stevens  
Mountain Home  
Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19690. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than September 20, 1956, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

**MARK R. KULP**  
State Reclamation Engineer

19690

October 3, 1955

RE: Permit No. 19690

Mr. Ed L. Stevens  
Mountain Home  
Idaho

Dear Mr. Stevens:

We return your Application for Amendment to the Point of  
Diversion in Permit No. 19690 which has been Approved by the State  
Reclamation Engineer and recorded in this Department.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:cu  
Enc.

19690

**State of Idaho**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

**INSTRUCTIONS**  
**PROOF OF COMPLETION OF WORKS**

**Ed L. & Byron Stevens**

**Mountain Home, Idaho**

**Boise, Idaho, July 1, 1950**

Dear Sir:✉

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19690

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof **MUST** be on or before Sept. 20, 1950

Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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,

**MARK R. KULP**  
-----  
**Commissioner of Reclamation**  
**State Reclamation Engineer**

19690

✓  
September 1, 1950

Re: Permit No. 19690

Mr. Ed L. Stevens  
Mountain Home, Idaho

Dear Mr. Stevens:

We enclose Application for Amendment of Permit No. 19690, which has been approved by the State Reclamation Engineer and duly recorded.

We also enclose Certificate of Completion of Works issued under this Permit for the diversion of 6.4 second feet of water from Snake River, with point of diversion in Lot 2, Section 33, Township 5 South, Range 6 East, B.M. for the irrigation of 318 acres as described in Sections 33 and 34, same Township and Range.

Very truly yours,

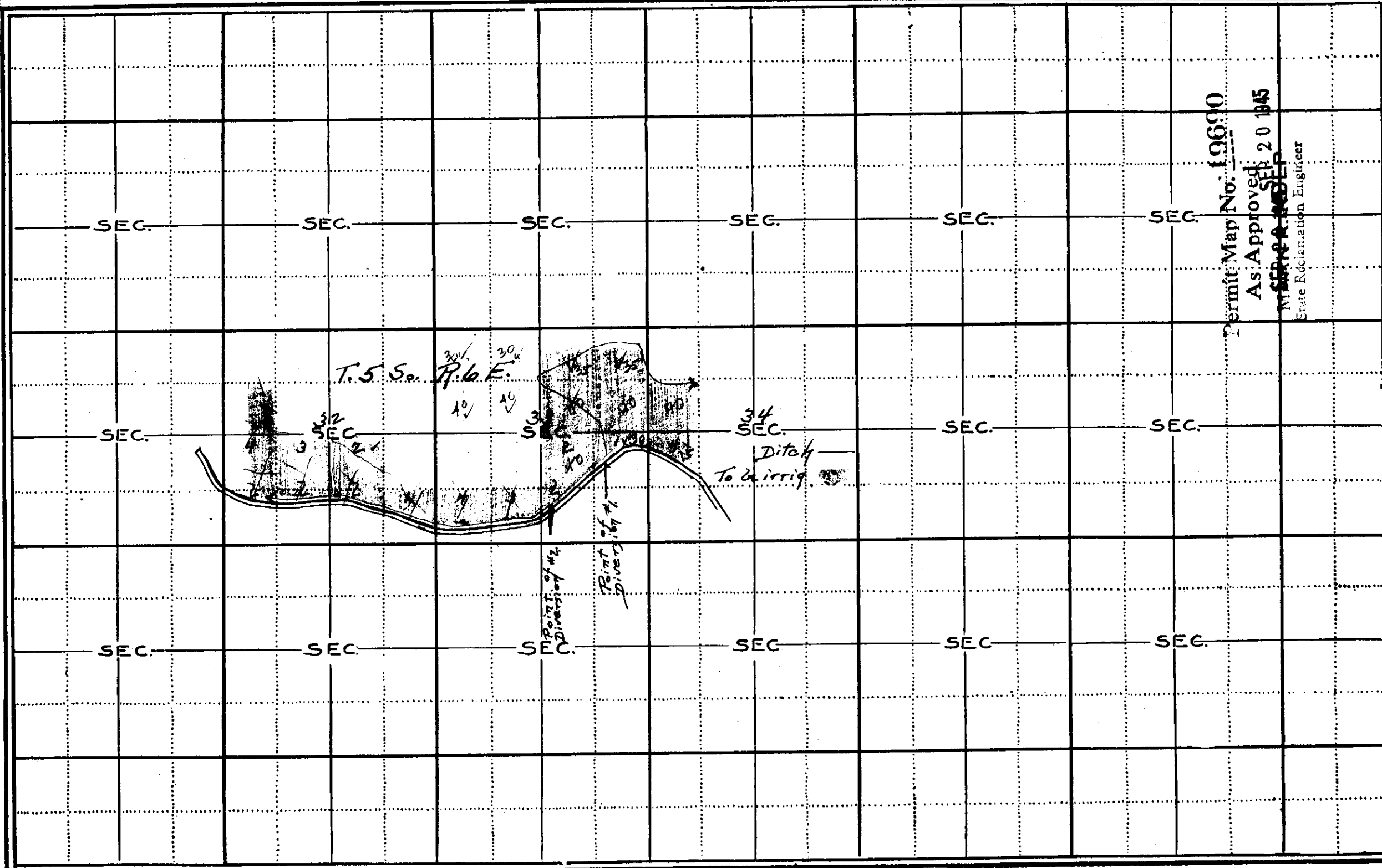
MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bn  
Enc.

19690

Name of Applicant Ed. L. Stevens and Byron Stevens



Permit Map No. 19690

As Approved: SEP 20 1945

State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. A. 19689-19690

Date September 20, 1940

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND  
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the  
State Reclamation Engineer, on the fourth page.

Ed L. Stevens & Byron Stevens  
Mountain Home, Idaho  
Enc. Receipt / 19191

MARK W. KULP

State Reclamation Engineer

19690

Permit No. \_\_\_\_\_

## OFFICE OF STATE ENGINEER

## PROOF OF COMPLETION OF WORKS

## AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Elmore,

} ss.

Ed. L. Stevens and  
Byron Stevens

, 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. 19690, and that his postoffice address is Mountain Home,  
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 Lot 2, Section 33, Twp. 5  
South, Rng. 6 East, B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 20th, 19 50

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: Motor, pump and ditches.

(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 ditches width at bottom 3 feet, width at water line 5 feet, depth of water 1 feet; diameter of pipe \_\_\_\_\_ inches; average grade per mile is 5.28 feet. Length of conduit is 2 1/4 miles.

Seventh: That said works are capable of conducting to the place of intended use \_\_\_\_\_  
318 ins. second feet of water. 6.4 Sec. Ft.

Eighth: That water appropriated under said permit is available for 318 acres of land described as follows: in Twp. 5 South, Rng. 6 East, B.M.  
in Sec. 33: NE/NE, 28 acres, NW/NE, 25 acres, S/NE, 80 acres,  
SW/SW (Lot 4) 33.7 acres, SE/SW (Lot 3) 30.2 acres, NE/SE (Lot 1) 17.3  
acres, NW/SE (Lot 2) 43.5 acres.

in Sec. 34: SW/NW, 40 acres, NW/SW (Lot 4) 20.3 acres.

Ninth: Remarks: That lands in Sec. 32, (original permit) have been  
withdrawn and cancelled.

Subscribed and sworn to before me this 22 day of August, 19 50.

My commission expires 7/11-1951

Notary Public.

19690

**Application for Amendment**  
**To Permit to Appropriate the Public Waters**  
**of the State of Idaho, No. 19690**

Comes now Ed. L. Stevens and Byron Stevens and represents to the Commissioner of Reclamation 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. 19690, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: in Twp. 5 South, Rng. 6 East, B. M.

in Sec. 33: NE/NE, (28 acres) NW/NE, (25 acres) S/NE, SW/SW, (Lot 4, 33.7 acres) SE/SW, Lot 3, 30.2 acres) NE/SE, (Lot 1, 17.3 acres) and NW/SE, (Lot 2, 43.5 acres)

in Sec. 34: SW/NW, NW/SW, (Lot 4, 20.3 acres)

Total 318. acres.

That the lands listed in Permit No. 19690, situate in Sec. 32, be withdrawn and cancelled.

making a total of 318. acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Mt. Home, Idaho, this 22 day of Aug., 1950.

Ed L Stevens

Byron Stevens

Date of receipt at Office of Department of Reclamation \_\_\_\_\_

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, \_\_\_\_\_, Commissioner of Reclamation 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. \_\_\_\_\_. 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.

\_\_\_\_\_  
 Commissioner of Reclamation.

(Over)

19690

Effective April 10, 1911

## Department of Reclamation

### REGULATIONS AS TO AMENDED APPLICATION AND PERMIT.

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) Source or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me.....  
19..... and correctly shows position of points indicated thereon.

Engineer.

P. O.....

Date.....19.....

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. ~~XXXX~~ 19690.

Ed. L. Stevens

Comes now and Byron Stevens 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. 19690;

That the point of diversion is described in said Permit as  
being located #1, in Lot 1, Sec. 33, T. 5 S., R. 6 E., B. M. and  
#2, in Lot 2, Sec. 33, T. 5S, R. 6E., B.M., and conveyed to the place  
of use through \_\_\_\_\_ ditch, as per map  
filed herewith.

That he now requests that the point of diversion be changed  
to a point located Lot 2, Sec. 33, T. 5S. R. 6E. as original and  
#1, in Lot 1, be abandoned and cancelled, and conducted to the place of  
use through the \_\_\_\_\_ ditch, as per map above referred  
to.

That his reasons for desiring to make such change are as fol-  
lows: Ditches from Pt. of Divrsn. #2, (in Lot 2, as above) can  
cover all lands included in Permit for irrigation.

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

Signed at Mt. Home, Idaho this 22 day of Aug. 19 50.

Ed L Stevens

Byron Stevens

Date of receipt at Department of Reclamation \_\_\_\_\_

APPROVAL OF STATE RECLAMATION ENGINEER

I, \_\_\_\_\_ 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. \_\_\_\_\_. 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.

\_\_\_\_\_  
State Reclamation Engineer

19690

|                                                          |                                                                          |                                                    |
|----------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------|
| <b>INSTRUCTIONS TO DELIVERING EMPLOYEE</b>               |                                                                          |                                                    |
| <input type="checkbox"/> Show to whom and when delivered | <input type="checkbox"/> Show to whom, when, and address where delivered | <input type="checkbox"/> Deliver ONLY to addressee |
| <i>(Additional charges required for these services)</i>  |                                                                          |                                                    |

### RECEIPT

*Received the numbered article described below.*

|                              |                                                                                     |                                                                  |
|------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------|
| REGISTERED NO.               |  | SIGNATURE OR NAME OF ADDRESSEE <i>(Must always be filled in)</i> |
| CERTIFIED NO.<br>20042       |                                                                                     | <i>Byron S. Stevens</i>                                          |
| INSURED NO.                  |                                                                                     | SIGNATURE OF ADDRESSEE'S AGENT, IF ANY                           |
| DATE DELIVERED<br>MAR 7 1966 |                                                                                     | 19690                                                            |
|                              | SHOW WHERE DELIVERED <i>(only if requested)</i>                                     |                                                                  |

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

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

655-16-71548-7



POSTMARK  
DELIVERING OFFICE

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**.

 **RETURN  
TO**

POD Form 3811 Jan. 1965

NAME OF SENDER

State Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

CITY, ST. AND ZIP CODE

Boise, Idaho