

State of Idaho
License and Certificate of Water Right

Water License No. 20485

Amount 0.5 second foot

Water District No.

Priority May 24, 1948

THIS IS TO CERTIFY that

RALPH BERLIER

of Grandview, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 24, 1948; that Permit No. 20485 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on October 20, 1948, showing that said works were completed on the 8th day of September, 1948; and that on the 3rd

day of January

, 1949,

RALPH BERLIER

of Grandview

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of Snake River

, for the purpose of irrigation

~~XXXXXXXXXXXX~~

, under Use Permit No. 20485 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 4512, on the 4th day of March, 1950;

The right hereby confirmed dates from May 24,

, 1948;

The Point of Diversion is located

in Lot 5

~~XXXX~~

~~14~~

~~14~~; Sec. 6

, Tp. 5 S.

, R. 3 E.

, B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	3 E.	6	Lot 5	33	.25

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

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

4th day of

March

, 1950 .

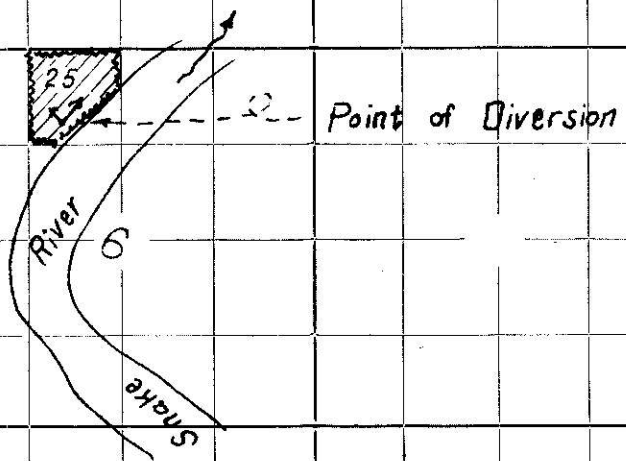
MARK R. KULP

State Reclamation Engineer

(SEAL)

2 2069

T. 5 S., R. 3 E.



PROOF OF PUBLICATION

State of Idaho, {
County of Owyhee, { ss.

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

That the annexed notice was published in said newspaper once each and every week for FOUR consecutive weeks, the first publication being on the 2nd day of Dec., 1948, and the last publication being on the 23rd day of Dec., 1948;

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

Rodney A. Hawes
PUBLISHER.

Subscribed and sworn to before me this 3 day of Jan, 1949.

Lena D. Hawes
Notary Public.

My commission expires 9-10-52.

(SEAL)

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

Notice is hereby given that at 10:30 A. M. on the 3rd day of January, 1949, at Grand View, County of Owyhee, State of Idaho, before Clara Jenkins, a Notary Public, proof will be submitted of the application to beneficial use of 0.6 cubic foot per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 20485 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ralph Berlier, Grand View, Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is lot 5 of section 6, T5S, R3E, B. M., County of Owyhee, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Seven H. P. Pump and 4 inch pipe.

The right to take water from such works is based upon Permit No. 20485.

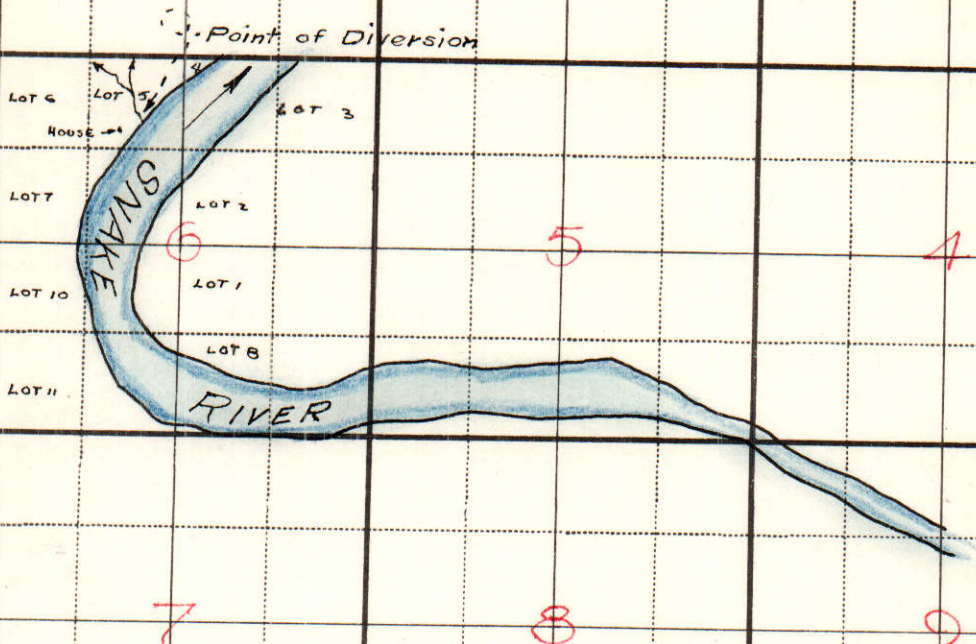
The source of supply from which such water is diverted is Snake River.

The date of priority which said user is prepared to establish is May 24, 1948.

MARK R. KULP,
State Reclamation Engineer.
(Dec. 2 - 23)

20485

TOWNSHIP-5 SOUTH RANGE-3 EAST



Permit Map No. 20485
As Approved
JUN 7 1948
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

License No. 20485

Amount 0.5 second foot

Priority May 24, 1948

Priority May 24, 1948

That I, RALPH BERLIER, do hereby certify that

RALPH BERLIER

made application for a permit to appropriate the

dated May 24, 1948; that Permit No. 20485

was issued that Certificate of Completion of works, with a carrying capacity of

was issued that Certificate of Completion of works, with a carrying capacity of

was issued that Certificate of Completion of works, with a carrying capacity of

was issued that Certificate of Completion of works, with a carrying capacity of

RALPH BERLIER

of Grandview, State of Idaho, made proof to the satisfaction of the

State Reclamation Engineer of Idaho, of the right to use the waters of Snake River

~~for the purpose of~~ for the purpose of irrigation

, under Use Permit No. 20485 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,

and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 4512, on the 4th day of March, 1950;

The right hereby confirmed dates from May 24, 1948;

The Point of Diversion is located in Lot 5

Range 14, Sec. 6, Twp. 5 S., R. 3 E., L. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	14 E.	6	Lot 5	33	2

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

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

4th day of March, 1950.

MADE R. KULP

State Reclamation Engineer

SEAL

2 2069

Nº 20485
02-2069

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28121
PERMIT No. 20485
DISTRICT No.

1. Name of Applicant: RALPH BERLIER

Postoffice address: Grand View

County: Owyhee

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand: \$600.00

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: Livestock

2. Quantity of water claimed: 0.6

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of

4. Location of point of diversion: 300

feet distant from the Southwest

of Lot 5

corner of Section 6, T. 5 S., R. 3 E., B.M., and is in the Lot 5

of Section 6, T. 5 S., R. 3 E., B.M., County of Owyhee

5. Water is to be used for Irrigation

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

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

T., R., B.M., in the of Section, 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: \$600.00

8. Kind of works: 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 None feet; height feet.

11. Ditch: Width at bottom 1 feet; width at water line $1\frac{1}{2}$ feet; depth of water 3 or 4 inches feet;

dimensions of flume: None

Diameter of pipe 4 inches; length of conduit $1\frac{1}{2}$ miles.

Average grade per mile 3 feet.

12. The time required for the completion of such work is 6 months years.

13. The time required for the complete application of the water to the proposed use is None additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Decreed water right from
Bruneau River through Grand View Irrigation District Canal.

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

RALPH BERLIER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. May 24, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20485

Recorded in Book 73

Page 20485

Approved June 7, 1948

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 August 7, 1948

and to continue diligently and uninterruptedly to completion.

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before September 7, 1948

The whole of said work to be completed on or before December 7, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before December 7, 1948

WITNESS My hand this 7th day of June, 1948

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS

., Governor of the State of Idaho,

and J. D. "CY" PRICE

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 7th

day of June 1948

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S.	3 E.	6	Lot 5 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that RALPH BERLIER of Grand View, County of Owyhee, and State of Idaho, the holder of Permit No. 20485, issued upon Application No. 28121 bearing date of priority of May 24, 1948, authorizing the diversion of 0.6 second foot of the waters of Snake River, County of Owyhee, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.6 second foot of the waters of Snake River; that the point of diversion of said waters is in Lot 5, Section 6, Township 5 South, Range 3 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 33 acres in Lot 5, Section 6, Township 5 South, Range 3 East, B.M. MARK R. KULP State Reclamation Engineer Witness my hand this 20th day of October, A.D. 1948. Proof of completion of works made September 8, 1948. Certificate of Completion of Works issued October 20, 1948. 33																33



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

March 6, 1981

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

The Honorable Walter H. Yarbrough
Idaho Senate
Statehouse
Boise, ID 83720

Dear Senator Yarbrough:

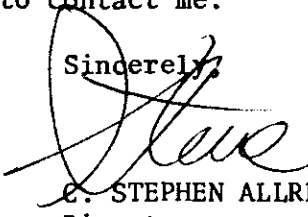
Per your request my staff has researched the water rights for the portion of Lot 5, Sec. 6, Twp. 5 S., Rge. 3 E., B.M. described in your letter dated February 23, 1981. They have found that the land is covered by three water rights. License No. 02-2069 (copy enclosed) established a water supply from the Snake River through a pump located on the property. License No. 02-2034 and Decreed Right No. 51-0001 provide water to the property via Grandview Irrigation District.

As you may be aware, this department has recently been authorized by the Fourth Judicial District Court to prepare a Proposed Finding of all Snake River water rights from Milner Dam downstream to where the Snake leaves the state near Homedale. This adjudication was initiated by a petition from a number of water-users who desire the water rights to be decreed to enable delivery of increasingly scarce water supplies within this reach of the Snake River.

As an owner of land adjoining the Snake River you will receive a formal summons to this court action in April, 1981. The summons will require that you claim any existing water rights, so you will need to submit a Notice of Claim to a Water Right based on License No. 02-2069 if the system is still in use. In addition, representatives of the Grandview Irrigation District will need to file claims on the District's water rights to enable the rights to be included in the Proposed Finding of water rights which is the department's findings for the District Court.

The information that you will receive along with the summons will explain the adjudication procedure and the steps that you will need to take at that time. If you have questions, please feel free to contact me.

Sincerely,


C. STEPHEN ALLRED
Director

CSA:alw
Enc.

WALTER H. YARBROUGH
DISTRICT 19
OWYHEE, CANYON AND ADA COUNTIES

HOME ADDRESS
ROUTE B, BOX 216
GRAND VIEW, IDAHO 83624
RESIDENCE PHONE 834-2727
STATEHOUSE PHONE 384-3570



552 24 1981

COMMITTEE
FINANCE CHAIRMAN

STATE AFFAIRS
TRANSPORTATION

Idaho State Senate

MAJORITY CAUCUS CHAIRMAN
CAPITOL BUILDING
BOISE

February 23, 1981

Mr. Stephen Allred, Director
Department of Water Resources
450 W. State Street
BUILDING MAIL

Dear Steve:

You remember some time ago I discussed with you the possibility of looking up the water right on a certain piece of property which I purchased. The following is the legal description of that property, and I would appreciate it if you would look this over and inform me as to the status of the water right and if there is anything I should do to secure or firm up the water right on this piece of property:

Lot Five (5) of Section Six (6), Township Five (5) South of Range Three (3) East of the Boise Meridian, except that portion described as Tax No. Seven (7); and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4), the East 25 feet of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section Thirty-six (36), Township Four (4) South, Range Two (2) East of the Boise Meridian.

Also, would you please advise me if land under the Grand View Irrigation District would require any additional filings to secure the old water rights which have existed there for many years.

Thanking you in advance for this information, I remain

Very truly yours,

WALTER H. YARBROUGH
Senator, Dist. 19
Majority Caucus Chairman

WHY/bmb

Route To		Date	Initial
	Director		
	Deputy Dir.		
	Reso. Adm.		
	Resp. Analysis		
	Oper. Bureau		
	Proj. Stud. Bu.		
	Reg. Off. Bu.		
	Tech. Serv. Bu.		
	File:		

in Sm. R. add?
02-2034
02-2069

02-2034
51-0001

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

Permit No. 20485

This proof is for Beneficial use In Water District No. _____1. Name of applicant Ralph Berlier, Grandview, Idaho2. Source of water supply: Snake River3. Location of point of diversion: Is in the Lot 5 of Section 6T. 5 S. R. 3 E. County of Owyhee

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

Clearflow Centrifugal Pump. 5 inch suction intake 25 ft. long with
1 elbow (20 ft. lift). 4 inch discharge pipe 50 ft. long.

The pump is clutch connected to motor, 1750 r.p.m. size 4 x 5., 7 H.P.

Ditches, 2 ft. wide and 1 ft. deep.

5. Water is used for: Irrigation6. 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):

Lot 5, Section 6, Township 5 South, Range 3 East, B. M.

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

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

Remarks: _____

This examination was made on the 15 day of April, 19 49

(Signed) _____

Examiner.

20485

Ralph Berlier
Grandview, Idaho

(H)

20

Permit No. 20485

Examination for Beneficial use

County Owyhee

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
FEB 25 1950
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20485

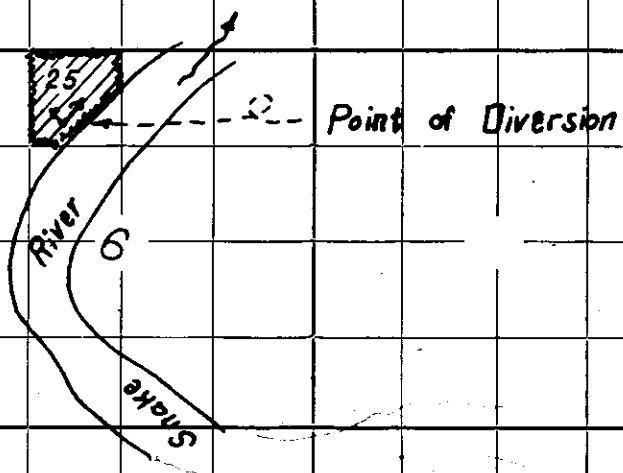
REPORT ON PROOF OF Beneficial use

1.5 cfs
mark

2.6 cfs

2.5 acres

T. 5 S., R. 3 E.



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

Notice is hereby given that at 10:30 A. M. on the 3rd day of January, 1949, at Grand View, County of Owyhee, State of Idaho, before Clara Jenkins, a Notary Public, proof will be submitted of the application to beneficial use of 0.6 cubic foot per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 20485 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ralph Berlier, Grand View, Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is lot 5 of section 6, T5S, R3E, B. M., County of Owyhee, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Seven H. P. Pump and 4 inch pipe.

The right to take water from such works is based upon Permit No. 20485.

The source of supply from which such water is diverted is

Snake River.

The date of priority which said user is prepared to establish is May 24, 1948.

MARK R. KULP,
State Reclamation Engineer.
(Dec. 2 — 23)

LEGAL NOTICE

PERMIT NO. 20485

**CERTIFICATE OF
COMPLETION OF WORKS**

To All Whom It May Concern:

This is to certify that RALPH BERLIER of Grand View, County of Owyhee, and State of Idaho, the holder of Permit No. 20485, issued upon Application No. 28121 bearing date of priority of May 24, 1948, authorizing the diversion of 0.6 second feet of waters of Snake River, County of Owyhee, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversions set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.6 second feet of the waters of Snake River; that the point of diversion of said waters is in Lot 5, Section 6, Township 5 South, Range 3 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

33 acres in Lot 5, Section 6,
Township 5 South, Range 3
East, B. M.

Witness my hand this 20th day
of October, A. D. 1948.

(Signed) MARK R. KULP,
State Reclamation Engineer

Permit No. 20485, dated October 20th, 1948. Stream Snake River, County Owyhee, Amount 0.6 Second foot. Date of Priority May 24, 1948. Recorded in Book 73, of Permits on Page 20485.
(Nov. 11 —Dec. 2)

✓
March 9, 1950

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We enclose License and Certificate of Water Right confirming your right to the use of 0.5 second foot of water from Snake River, with priority of May 24, 1948, with point of diversion in Lot 5, Section 6, Township 5 South, Range 3 East, B.M., for the irrigation of land in the same subdivision.

We also enclose Departmental Receipt No. 22120 for the \$2.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20485

February 28, 1950

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We now have on file the report of our Field Engineer on examination for Beneficial Use on your Permit No. 20485.

This report shows that you have irrigated 25 acres in Lot 5 or the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, Township 5 South, Range 3 East, B.M.

Therefore, upon receipt of the statutory fee of \$2.00, a License will be issued for 25 inches or .5 of a second foot of water from Snake River.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20485

✓
January 13, 1949

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We acknowledge receipt of the depositions of yourself and two witnesses and also the affidavit of publication in the Owyhee Nugget, all submitted in proof of beneficial use under your Permit No. 20485.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

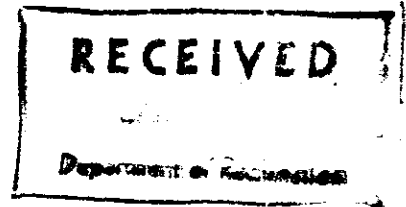
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20485

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20485

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ralph Berlier, Farmer, Grand View, Idaho

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

Ans. No

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

Ans. 20485, Dated May 24, 1948, date priority May 24, 1948

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

Ans. Snake River, 300 ft. distant from South East Corner of Sec. 6, Twp 5S, R3E, E.M. and is in lot 5 of Sec. 6, Twp 5S, R3E, E.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Pump and ditches, .6 of cubic foot, no name of ditch
100 feet of 4 inch pipe from pump to ditch

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

Ans. Irrigation, lot 5, Sec. 6, Twp 5S, R3E, 25 acres

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

Ans. No

20485

100

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

Ans. .6 cubic feet per second

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

Ans.

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

Ans. Began July 1, 1948, ditch of water, .6 cubic foot per second
watering 25 acres land.

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

Ans. none

(Sign) Ralph Berlin

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 Grand View, County of Cwybee, State of Idaho, on this 3rd day of January, A. D. 1949.

My commission expires Nov. 23, 1951

Clara Jenkins
Notary Public

20485

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20485

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. Leo J. Kenworthy, 33, Grand View, Farmer, Grand view, Idaho

Ques. 2. Are you acquainted with Ralph Perlier, the holder of Permit No. 20485? How long have you known him and where does he reside?

Ans. yes, Approx 3 years, Grand View, Idaho

Ques. 3. Have you read or heard read said Permit No. 20485, 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, 300 ft. distant from SouthEast corner of Sec. 6, Twp 5S, R3E. and is in lot 5, of Sec. 6, Twp 5S, R3E.

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. .6 and have seen .6 of cubic foot running in ditch

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. Irrigation, Lot 5, Sec. 6, T5S, R3E. E.M. 25 acres
cultivated. 3 acres seeded to pasture grass. rest plowed.

20485

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

Ans. none

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

Ans. sandy loam and will use .6 cubic feet per second

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. July 15, 1948, in ditch, .6 of cubic foot per second,
over 25 acres land.

(Signed)

Leo J. Penworthy

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 Grand view,
County of Cwyhee, State of Idaho, on this 3rd day of January,
A. D. 19 49.

Clara Jenkins

Notary Public.

My commission expires Nov. 23, 1951

20485

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20485

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. Marvin Towner, 54, Grand View, Farmer, Grand View, Idaho

Ques. 2. Are you acquainted with Ralph Berlier, the holder of Permit No. 20485? How long have you known him and where does he reside?

Ans. yes, Three years, Grand View, Ida

Ques. 3. Have you read or heard read said Permit No. 20485, 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, 300 ft. distant from south east corner of Sec. 6 T5S, R3E, E.M. in lot 5, of sec.6, t5S, R3E.

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. .6 cubic feet per second. .6 of cubic foot

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. Irrigation, in lot 5, Sec.6, T5S, R3E. 3 acres irrigated
Cultivated, seeded 3 acres, rest ready for seeding.

20485

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

Ans. none

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

Ans. Sany loam and will use .6 cubic foot water per second

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. July 20, 1948, in ditch had carried .6 cubic foot water.

(Signed) Marin. Tourner.

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 Grand View

County of Owyhee, State of Idaho, on this 3rd day of January

A. D. 19 49

Clara Jenkins

Notary Public.

My commission expires NOV. 23, 1951

20485

PROOF OF PUBLICATION

State of Idaho, {
County of Owyhee, { ss.

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

That the annexed notice was published in said newspaper once each and every week for FOUR consecutive weeks, the first publication being on the 2nd day of Dec., 1948, and the last publication being on the 23rd day of Dec., 1948;

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

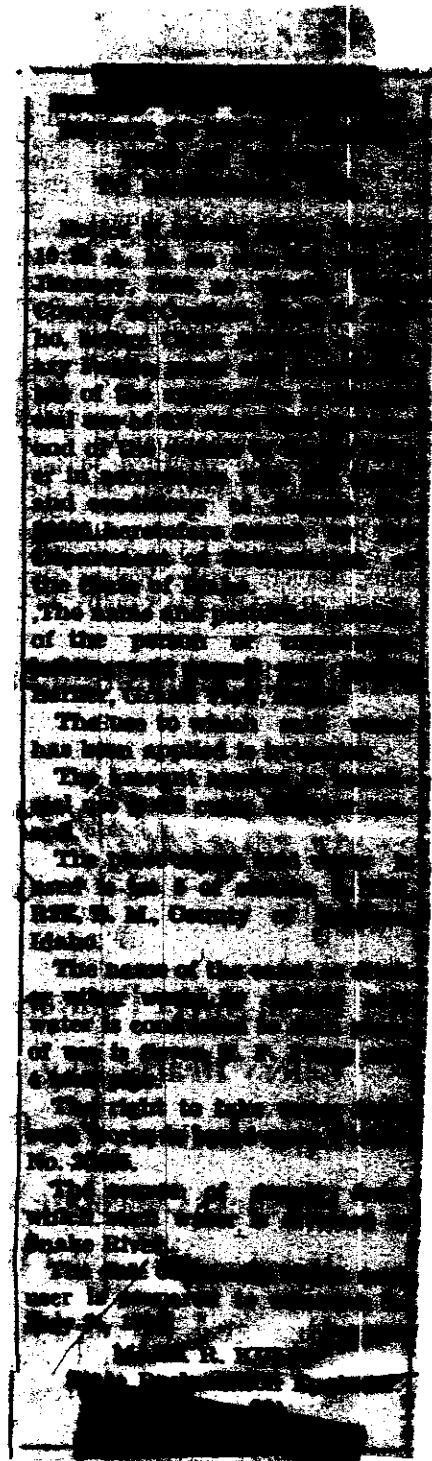
Rodney A. Hawes
PUBLISHER.

Subscribed and sworn to before me this 3 day of Jan., 1949.

Lena D. Hawes
Notary Public.

My commission expires 9-10-52.

(SEAL)



20485

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, December 24, 1948

Re: Permit No. 20485
Ralph Berlier

Clara Jenkins,
Notary Public
Grand View, Idaho

DEAR ~~SIR~~ Madam:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20485

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On January 3, 1949, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Grand View, Idaho before Clara Jenkins, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK R. KUTP
~~Commissioner of Reclamation~~
State Reclamation Engineer

20485

✓
November 30, 1948

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We have sent the Owyhee Nugget copy of notice of beneficial use proof to be made under Permit No. 20485 on January 3, 1949, before Clara Jenkins, Notary Public, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

About ten days prior to the date set for proof we shall send the Notary Public the necessary forms of deposition consisting of one for yourself and one for each of two witnesses so that he may have them in ample time for the proof.

At the time set you should appear before Mrs. Jenkins together with two disinterested witnesses who are familiar with the terms of your permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20485

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20485

Date: November 30, 1948

Cwyhee Nugget

Marsing, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 3, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Ralph Berlier** of **Grand View, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

20485

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

Notice is hereby given that at 10:30 A. M. on the 3rd day of January, ¹⁹⁴⁹~~1948~~
at Grand View, County of Owyhee, State of Idaho, before
Clara Jenkins a Notary Public, proof will be submitted of the
application to beneficial use of 0.6 cubic foot per second of the waters of Snake
River in accordance with the terms and conditions of Permit No. 20485
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

Ralph Berlier, Grandview, Idaho

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

The amount applied to beneficial use is 0.6 cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) South East corner of Section 6, T. 55 R. 3E,
B.M. and is in the Lot 5 of Section 6, T. 55 R. 3E,
B.M., County of Owyhee

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Seven HP pump and 4 in. pipe

The right to take water from such works is based upon Permit No. 20485

The source of supply from which such water is diverted is Snake River

The date of priority which said user is prepared to establish is May 24
Dec 7, 1948

Mark R. Kulp

State Reclamation Engineer.

20485

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November, 1948

(P. O.) Grandview, Idaho

STATE RECLAMATION ENGINEER
TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

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

Ralph Barker

(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.

20485

✓
November 22, 1948

Re: Permit No. 20485

Mr. Ralph Berlier:
Grandview, Idaho

Dear Mr. Berlier:

We are this morning in receipt of a copy of the Owyhee Nugget dated November 18, 1948, which contains as a legal notice copy of your Certificate of Completion of Works on Permit No. 20485 which seems to have been published twice, November 11 and 18.

You evidently misunderstood our instructions in regard to making final or beneficial use proof under this permit. The notice should be made in duplicate on Form 10, enclosed, setting the time and place and naming the Notary Public before whom this proof is to be made. The proof may be made at any place convenient to you and your two witnesses, and the time must be set sufficiently far ahead to allow for four weeks publication.

Both copies of Form 10 are to be returned to this Department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated newspaper, and we shall then send a copy of the notice to the paper with instructions in regard to publishing. The proof is then made on forms to be furnished by this Department.

It is not necessary to publish a copy of your Certificate of Completion of Works and we are today writing the Owyhee Nugget to discontinue this publication as per copy of letter enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20485

A/gt
Encls.

20485

November 22, 1948

Owyhee Nugget
Marsing, Idaho

Gentlemen:

We are this morning in receipt of your issue of November 18 containing notice of the application of the Opaline Irrigation District for which we thank you.

We note that it also contains a legal notice on Permit No. 20485 in the name of Ralph Berlier. Mr. Berlier evidently misunderstood our instructions in regard to final proof of this permit and gave you the wrong copy. Please discontinue publication of this notice and we shall send you shortly the correct notice to take its place.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

CC: Mr. Ralph Berlier

20485

✓
October 27, 1948

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We enclose Certificate of Completion of Works issued under your Permit No. 20485 for the diversion of 0.6 of a second foot of water from Snake River with point of diversion in Lot 5, Sec. 6, Twp. 5 S., Range 3 E., B.M., for the irrigation of land in the same subdivision.

We also enclose Departmental Receipt No. 20930 for the \$5.00 fee paid in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20485

Permit No. 20485

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cwyhee

Ralph Berlier

SS.

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. 20485, and that his postoffice address is Grandview

State of Idaho

Second: That the name of the stream which said water is to be ~~diverted~~ ^{FROM} is Snake River

Third: That the point of diversion of said water is On the bank of the Snake River at the South East corner of land to be irrigated

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Dec. 7, 1948

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: pipe and ditch and pump
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: no dam

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction p.u.m.p. has a

six inch intake and a four inch outlet.
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 1.5 feet, height 1.5 feet.

(d) Conduit 4 in. width at bottom 1 feet, width at water line 1.8 inches
(State whether ditch, flume or pipe) Ditch

feet, depth of water 4 inch feet; diameter of pipe 4 inches, average grade per mile is 1.8 feet. Length of conduit is 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use

59.6 cubic feet of water per second

Eighth: That water appropriated under said permit is available for 33 acres of land described as follows:

Lot 5, Sec. 6, T5S, R3E

Ninth: Remarks: That I have completely watered said land.

Ralph Berlier

(Sign Here)

Subscribed and sworn to before me this 8th day of Sept., 1948

My commission expires Nov. 23, 1951

Charles Jenkins

Notary Public.

20485

1948

October 21, 1948

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We return affidavit submitted in proof of completion of works under Permit No. 20485 in order that you may complete same by answering the questions called for in Section 6.

The ditches should be described as to length, width and so forth, and as the permit also includes a pump as part of the diversion works this should be included in your proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/t
Enc.

20485

✓
September 3, 1948

Re: Permit No. 20485

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

We acknowledge receipt of your letter of August 30 in which you state that you have your pump installed and ditches constructed and are ready to start irrigating.

In order to make your proof of completion of works you may execute and return the enclosed affidavit, together with the statutory fee of \$5.00, upon receipt and approval of which a certificate of completion of works will be issued. This is the first proof required by statute in connection with your permit.

The final proof, of beneficial use proof, is made when the water has been fully applied for the irrigation of the land for which it is intended. This proof requires publication once a week for four consecutive weeks prior to the date set for proof and the form of such notice will be sent you at the time the proof is to be made.

Under the terms of your permit this proof is due on or before December 7, 1948, but if the land is not fully irrigated by that time you may apply for and obtain an extension of time for making this proof.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

/gt

Enc.

20485

RECEIVED

Aug 1
Department of Reclamation

Grandview, Idaho

Aug 30, 1948

Dear Mr. Kulp.

I have my pump installed
all my ditches made and am
going to start irrigating
next week.

It seems to me like
in your letter you said I
would have to get two
witnesses to sign it and
also run an ad in the
paper. I can't find any place
on these papers that needs
signing. would you please let
me know if there is some
papers or if there is some
place on these I have to

20485

be signed by witnesses.

Yours
Ralph Berlin,

20485

chr + BA Dec. 7 - 48

20485

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20485

Date June 10, 1948

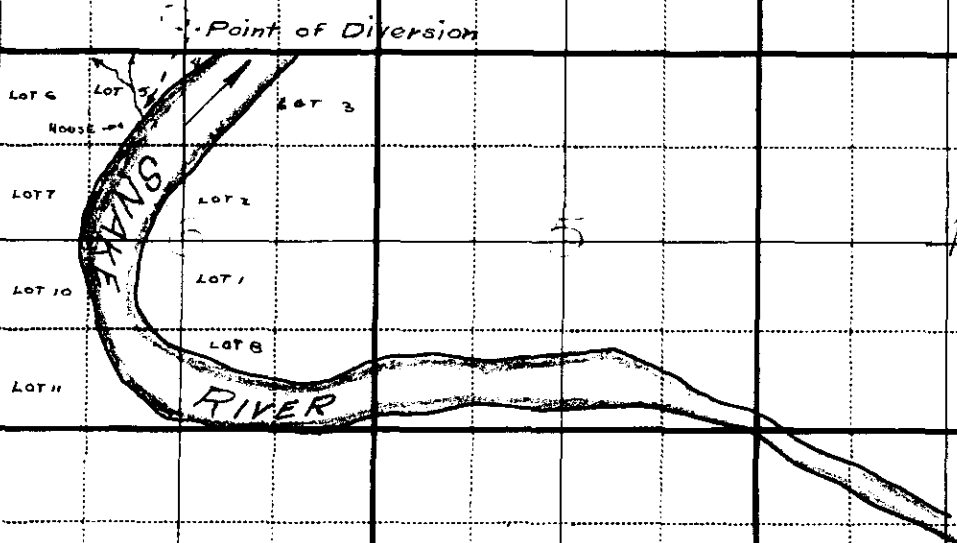
We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Ralph Berlier
Grandview, Idaho

MARK R. KULP
State Reclamation Engineer

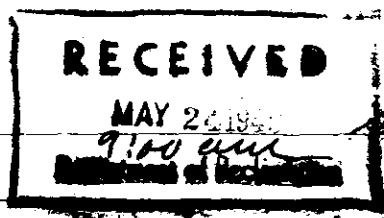
Enc: Departmental Receipt No. 20641

20485'

TOWNSHIP-5 SOUTH RANGE-3 EAST

Corr. Map No. 30485

As Approved
7 1948
MARK R. KULF
State Reclamation Engineer



Grainland, Idaho -
May 22, 1948

Dear Sir,

I put the water right
which this place has with
it for the answer to
question no 15.

I also have a request
to have my place petitioned
out of the district. Because
the water w it come up
on the river bank enough
to do any good.

Yours all ways
Ralph Berlin

20485

May 20, 1948

Mr. Ralph Berlier
Grandview, Idaho

Dear Mr. Berlier:

In reply to your letter of May 18, 1948, we are enclosing a form of application for permit which you may use in applying for a water right to be pumped from Snake River.

We are also enclosing a pamphlet giving regulations and instructions in regard to filing, and when the application is approved it will be signed by the proper State Officials and returned to you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense and at the time set for proof depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

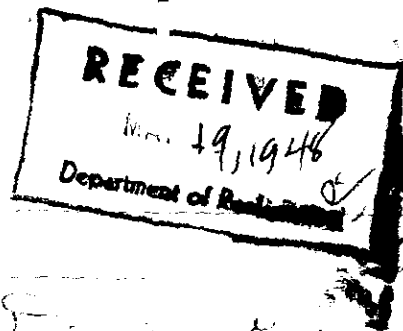
Very truly yours,

MARK R. KUMP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

20485



John W. Taylor
Nov 15 1946

Filing

I was talking to Mr
Duncan about putting a pump
on Snake River for irrigation.

He had me petition it out
of the district because the water
from the Canal won't water
but about eight acres of my
~~23~~ 33.

I would like to file on
50 inches of water from
the river.

Can you please help me
get started with it so let
me know what I have to
do to get it.

20485

I would like to start a
Pump as soon as possible
Yours Truly
Ralph Butler
Grandview, Idaho

20485

Dec. 2 - 1948



MARSING, OWYHEE

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

Notice is hereby given that at 10:30 A. M. on the 3rd day of January, 1949, at Grand View, County of Owyhee, State of Idaho, before Clara Jenkins, a Notary Public, proof will be submitted of the application to beneficial use of 0.6 cubic foot per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 20485 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ralph Berlier, Grand View, Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is lot 5 of section 6, T5S, R3E, B. M., County of Owyhee, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Seven H. P. Pump and 4 inch pipe.

The right to take water from such works is based upon Permit No. 20485.

The source of supply from which such water is diverted is Snake River.

The date of priority which said user is prepared to establish is May 24, 1948.

MARK R. KULP,
State Reclamation Engineer.
(Dec. 2 — 23)