

Rge. 3 W.

Top 1 N.

PD 10

36

10

44 25

89

79 ACRES

DHOTO WITH 21871

Walters

AREA - 79 ACRES

SUBD - 3

Q - ALLOW 1.35 c.f.s. NOTE PERMIT #21871

VOL = 395 AC-FT / SEASON

PRIORITY = JAN 20, 1956

# PROOF OF PUBLICATION

STATE OF IDAHO }  
County of Owyhee } S.S.

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

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 22 day of December, 1966, and the last publication being on the 12 day of Jan, 1967;

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

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 12 day of Jan, 1967.

Leona S. Hawes  
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

RECEIVED  
FEB 17 1967

Department of Reclamation

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

Notice is hereby given that on the 25th day of January, 1967, at Caldwell, County of Canyon, State of Idaho, before William G. Gray, 9th and Dearborn, Caldwell, Idaho, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 20043 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 James L. and Edgar C. Muller, Star Route, Melba, Idaho.

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The point of diversion of said water is Lot 4, Sec. 36, T. 1 N., R. 3 W., B. M.

The place where said water is used (LEGAL DESCRIPTION) NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 1 N., R. 3 W., B. M.

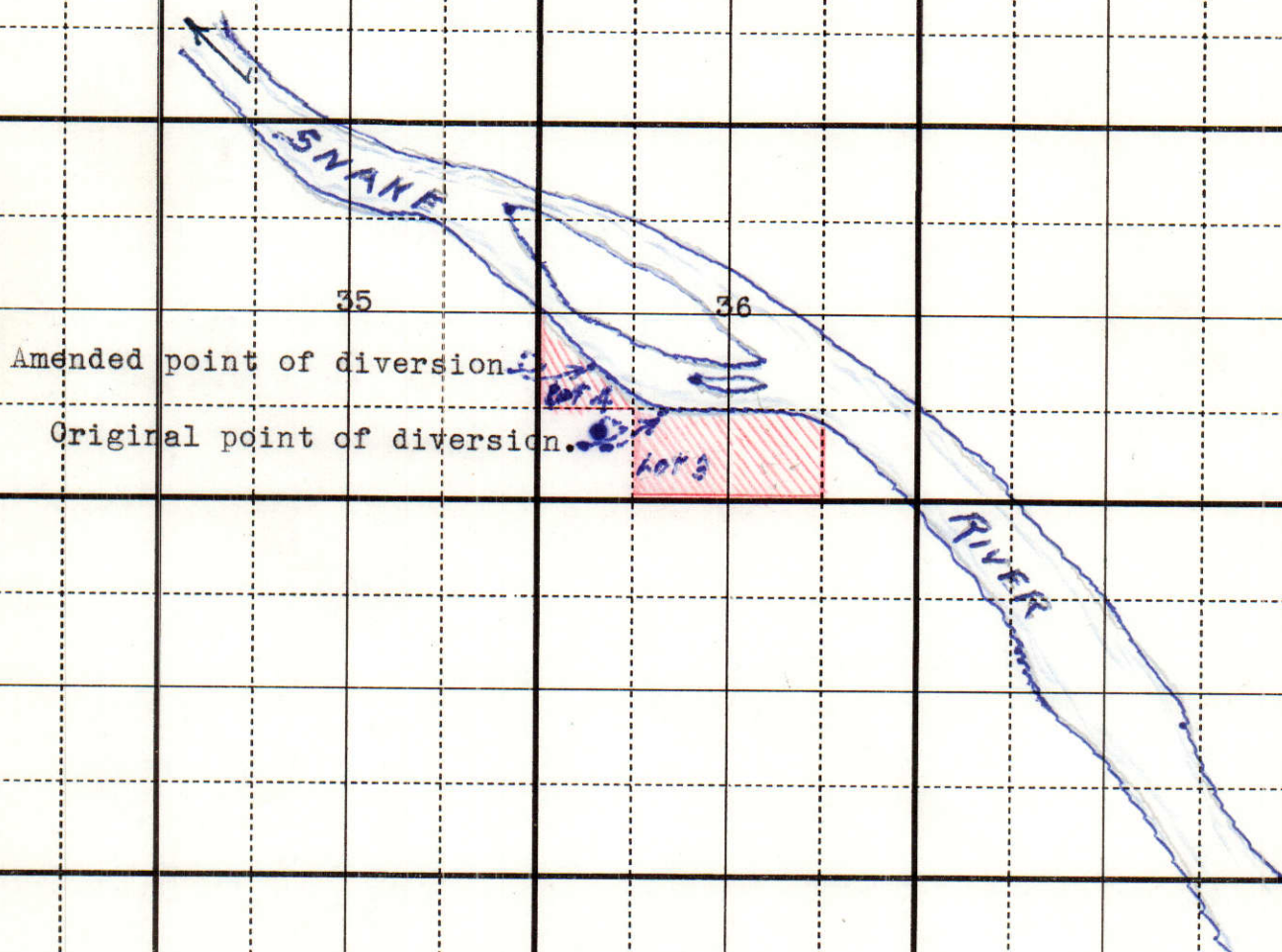
The date of priority which said user is prepared to establish is January 20, 1956.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published December 22, 29, 1966  
and January 5 and 12, 1967  
The Owyhee Nugget  
Marsing, Owyhee County, Idaho

20043

Map to accompany amendment to Permit No. 20043  
Changing point of diversion.

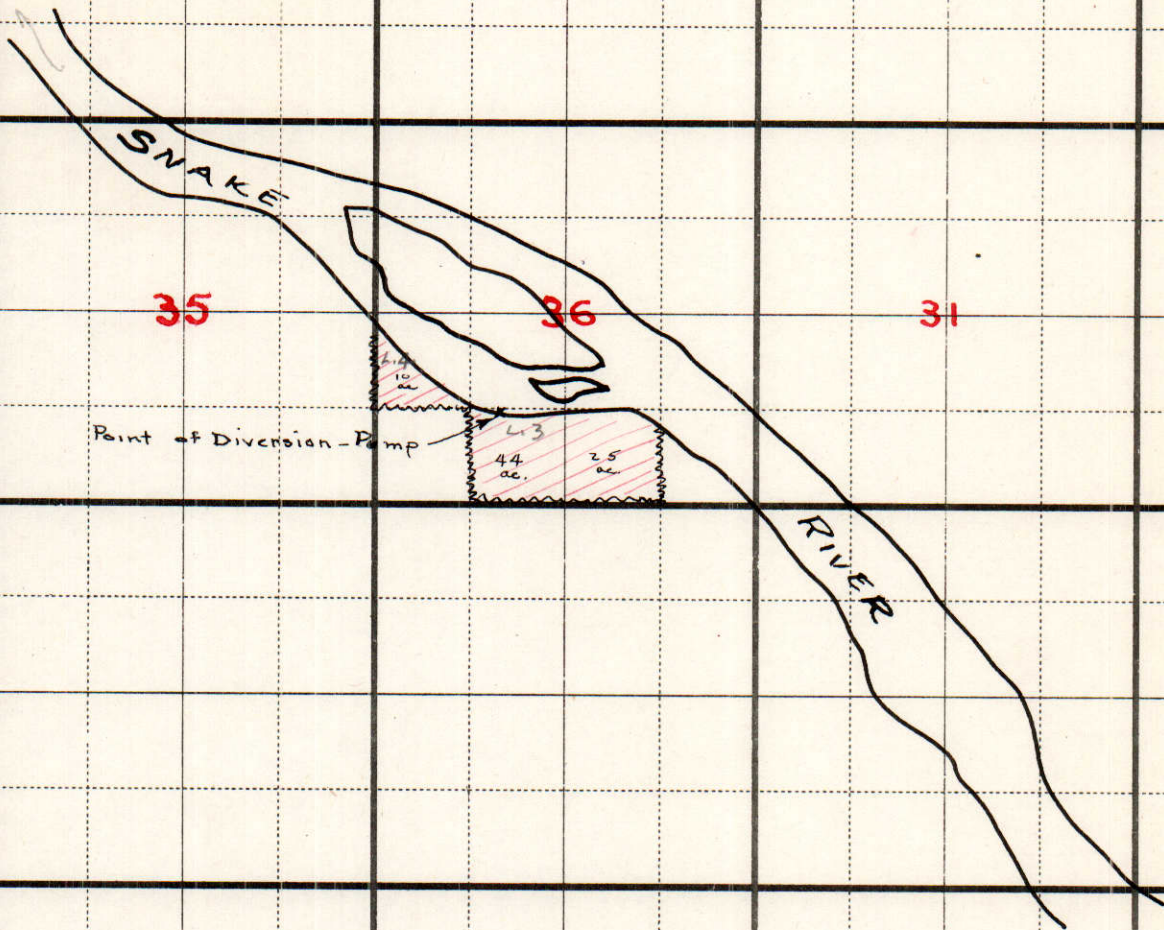
Twp. 1.N. R. 3.W



20043

TOWNSHIP-1 NORTH

RANGE-3 WEST



Permit Map No. 20043  
As Approved  
APR 12 1947  
MARK R. KULP  
State Reclamation Engineer

50 Idaho

# WATER LICENSE

Water License No. 20043/02-2061 Priority, January 20, 1956 Amount 1.35 c.f.s.  
(late proof)

THIS IS TO CERTIFY, that Elmer Vostrez - Assignee - James L. & Edgar C. Muller  
of Melba, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated April 7, 1947; that Permit 20043/02-2061 was issued pursuant  
to said application; that the proposed works were completed on or about 1952,  
with a storage/or carrying capacity of 1.35 c.f.s., said works consisting of pump, motor,  
steel pipe and concrete ditch; and that on January 25, 1967,  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 395  
acre feet per season, with a maximum rate of diversion of 1.35 cubic feet per second of the waters  
of Snake River, tributary of Columbia River,  
for the purpose of irrigation from April 1 to October 31;  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
located in Lot 4 (NW 1/4 SW 1/4, Sec. 36, T. 1 N, R. 3 W, B.M., and  
other additional points \_\_\_\_\_, in the County of  
Owyhee; and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 395 acre feet per year.

Description and location of place of use:

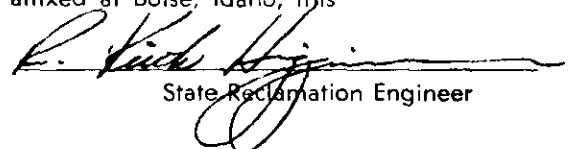
| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |          |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4   | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 1 N  | 3 W   | 36   |        |        |        |        |        |        |        |        |        | L4<br>10 |        | 44     |        |        |        | 25     | 79     |
|      |       |      |        |        |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |

Total number of acres irrigated 79

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

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

23rd day of January, 19 69.

  
State Reclamation Engineer

20043  
02-2061

3W.

PD 10

36

10

44 25

89

89 ACRES

WATER WITH 21871

AREA - 89 ACRES

SUBD - 3

Q - ALLOW 1.35 C.F.S. NOTE PERMIT #21871

VOL = 395 AC-FT / SEASON

PRIORITY = JAN 20, 1956

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. 20043

REPORT ON PROOF OF Beneficial Use

20043  
02-2061

December 23, 1968

Re: Permit No. 20043

James L. & Edgar C. Muller  
Star Route  
Malba, Idaho

20043

Gentlemen:

A representative of this department has made an examination of the works covered by your permit 20043 and has found the following:

Quantity of water diverted: 1.35 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.35 c.f.s.\*

Purpose of use: Irrigation of 79 acres in NW 1/4, SE 1/4, SW 1/4, Sec. 36, T. 1 N, R. 3 W, B.M.

The priority date established is: January 20, 1956.

A fee totaling \$ 6.00 must be received within 30 days from the date of this letter in order that we can issue you ~~the Certificate of Completion of Works~~ and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible  
Reclamation Engineering Administrator

DRS:dj

\*The maximum quantity diverted shall not exceed 395 acre feet per season.

20043  
02-2061

December 23, 1968

Re: Permit No. 20043

James L. & Edgar C. Muller  
Star Route  
Melba, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit 20043 and has found the following:

Quantity of water diverted: 1.35 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.35 c.f.s.\*

Purpose of use: Irrigation of 79 acres in NW SW, SE SW, SE SE, Sec. 36, T. 1 N, R. 3 W, P.M.

The priority date established is: January 20, 1956.

A fee totaling \$ 6.00 must be received within 30 days from the date of this letter in order that we can issue you ~~the Certificate of Completion of Works~~ and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible  
Reclamation Engineering Administrator

DRS:dj

\*The maximum quantity diverted shall not exceed 335 acre feet per season.

20043  
02-2061

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

December 23, 1968

*Receipt # 2551 for 600 gpm*

Re: Permit No. 20043

James L. & Edgar C. Muller  
Star Route  
Melba, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit 20043 and has found the following:

Quantity of water diverted: 1.35 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.35 c.f.s.\*

Purpose of use: Irrigation of 79 acres in NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 36, T. 1 N, R. 3 W, B.M.

The priority date established is: January 20, 1956.

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Very truly yours,

Dean R. Schnaible  
Reclamation Engineering Administrator

DRS:dj

*DRR*

\*The maximum quantity diverted shall not exceed 395 acre feet per season.

*20043  
02-2061*

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

Permit No. 20043

This proof is for James L. & Edgar C. Muller

In Water District No.

1. Name of applicant Beneficial Use

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the Lot 4 NW 1/4 SW 1/4 of Section 36

T. 1 N R. 3 W County of Owyhee

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

30 HP U.S. FLEET MOTOR # 869579,  
LYNE & BOWLER VERT TURBINE PUMP,  
# 16320 10" DISCHARGE THROUGH  
STEEL PIPE - 19' LIFT INTO A  
CONCRETE DITCH - GRAVITY IRRIGATION

5. Water is used for: irrigation ~~and domestic purposes~~

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):

NW1/4SW1/4, SE1/4SW1/4, SW1/4SE1/4, Sec. 36, T. 1 N, R. 3 W, B.M.

(79 acres)

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

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

Remarks:

MR EDGAR GIBBER PRESENT DURING  
INSPECTION & ASSISTED WITH DRYING  
CURRENT METER MEASUREMENT

MEASUREMENT WITH 21871

to many acres - how do you know that is new sec 36  
IRRIGATION REQUIREMENT = 5.0 AC-FT / ACRE / SEASON

This examination was made on the 11TH day of April, 1968

(Signed) Dean Reynolds Examiner.

R-23-68 - DRR

20043  
02-2061 Plat  
K.H.

---

### INSTRUCTIONS TO EXAMINERS

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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.
- 

James L. & Edgar C. Muller *electric motor + pump*  
Star Route *50' x 10" steel pipe to open ditch*  
Melba, Idaho *Q - 2.0 cfs*  
Permit No. 20043 ✓

Examination for Beneficial Use

County Owyhee

Quantity: 2 c.f.s. Sec. 36 T.1N R.3W

Source: Snake River

*NW 1/4 SW 1/4*  
P.D.: Lot 4, Sec. 36, T. 1 N, R. 3 W, B.M.

Use: irrigation and domestic

Extension:

Protest:

Completion of Works: April 7, 1952 ✓

Other Rights:

Filed: April 7, 1947 ✓

Due: April 12, 1958 ✓

Made: Jan. 25, 1967

Priority: Jan. 20, 1956 ✓ *TRR*

N<sup>o</sup> 20043  
02-2061

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

Application No. 27632  
Permit No. 20043  
District No.

Assigned to *[Signature]*

1. Name of Applicant: **ELMER VOSTREZ**

Postoffice address: **Melba**

County: **Owyhee**

State: **Idaho**

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: **Two (2)** cubic feet per second.

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

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

corner of Section , T. , R. , B.M., and is in the **Lot 3**

of Section **36** , T. **1 N.** , R. **3 W.** , B. M., County of **Owyhee**

5. Water is to be used for **Irrigation and domestic purposes**

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: **\$800.00**

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 **2** feet; width at water line **4** feet; depth of water **0.5** feet;

dimensions of flume:

Diameter of pipe inches; length of conduit **One** 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.**

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

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

ELMER VOSTREZ

***Applicant.***

**By**

**Agent.**

**Date of first receipt at Department of Reclamation: 3:30 P. M. April 7, 1947**

**Returned to applicant for correction:**

**Corrected application received :**

### Approval of State Reclamation Engineer

The number of this permit is 20043

Recorded in Book 72

Page 20043

Approved April 12, 1947

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 June 12, 1947

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 October 12, 1949

The whole of said work to be completed on or before April 12, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before April 12, 1958

Witness my hand this 12th day of April, 1947

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.....12th.....

day of April, 19 47.

STATE OF IDAHO

**Countersigned :**

(SEAL)

By C. A. ROBINS

By.....J. D. "CY" PRICE

Governor.

*Secretary of State.*

**Remarks:** Applicant intends to pump directly from Snake River, using electric power.

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> |        |
| 1 N.                                                                                                           | 3 W.  | 36   |                                                                                                                                                                                                                                                                                                          |                                |                                |                                |                                |                                |                                |                                | 10                      44     |                                |                                |                                | 25                             |                                |                                |                                | 79     |
| A S S I G N M E N T                                                                                            |       |      |                                                                                                                                                                                                                                                                                                          |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                                                                                                                |       |      | For value received, I hereby assign all my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 20043 to Wright Bros. & Hennessy of Melba, Idaho.                                                                                                     |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                                                                                                                |       |      | <u>ELMER A. VOSTREZ</u><br>Permit holder.                                                                                                                                                                                                                                                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                                                                                                                |       |      | <u>MARY C. VOSTREZ</u><br>Wife of Permit holder.                                                                                                                                                                                                                                                         |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| State of Idaho        )<br>County of Cwyhee    )                                                               |       |      | ss                                                                                                                                                                                                                                                                                                       |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                                                                                                                |       |      | On this 19 day of January, 1951, before me, a Notary Public for the State of Idaho, residing at Marsing, Idaho, personally appeared Elmer A. & Mary C. Vostrez, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same. |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                                                                                                                |       |      | In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.                                                                                                                                                                  |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| (SEAL)<br>My commission expires 1-17-54.                                                                       |       |      |                                                                                                                                                                                                                                                                                                          |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| Received and filed for record in the Department<br>of Reclamation at Boise, Idaho, at 9:00 A.M. Jan. 27, 1951. |       |      |                                                                                                                                                                                                                                                                                                          |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|                                                                                                                |       |      | MARK R. KULP<br>State Reclamation Engineer.                                                                                                                                                                                                                                                              |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 20043.

Comes now Wright Bros. & Hennessy, 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. 20043;  
Section 36

That the point of diversion is described in said Permit as being located Lot 3, Twp. 1 N. R. 3 W, and conveyed to the place of use through the Pump and pipe-line, Private, ditch, as per map filed herewith.

Section 36  
That he now requests that the point of diversion be changed to a point located Lot 4, Twp. 1. N. R. 3 W.

That his reasons for desiring to make such change are as follows: Mistake made and change made in location of Pump.

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 17 day of January, 1951.

Wright Bros. and Hennessy,  
By W. J. Hennessy

Date of receipt at Department of Reclamation January 17, 1951.

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. 20043. 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. 20043  
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that WRIGHT BROTHERS AND HENNESSY of Melba, County of Owyhee, and State of Idaho, the holders of Permit No. 20043, issued upon Application No. 27632 bearing date of priority of April 7, 1947, authorizing the diversion of Two (2) second feet of the waters of Snake River, County of Owyhee, State of Idaho, for irrigation and domestic 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 Two (2) second feet of the waters of Snake River; that the point of diversion of said waters is in Lot 4, Section 36, Township 1 North, Range 3 West, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Township 1 North, Range 3 West, B.M.

Witness my hand this 11th day of April, A.D. 1952.

E. N. HUMPHREY  
Deputy State Reclamation Engineer

Proof of completion of works made April 7, 1952.

Certificate of completion of works issued April 11, 1952.

-----  
A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permits to appropriate the Public Waters of the State of Idaho, Nos. 20043 & 21871, to James L. Muller and Edgar C. Muller, of Star Route, Melba, Idaho.

s/ LEO WRIGHT  
Permit Holder

George W. Wright, Deceased  
See Decree of Distribution of Estate in  
File leaving his interest to Leo Wright

STATE OF IDAHO }  
County of        ) ss

On this 20th day of August, 1964, before me, a Notary Public for the State of Idaho, residing at \_\_\_\_\_, personally appeared LEO WRIGHT, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same.

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

(SEAL)

s/ MILO AXELSEN  
Notary Public  
Residing at Nampa, Idaho

My commission expires: Feb. 18, 1968

WARRANTY DEED

\*\*\*\*\*

An undivided one-half interest in and to the following described property, to-wit:

Lots 1, 2, 3 and 4 in Section 36, Twp 1 North, Range 3 W.B.M.; Lot 2 in Section 1, Twp 1 South, Range 3 W.B.M.; and a parcel of land in Lot 3 in Section 1, Twp 1 South, Range 3 W.B.M.; described as follows:\*\*\*\*\* Together with the irrigation pump, motor and accessories which are now situated on said lands, also all applications for permit from the State of Idaho for the appropriation of waters for said lands, and together with all water right, ditches and rights-of-way for ditches thereunto belonging or appertaining thereto.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part of the first part ha hereunto set hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of ) William J. Hennessy (Seal)  
)  
) Alice W. Hennessy (Seal)  
)

STATE OF IDAHO )  
County of Canyon ) ss.

On this 27th day of November in the year 1951, before me the undersigned, a Notary Public in and for said State, personally appeared William J. Hennessy and Alice W. Hennessy, husband and wife, known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(Notary Seal)

James E. Schiller  
Notary Public for the State of Idaho,  
Residing at Nampa, Idaho.

Received and filed for record in the Department of  
Reclamation, at Boise, Idaho, December 14, 1955.

MARK R. KULP  
State Reclamation Engineer

January 23, 1969

Re: Permit No. 20043/02-2061

James L. & Edgar C. Muller  
Star Route  
Melba, Idaho 83641

Gentlemen:

Enclosed you will find your Water License issued on the  
above numbered permit.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh

Enclosure

20043  
02-2061

February 21, 1967

Re: Permit No. 20043

James L. & Edgar C. Muller  
Star Route  
Melba, Idaho 83641

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Owyhee Nugget, all submitted in proof of completion of works and beneficial use on Permit No. 20043.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch  
Office Manager

MRB:nw

20043

GIGRAY, BOYD & DOWNEN

LAWYERS

9TH AND DEARBORN STS.

CALDWELL, IDAHO 83605

February 14, 1967

WM. F. GIGRAY, JR.  
PETER J. BOYD  
DONALD E. DOWNEN  
SAMUEL EISMANN

RECEIVED  
FEB 17 1967

Department of Reclamation  
AREA CODE: 208  
TELEPHONE 459-4624

State of Idaho  
Department of Reclamation  
107 State House  
Boise, Idaho 83701

Re: James L. Muller and Edgar C.  
Muller, Permits Nos. 20043  
and 21871

Dear Sirs:

Pursuant to your letters of December 15, 1966,  
being returned herewith in connection with the above  
captioned permits are the following:

Deposition of holders of Permit No. 20043  
Depositions of two witnesses of Permit No. 20043  
Affidavit of publication of Permit No. 20043

Deposition of holders of Permit No. 21871  
Depositions of two witnesses of Permit No. 21871  
Affidavit of publication of Permit No. 21871

Kindly advise in the event any of the above  
papers are not in order.

Very truly yours,

GIGRAY, BOYD & DOWNEN

Wm. F. Gigray, Jr.

WFG/ea  
Encs

20043

# PROOF OF PUBLICATION

STATE OF IDAHO }  
County of Owyhee } s.s.

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

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 22 day of December 1966, and the last publication being on the 12 day of Jan, 1967;

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

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 12 day of Jan, 1967.

Rodney A. Hawes  
NOTARY PUBLIC

My commission expires 9-10-68  
(SEAL)

RECEIVED  
FEB 17 1967

Department of Reclamation

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

Notice is hereby given that on the 25th day of January, 1967, at Caldwell, County of Canyon, State of Idaho, before William G. Gray, 9th and Dearborn, Caldwell, Idaho, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 20043 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 James L. and Edgar C. Muller, Star Route, Melba, Idaho.

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The point of diversion of said water is Lot 4, Sec. 36, T. 1 N., R. 3 W., B. M.

The place where said water is used (LEGAL DESCRIPTION) NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 1 N., R. 3 W., B. M.

The date of priority which said user is prepared to establish is January 20, 1956.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published December 22, 29, 1966  
and January 5 and 12, 1967  
The Owyhee Nugget  
Marsing, Owyhee County, Idaho

20043

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho  
Permit No. 20043

**RECEIVED**  
FEB 17 1967  
Department of Reclamation

\* \* \* \* \*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE  
~~and Completion of Works~~

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: James L. Muller and Edgar C. Muller, farmers, Star Route, Melba, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: 20043  
April 12, 1947 January 20, 1956 4- - - - -

Ques. 4. State source of water supply: Snake River  
Give location of point of diversion, showing subdivision, section, township and range  
Lot 4, Section 36, Township 1 North, Range 3 W.B.M.

Ques. 5. Describe your works of diversion: Electric motor and pump, 50'x10" steel pipe to open ditch; state amount of water they are capable of conveying from point of diversion to place of use: 2.0 c.f.s.; Give name of canal or ditch or other works by which water is conducted to such place of use: private ditch  
; if a well, state depth of well \_\_\_\_\_; depth and size of casing \_\_\_\_\_; depth to water \_\_\_\_\_; if pump is used, state discharge of pump: 2.0 c.f.s.; tell how it was measured or determined estimated; if sprinkler irrigation, give number and size of nozzles and operating pressure: \_\_\_\_\_

Ques. 6. State for what purpose water is used: \_\_\_\_\_  
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:  
Irrigation of arid lands, all located in Section 36, Township 1 North, Range 3 W.B.M., namely, 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; and 29 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; for a total of 79 acres.

20043

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

Leveling land, building ditches and farming the same.

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

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

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

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: First used in 1952, and - Time used since first use:

past growing seasons with the amount of water being used the amount of  
water set forth in the permit.

Ques. 10. Describe all other water rights appurtenant to same place of use: Unknown,  
but adjoining land irrigated by Reynolds Irrigation District.  
\_\_\_\_\_  
\_\_\_\_\_

(sign) James T. Muller

(sign) Edgar C. Muller

\*\*\*\*\*

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

Caldwell, County of Canyon

State of Idaho, on this 25th day of January, A. D. 1967.

My commission expires: May 15, 1970

20043

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
FEB 17 1967

Department of Reclamation

PERMIT NO. 20043

**Proof of Application of Water to Beneficial Use**

**Deposition of Witness**

*and Completion of Works*

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. M. G. Muller, age 53, Melba, Idaho, farmer, same as residence.

Ques. 2. Are you acquainted with James L. Muller and Edgar C. Muller the holders of Permit No. 20043 - yes? How long have you known him and where does he reside?

Ans. All of my life.

Ques. 3. Have you read or heard read said Permit No. 20043 - yes, 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 by pump, steel pipe to open ditch with gravity flow through open ditch 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. 2 c.f.s., I have seen 2 c.f.s. of water being so conveyed in that manner.

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. It is used to irrigate arid lands in the following subdivisions: 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 29 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , these subdivisions all being in Section 36, Township 1 North, Range 3 W.B.M.

20043

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

Ans. \_\_\_\_\_

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 loan soil.

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

Ans. No.

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

Ans. I have witnessed the application of water to the lands since 1952 as described herein for the growing of crops thereon, the water being diverted in sufficient quantity to adequately irrigate the 79 acres I have described previously.

(Signed) W. B. Muller.

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 Caldwell, County of Canyon, State of Idaho, on this 25th day of January, A. D. 1967.

Wm. J. Givney, Jr.  
Notary Public.

My commission expires May 15, 1970.

20043

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
FEB 17 1967

Department of Reclamation

PERMIT NO. 20043

**Proof of Application of Water to Beneficial Use**  
**Deposition of Witness** <sup>and Completion of Works</sup>

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. Larry M. Muller, 28, Melba, Idaho, farmer, same as residence.

Ques. 2. Are you acquainted with James L. Muller and Edgar C. Muller the holders of Permit No. 20043? How long have you known him and where does he reside?

Ans. Yes, I have known them for more than 20 years last past.

Ques. 3. Have you read or heard read said Permit No. 20043 - yes 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 at a point located on Lot 4, Section 36, Township 1 North, Range 3 W.B.M. Water is pumped from the River through a steel pipe into an open ditch which flows gravity 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. 2 c.f.s. I have seen that much water being so conveyed in that manner.

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. The water is used for the irrigation of arid land with approximately 10 acres being irrigated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 29 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , all being in Section 36, Township 1 North, Range 3 W.B.M.

20043

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

Ans. \_\_\_\_\_

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.

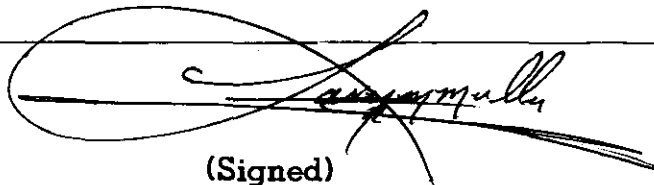
Ans. Sandy loan soil

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

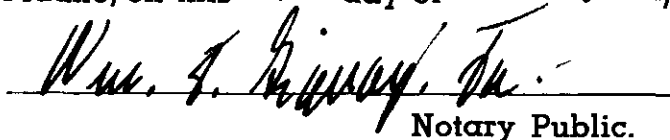
Ans. No

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

Ans. I have seen such use during the irrigation seasons for more than the past ten years.

  
(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 Caldwell, County of Canyon, State of Idaho, on this 25th day of January, A. D. 1967.

  
Notary Public.

My commission expires May 15, 1970.

20043

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

Notice is hereby given that ~~at~~ ~~XXXX~~ on the 25<sup>th</sup> day of January, 1967,  
at CALDWELL, County of CANYON, State of Idaho, before  
William GIGRAY, 9<sup>th</sup> & DEARBORN, proof will be submitted of the  
application to beneficial use of 2.0 cubic feet per second of the waters of \_\_\_\_\_  
Snake River in accordance with the terms and conditions of  
Permit No. 20043 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 \_\_\_\_\_  
James L. and Edgar C. Muller, Star Route, Melba, Idaho.

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The point of diversion of said water is Lot 4, Sec. 36, T. 1 N, R. 3 W, B.M.

The place where said water is used (LEGAL DESCRIPTION) NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 36, T. 1 N, R. 3 W, B.M.

The date of priority which said user is prepared to establish is JAN. 20, 1956  
April 7, 1947

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

20043

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) DECEMBER 15, 1966

(P. O.) STAR ROUTE MELBA, IDAHO

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published  
at my expense in the Owyhee Nugget of  
MARSING, IDAHO. Published in  
the county in which the works are situated.

  
\_\_\_\_\_

(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

20043

December 15, 1966

Re: Permit No. 21871 and 20043

Owhee Nugget  
Marsing, Idaho

Gentlemen:

Enclosed you will find legal notices which we wish to have published for four consecutive weeks prior to January 25, 1967. The expenses of the publications are to be paid by James L. Muller of Star Route, Malba, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of these notices and furnish this office with copies or tear sheets of the notices for checking at least one week prior to the first publication.

Very truly yours,

R. Keith Higginson  
State Reclamation Engineer

RKH:nw

20043  
20043

XXXXXXXXXX

December 15, 1966

Re: Permit No. 20043

James L. and Edgar C. Muller  
Star Route  
Melba, Idaho

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 20043. The proofs are to be made at 11 o'clock ~~XXXXXXXX~~, on the 25th day of January, 19 67. before William C. Gray ~~William C. Gray~~ Notary Public. Caldwell, Idaho,

As of this date, we have mailed the Notice to the Oregon Nugget, 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,

MRB:rw

M. Russell Bosch  
Office Manager

Encl.

cc: Notary

20043

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit ~~to~~ appropriate the Public Waters of the State of Idaho, Nos. 20043 & 218 to James L. Muller and Edgar C. Muller of Star Route, Melba, Idaho

\* \_\_\_\_\_

Leo Wright  
Permit Holder

\_\_\_\_\_  
Wife of Permit Holder

STATE OF IDAHO )  
                              : ss  
County of \_\_\_\_\_ )

On this 20 day of August, 1964, before me, a Notary Public for the State of Idaho, residing at \_\_\_\_\_

personally appeared LEO WRIGHT

known to me to be the person whose name <sup>has</sup> ~~is~~ subscribed to the within instrument and ~~admits~~ <sup>acknowledges</sup> to me that he executed the same.

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

Miss C. J. [unclear]  
Notary Public  
Residing at Hampton, Idaho

my commission expires: Oct 1, 1968

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

20043

See Permit 21871  
for Copy of Decree

October 28, 1964

Re: Permits No. 20043; 21871  
James L. Muller & Edgar C. Muller

William F. Gigray, Jr.  
Attorney at Law  
9th and Dearborn  
Caldwell, Idaho

Dear Mr. Gigray:

Enclosed are the assignments of the above numbered permits which have been recorded in this office.

Departmental Receipt 32506, in the amount of \$1.00 was given to you while in this office.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. assignments

20043

October 27, 1964

RE: Permit No. ~~20043~~, Elmer Vostres  
21871, Wright Bros. & Hennessey

William Gigray  
Attorney at Law  
9th & Dearborn  
Caldwell, Idaho

Dear Mr. Gigray:

Enclosed are the photo copies of the above numbered permits  
that you requested.

Departmental receipt No. 32506 in the amount of \$3.00  
covering the fees for the copies was given to you.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(Mrs.) Edna P. Hule  
Chief Clerk

EPR:rr

Enc. copies of permits 2

20043

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

RE: Permit No. 20043

Date February 3, 1958

**Wright Brothers & W.J. Hennessy**  
**Melba, Idaho**

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 20043 is due not later than April 12, 1958. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

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

We enclosed Form 10, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, filled out in duplicate, is 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 executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water filed on, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--all by legal land description.

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

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

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

Enc.

20043

April 16, 1952

RE: Permit No. 20043

Wright Brothers  
Star Route  
Malba, Idaho

Gentlemen:

We enclose Certificate of Completion of Works issued on Permit No. 20043 in the name of yourselves and Hennessy for the diversion of 2 second feet of water from Snake River with point of diversion in Lot 4, Section 36, Township 1 North, Range 3 West, B.M., for irrigation and domestic use on the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 36.

We also enclose departmental receipt No. 24352 for the \$5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

20043

Permit No. 20043

STATE OF IDAHO  
Department of Reclamation

RECEIVED  
APR 11 1952  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Owyhee

ss.

Wright Bros. by Leo Wright  
one of the

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. 20043, and that his postoffice address is Star Route, Melba State of Idaho

Second: That the name of the stream which said water is to be <sup>FROM</sup> ~~directed~~ <sup>DIVERTED</sup> is

Snake River

Third: That the point of diversion of said water is Section 36 in Lot 4, Twp/ 1 N., Range 3 W., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 12, 1952.

Fifth: That the use for which said water is intended is

Sixth: That on the date above mentioned, the works constructed under said permit were (~~incomplete~~) fully completed and consisted of the following:

I. Kind of works: 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 Ditch width at bottom 2 1/2 feet, width at water line 3 feet, depth of water 2 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is one miles.

(State whether ditch, flume or pipe)

Seventh: That said works are capable of conducting to the place of intended use two second feet of water.

Eighth: That water appropriated under said permit is available for 79 acres of land described as follows: NW 1/4 SW 1/4, SE 1/4 SW 1/4 and SW 1/4 SE 1/4 Section 36, Twp. 1 N., Range 3 W., B.M.

Ninth: Remarks: That

*Leo Wright*  
(Sign Here)

Subscribed and sworn to before me this 7th day of April, 1952

*Victor C. Ford*

My commission expires 11/6/54

Notary Public.

20043

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

**INSTRUCTIONS**

PROOF OF COMPLETION OF WORKS

**Wright Bros. & Hennessey**  
**C/o W. J. Hennessey**  
**Melba, Idaho**

Boise, Idaho      February 1, 1952

Dear Sirs:

Under the terms of your Permit No. 20043.....you are required to complete your diversion works on or before April 12, 1952..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

**MARK R. KULP**

State Reclamation Engineer

20043

January 29, 1951

Re: Permit No. 20043

Mr. W. J. Hennessey  
Star Route  
Melba, Idaho

Dear Mr. Hennessey:

We return the assignment of Permit No. 20043 from Elmer Vostres to Wright Bros. and Hennessey, which has been duly recorded in this Department, and we also enclose Departmental Receipt No. 23030 for the \$.50 recording fee.

We also enclose your Application for Amendment to the point of diversion as described in this Permit, which has been approved by the State Reclamation Engineer and duly recorded.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

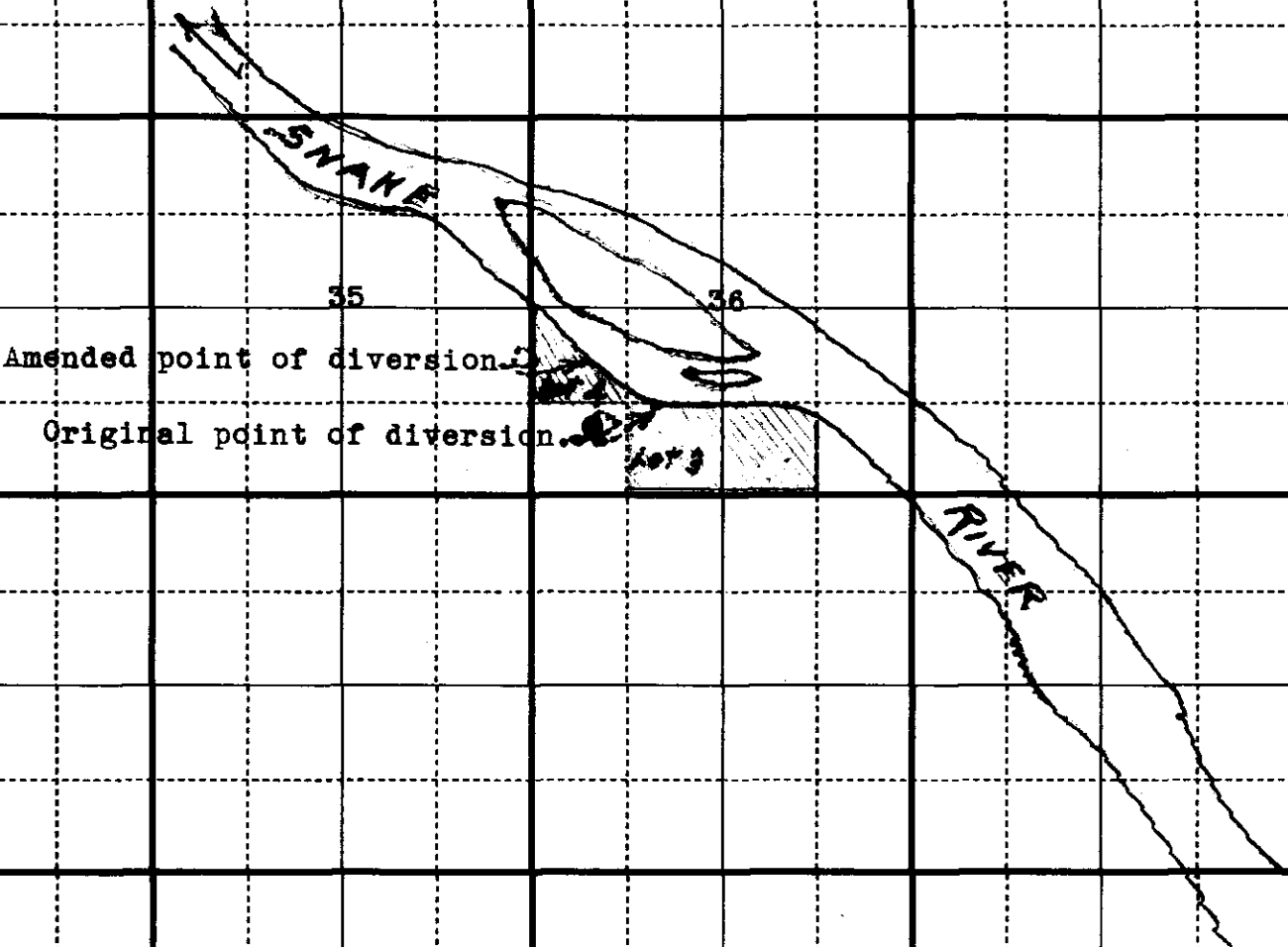
Chief Clerk

A:bh  
Enc.

20043

Map to accompany amendment to Permit No. 20043  
Changing point of diversion.

Twp. 1.N. R. 3.W



20043

January 20, 1951

Re: Permit No. 20043

Mr. W. J. Hennessy  
Star Route  
Melba, Idaho

Dear Mr. Hennessy:

We return the assignment of Permit No. 20043, as through some inadvertance it seems to be incorrectly made out.

As you will note, it assigns this permit to Elmer Vostrez, and we are not sure whether it is intended to assign it to you personally, or to Wright Bros. & Hennessy.

Will you please make the necessary correction, and return it to this office, with the statutory fee of fifty cents (50¢) for recording.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Encl.

20043

20043

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

Permit No. 20043

Date April 16, 1947

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.

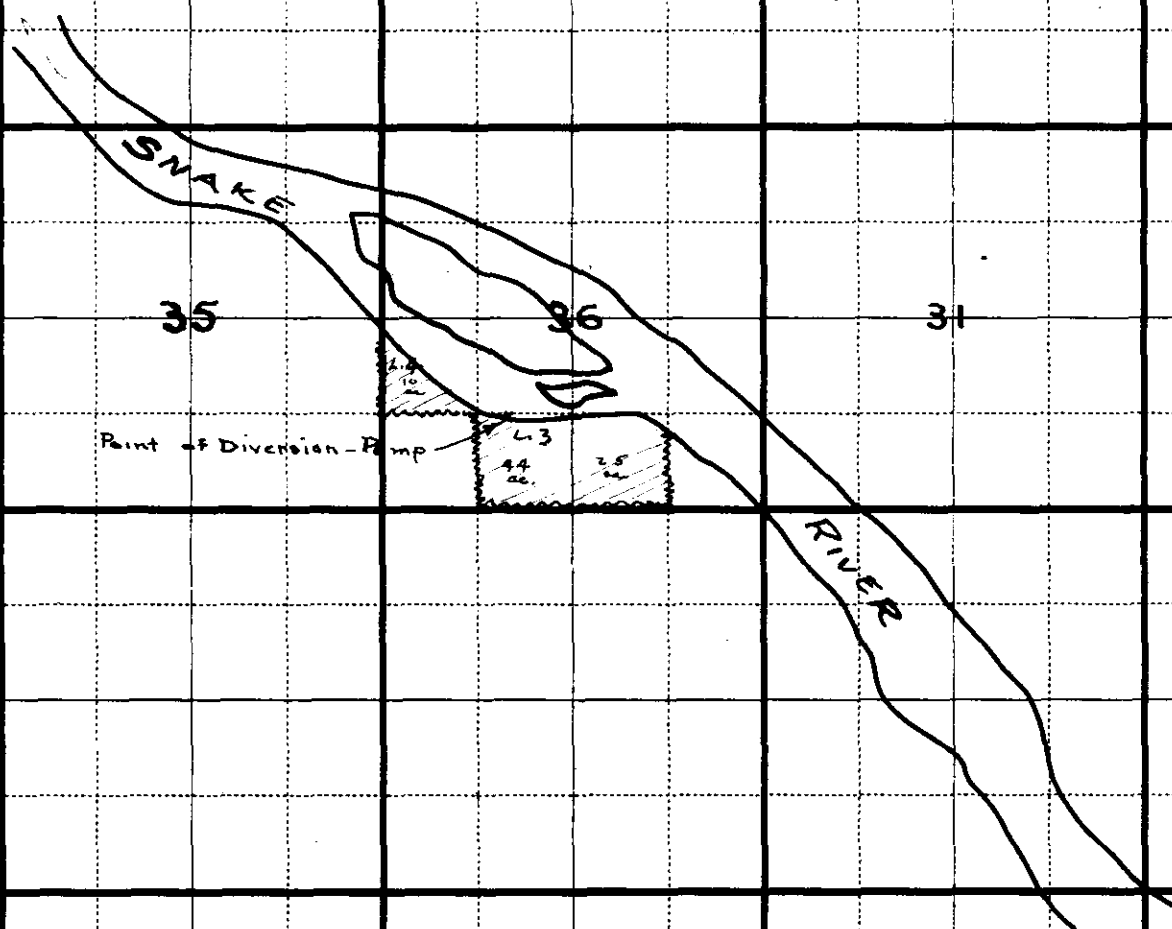
MARK B. KULP

Mr. Elmer Vostrez  
Malba, Idaho  
Enc. Receipt # 19909

State Reclamation Engineer

TOWNSHIP - 1 NORTH

RANGE - 3 WEST



Permit Map No. 20043

As Approved  
APR 12 1947  
MARK R. KULP  
Reclamation Engineer

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

Notice is hereby given that on the 25th day of January, 1967, at Caldwell, County of Canyon, State of Idaho, before William Gigray, 9th and Dearborn, Caldwell, Idaho, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 20043 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 James L. and Edgar C. Muller, Star Route, Melba, Idaho.

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The point of diversion of said water is Lot 4, Sec. 26, T. 1 N., R. 3-W., E. M.

The place where said water is used (LEGAL DESCRIPTION)  
NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ , Sec. 26, T. 1 N., R. 3 W.,  
E. M.

The date of priority which said user is prepared to establish is January 20, 1956.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published December 22, 29, 1966  
and January 5 and 12, 1967  
The Owyhee Nugget  
Marsing, Owyhee County, Idaho