

State of Idaho

02-2033

License and Certificate of Water Right

Water License No. 14452

Amount 25.5 second feet

Water District No.

Priority Nov. 14, 1919

THIS IS TO CERTIFY that INDIAN COVE IRRIGATION DISTRICT
of Hammett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 14, 1919; that Permit No. 14452
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
72 second feet, was issued thereunder on January 4, 1923, showing that said works
were completed on the 28th day of November, 1921; and that on the 29th
day of November, 1924,

INDIAN COVE IRRIGATION DISTRICT

of Hammett, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Snake River
, a tributary of Columbia River, for the purpose of irrigation and
domestic use, under Use Permit No. 14452 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} Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4238, on the 19th day of January, 1943;

The right hereby confirmed dates from November 14, 1919;

The Point of Diversion is located in the Southwest corner of Lot 4

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 25.5 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.	7 E.	34	E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$		
6 S.	7 E.	1	SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$		
		2	SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$		
		3	All		
		10	NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$		
		11	N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$		
		12	All		
		13	N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$		
8 S.	8 E.	6	W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$		
		7	W $\frac{1}{2}$		

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.

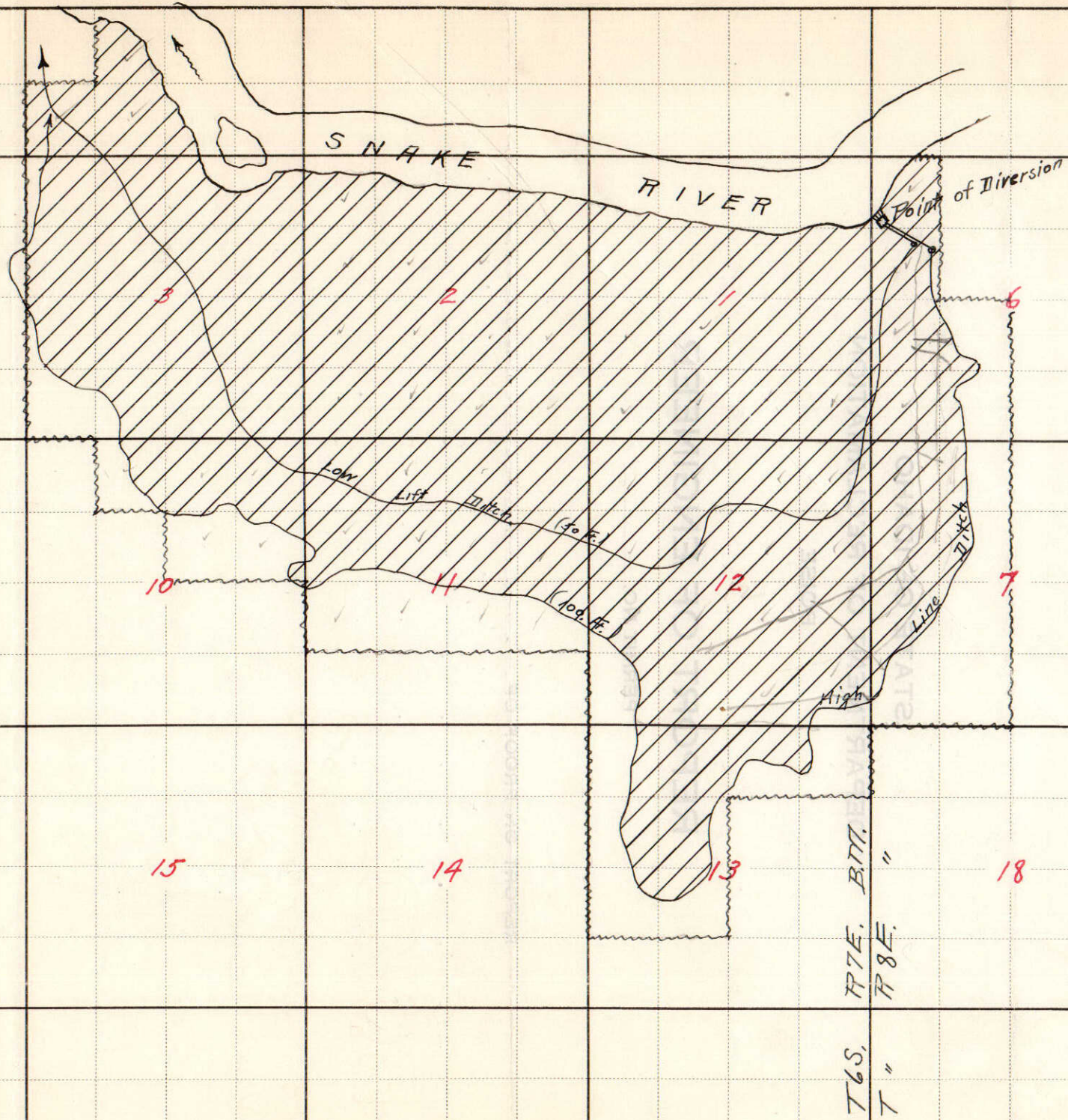
WITNESS the seal and signature of the ^{State Reclamation Engineer} ~~Commissioner of Reclamation~~, affixed at Boise, Idaho,
this 19th day of January, 19 45

MARK R. KULP

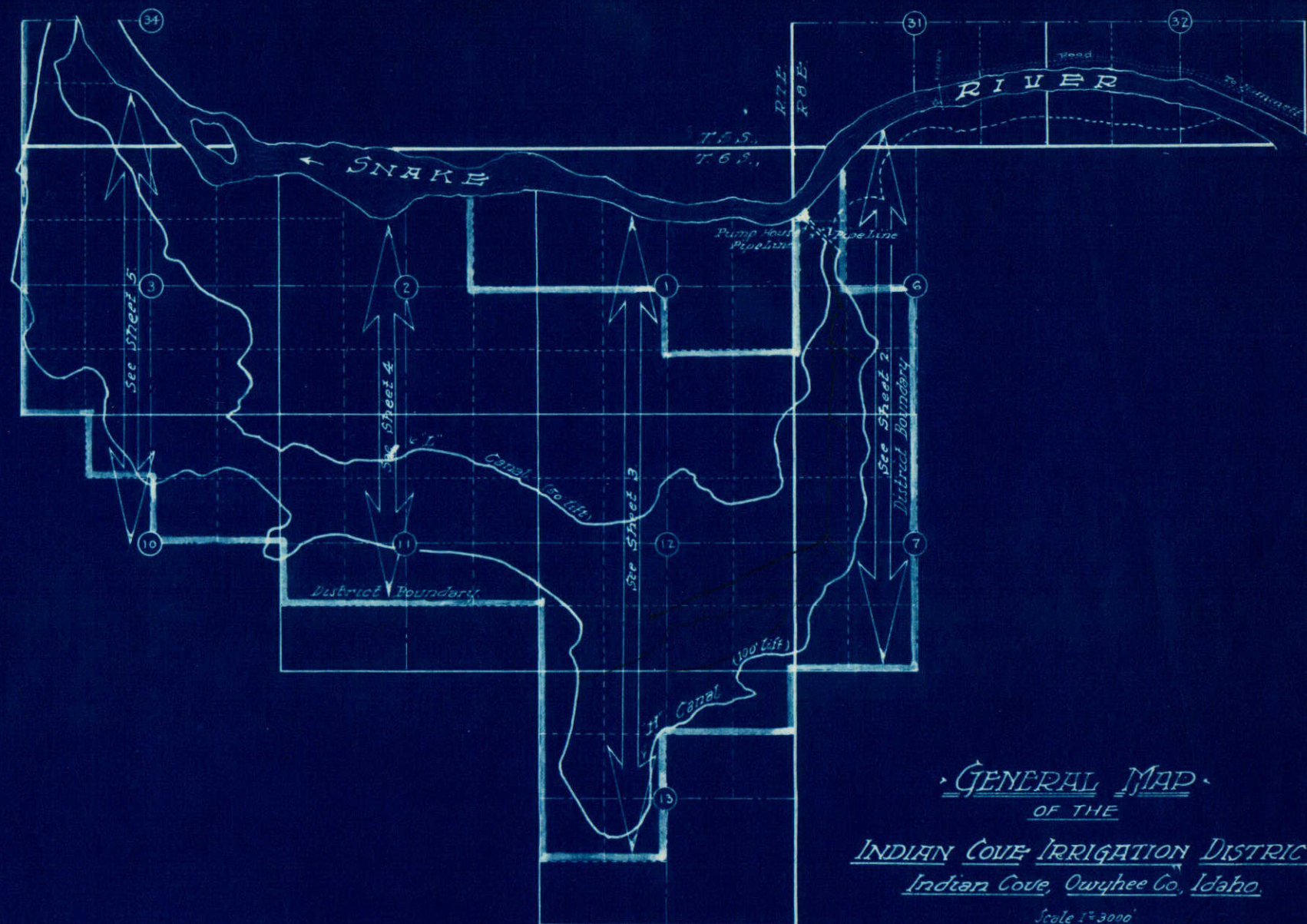
Commissioner of Reclamation

(SEAL)

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.



14452



GENERAL MAP
OF THE
INDIAN COVE IRRIGATION DISTRICT
Indian Cove, Owyhee Co., Idaho
Scale 1"=3000'

SHEET 1 OF 5
For details see sheets
2, 3, 4 and 5.

14452

NOTICE FOR PUBLICATION

NOTICE is hereby given that at 10 a.m., on the 28th day of November, 1921, at Boise, County of Ada, State of Idaho, before J. M. Parrish, Notary Public, 604 Idaho Bldg., proof will be submitted of the completion of works for the diversion of 55 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Indian Cove Irrigation District.

2. The postoffice address of such person or principal place of business of such corporation is Hammett, County of Elmore State of Idaho.

3. The number of such Permit is 14452, and the date set for the completion of such work is December 10th, 1921.

4. Said water is to be used for Irrigation and Domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such Permit, is 55 cubic feet per second.

6. The amount of land for which said water is available is 2821 80 acres, particularly described as follows:

Subdivision	Sec.	Twp	Rnge	B.M.
Lots 6 & 7.....	34	5 S	7 E	B.M.
SW1-4SW1-4.....	34	5 S	7 E	B.M.
SW1-4 & S1-2SE1-4.....	1	6 S	7 E	B.M.
Lots 2, 3 & 4.....	2	6 S	7 E	B.M.
SW1-4NW1-4 & S1-2.....	2	6 S	7 E	B.M.
Lots 1, 2, 3 & 4.....	3	6 S	7 E	B.M.
S1-2NW1-4 & S1-2NE1-4.....	3	6 S	7 E	B.M.
SW1-4 & SE1-4.....	3	6 S	7 E	B.M.
NE1-4 & NE1-4NW1-4.....	10	6 S	7 E	B.M.
NW1-4 & NE1-4.....	11	6 S	7 E	B.M.
N1-2SW1-4 & N1-2SE1-4.....	11	6 S	7 E	B.M.
All.....	12	6 S	7 E	B.M.
N1-2NE1-4 & NE1-4SW1-4.....	13	6 S	7 E	B.M.
NW1-4.....	13	6 S	7 E	B.M.
Lots 4, 6, 7 & 8.....	6	6 S	8 E	B.M.
E1-2SW1-4.....	6	6 S	8 E	B.M.
Lots 1, 2, 3 & 4.....	7	6 S	8 E	B.M.
E1-2NW1-4 & E1-2SW1-4.....	7	6 S	8 E	B.M.

W. G. SWENDSEN,

Commissioner of Reclamation-

First publication October 13, 1921

Last publication November 3, 1921

AFFIDAVIT OF PUBLICATION

I Charles Pascoe

publisher of the Owyhee Nugget, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached was published weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive issues, commencing with the issue dated October 13 1921 and ending with the issue dated November 3 1921

Charles Pascoe

Subscribed and sworn to before me this 3rd day of November 1921

George R. Jones

Notary Public

14452

Permit No. 14452STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of ADA

} ss.

J. I. Hitt, President of Indian Cove Irrigation District

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14452, and that his postoffice address is Hammett State of IDAHO

Second: That the name of the stream from which said water is to be diverted is SNAKE RIVER

Third: That the point of division of said water is near the South West corner of Lot Four (4) Section Six (6) Township Six (6) South Range Eight (8) East B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 10, 1921

Fifth: That the use for which said water is intended is Irrigation and Domestic

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: Pumping plant, pipe line and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam None 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 None acre feet.

(c) Size of headgate: Width None feet, height _____ feet.

(d) Conduit ditch width at bottom 4 feet, width at water line 10 feet, depth of water -- feet; diameter of pipe 30 inches of ditches, average grade per mile is 5.28 feet. Length of conduit is 13 miles.

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

Eighth: That water appropriated under said permit is available for 2821.80 acres of land described as follows: the irrigable area of

SUBD.	SECTION	TOWNSHIP	RANGE, B.M.
Lots 6 & 7	34	5 South	7 East
SW $\frac{1}{4}$ SW $\frac{1}{4}$	34	" "	" "
SW $\frac{1}{4}$ & S $\frac{1}{4}$ SE $\frac{1}{4}$	1	6 "	" "
Lots 2, 3, & 4.	2	" "	" "
SW $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{4}$	"	" "	" "
Lots 1, 2, 3, 4	3	" "	" "
S $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{4}$ NE $\frac{1}{4}$	"	" "	" "
SW $\frac{1}{4}$ & SE $\frac{1}{4}$	"	" "	" "
NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$	10	" "	" "
NW $\frac{1}{4}$ & NE $\frac{1}{4}$	11	" "	" "
N $\frac{1}{4}$ SW $\frac{1}{4}$ & N $\frac{1}{4}$ SE $\frac{1}{4}$	11	" "	" "
All	12	" "	" "
N $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$	13	" "	" "
NW $\frac{1}{4}$	"	" "	" "
Lots 4, 6, 7 & 8	6	6 South	8 East
E $\frac{1}{4}$ SW $\frac{1}{4}$	6	" "	" "
Lots 1, 2, 3, 4	7	" "	" "
E $\frac{1}{4}$ NW $\frac{1}{4}$ & E $\frac{1}{4}$ SW $\frac{1}{4}$	7	" "	" "

14452

Permit No. 14452STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

} ss.

County of ADAJ. I. Hitt, President of Indian/, being first duly sworn, upon his oath deposes and says:First: That ^{it} ~~he~~ is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14452, and that his postoffice address is Hammett State of IDAHO

Second: That the name of the stream from which said water is to be diverted is

SNAKE RIVERThird: That the point of division of said water is near the South West corner of Lot Four(4) Section Six(6) Township Six(6) South, Range Eight(8) East B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 10, 1921Fifth: That the use for which said water is intended is Irrigation and DomesticSixth: 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: Pumping plant, pipe line and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam None feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

State whether wood, earth, stone or concrete
 Capacity of reservoir _____ acre feet
 Size of headgate _____ width _____ feet height _____ feet
 (c) Conduit _____ width at bottom _____ feet width at water _____ feet
 er line _____ depth of water _____ feet diameter of pipe _____ inches
 average _____ feet per mile is _____ feet. Length of conduit is _____ miles
 That said works are capable of conducting to the place of intended use _____
 and feet of water _____
 water appropriated under said permit is available for _____ acres

Ninth: Remarks: That Pumping plant discharges into two wood pipes;
the low lift of 55 feet into a 30 inch wood pipe 795 feet in length and
the high lift of 105 feet into 30 inch wood pipe 965 feet in length.

(Sign here)

Subscribed and sworn to before me this 28 day of November, 1921My commission expires April 1, 1923
Jay M. Garrison
 Notary Public.
 Residence, Boise, Idaho.
14452

State of Idaho

02-2033

License and Certificate of Water Right

Water License No. 14452

Amount 25.5 second feet

Water District No.

Priority Nov. 14, 1919

THIS IS TO CERTIFY that INDIAN COVE IRRIGATION DISTRICT of Hammett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 14, 1919; that Permit No. 14452 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 72 second feet, was issued thereunder on January 4, 1923, showing that said works were completed on the 28th day of November, 1921; and that on the 29th day of November, 1924,

INDIAN COVE IRRIGATION DISTRICT

of Hammett, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation and domestic use, under Use Permit No. 14452 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 7 of Licenses, at page 4238, on the 19th day of January, 1945:

The right hereby confirmed dates from November 14, 1919;

The Point of Diversion is located in the Southwest corner of Lot 4 in the 14 Sec. 6, Tp. 6 S., R. 6 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 25.3 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.	7 E.	34	E 1/2 SW 1/4, SW 1/4 SW 1/4		
6 S.	7 E.	1	SW 1/4, S 1/2 SW 1/4		
		2	SW 1/4, NW 1/4 SW 1/4, S 1/2 SW 1/4, S 1/2		
		5	All		
		10	NE 1/4, NW 1/4 SW 1/4		
		11	N 1/2, N 1/2 SW 1/4		
		12	All		
		13	N 1/2 SW 1/4, NW 1/4, N 1/2 SW 1/4		
8 S.	8 E.	6	SW 1/4, SW 1/4		
		7	SW 1/4		

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, Commissioner of Reclamation, at Idaho, this 19th day of January, 1945

MARK R. REEF

Commissioner of Reclamation

(Seal)

APPLICATION FOR PERMIT 02-2033

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 20496
Permit No. 14452
District No. 59

1. Name of Applicant: **Indian Cove Irrigation District.**

Postoffice address: **Hammett** County: **Elmore** State: **Idaho.**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: **July 11, 1912; Place, Silver City, Idaho.**
(b) Amount of capital stock: **a quasi municipal corporation.**
(c) Amount paid in:
(d) Names and addresses of directors: **Harry Pancoast, Lee Pancoast and B. F. Johnson;**
address of each is Hammett, Idaho.

II. The financial resources of the applicant are:

- (a) Cash on hand: **None.**
(b) Treasury stock: **None** (c) Bonds to be issued: **\$150,000.00**
(d) Other resources: **Power to tax.**

2. Quantity of water claimed: **seventy-two (72)** cubic feet per second.

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

4. Location of point of diversion: ~~Section 6, T. 6 S., R. 8 E., B. M.~~ **at southwest**

corner of Section , T. , R. , B. M., and is in the
of Lot 4
of Section **6** , T. **6 S.** , R. **8 E.** , 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: **\$100,000.00**

8. Kind of works: **Pumping station, ditches and flumes.**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam

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

11. Ditch: Width at bottom **5** feet; width at water line **9** feet; depth of water **2**
feet; dimensions of flume **60 inches.**

Diameter of pipe **30** inches; length of conduit **7** miles.

Average grade per mile **5.28** feet.

12. The time required for the completion of such work is **two (2)** years.

13. The time required for the complete application of the water to the proposed use is **three 3** additional years.

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

15. (a) Is reservoir to be used? **No.** If so, fill in (b) and (c) below.
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Indian Cove Irrigation District.

Applicant.

By Oppenheim & Lampert
Its Attorneys

Agent.

Commissioner of Reclamation

Date of first receipt at office of ~~State Engineer~~ 3:45 P.M. Nov. 14, 1919.

Returned to applicant for correction Nov. 22, 1919.

Corrected application received Nov. 29, 1919.

COMMISSIONER OF RECLAMATION
APPROVAL OF ~~STATE ENGINEER~~

The number of this permit is 14452

Recorded in Book 51 Page 14452 Approved December 10, 1919.

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 \$1000.00 to be filed on or before February 8, 1920.

Work to begin on or before 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 December 10, 1920.

The whole of said work to be completed on or before December 10, 1921.

Beneficial use of water appropriated in accordance herewith, to be made on or before December 10, 1924.

Witness my hand this 10th day of December, 1919.

W. G. Swendsen.

~~State Engineer~~

Commissioner of Reclamation.

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 S.	7 E.	34									50.31	40	49.10						139.41
6 S.	8 E.	6					14.7-31.35				40	31.61-31.70-40							189.36
		7					40	31.79-31.89-40			40	31.99-32.09-40							287.76
6 S.	7 E.	1									40	40	40	40			40	40	240
		2			54.56			19.63-40	43.43		40	40	40	40	40	40	40	40	477.62
		3	21.09-37.03-40	40	40	45.77-45.903-40	40	40	40	40	40	40	40	40	40	40	40	40	629.783
		10	40	40	40	40	40												200
		11	40	40	40	40	40	40	40	40	40	40			40	40			480
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40			40	40	40	40	40	40							320

Total number of acres to be irrigated 3,603.933

We are calling attention to the fact that in answering No. 12 we say that the time required for completion of works will be 2 years; this is not a true situation: the works are now completed and what we intend to convey is that it will possibly require this length of time for the district to acquire the works now constructed.

Attached is plat of the district and system showing the location of the pumping station, canals, ditches, etc. and also the arrangement and location of the land proposed to be irrigated; the dimensions of the canals are shown on this application.

You will note from the plat that the canals are within one mile of each legal subdivision of the land proposed to be reclaimed.

Proof of Completion of Works made November 28, 1921.
 Certificate of Completion of Works issued January 4, 1923.

Permit No. 14452

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Indian Cove Irrigation District of Hammett, County of Elmore, and State of Idaho, the holder of Permit No. 14452, issued upon Application No. 20496, bearing date of priority of November 14, 1919, authorizing the diversion of 72 second feet of the waters of Snake River, County of Owyhee, State of Idaho, for irrigation and domestic 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 55 second feet of the waters of Snake River; that the point of diversion of said waters is near the southwest corner of Lot Four (4), Section Six, Township 6 South, Range eight east, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lots 6 and 7, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, Township 5 South, Range 7 East; SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 1, Lots 2, 3, and 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ Section 2; Lots 1, 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 3; NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, NW $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 11, all of Section 12, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 13, Township 6 South, Range 7 East; Lots 4, 5, 7, 8, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 6, Lots 1, 2, 3, 4, E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 7, Township 6 South, Range 8 East, B. M.

Witness my hand this 4th day of January, A. D. 1923.

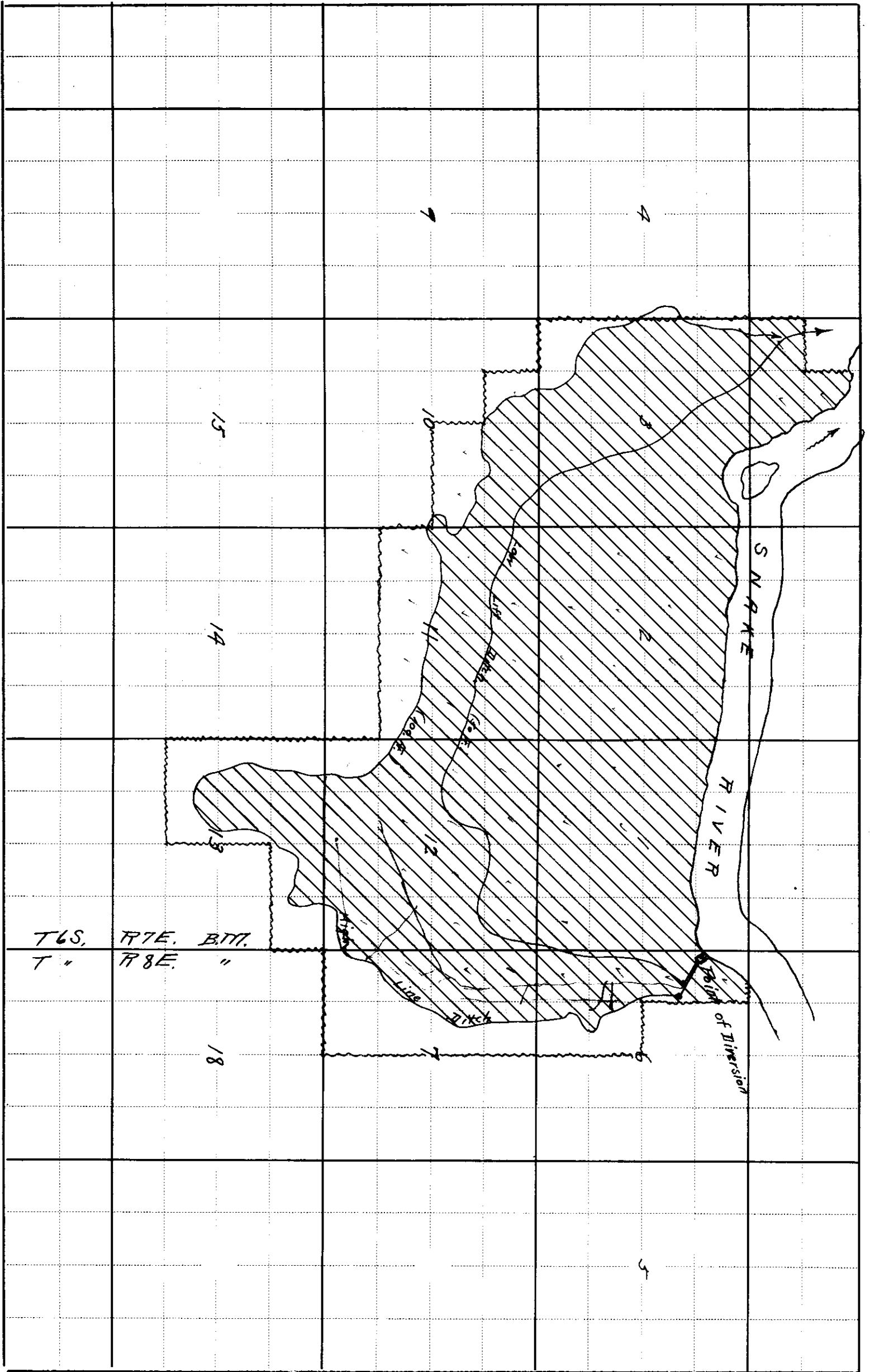
W. G. SWENDSEN,
 Commissioner of Reclamation.

LICENSE ISSUED FOR 25.5 SEC. F1.

P. 4238

14452

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.



To Key Entry

LAND LIST ATTACHMENT

02-2033

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	
55	7E	34									40	40	40						
65	7E	1									40	40	40	40		40	40		
		2			40			40	40		all 40's							40	
		3	40								all 40's							40	
		10	40	40	40	40	40												
		11	40								40	40			40	40			
		12	40															40	
		13	40	40			40	40	40	40	40	40							
65	8E	6					40	40			40	40	40	40					
		7					40											40	

In remarks be sure to state
 "1275 acres are irrigated under this right"

Total number of acres irrigated

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MEMORANDUM

Mr. Mark R. Kulp
State Reclamation Engineer

Subject Indian Cove Pumping Plants

File Permits - Nos. 14452 and 19467

In compliance with your request, I left Boise on September 19th in company with Mr. J. W. Bouton for the Indian Cove Project on Snake River for the purpose of measuring the discharge of the various pumps on the project. The results are as follows:

Measurement No. 1 - High line ditch, with one pump in operation, old pump, 65 foot lift, 30" pipe line, discharge 11.29 c.f.s.

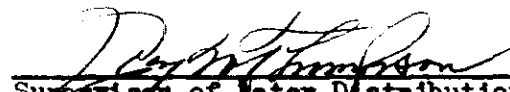
Measurement No. 2 - One pump in operation, Pomona Pump, 16" - 100 H. P. motor, 65 foot lift, in same pipe line as above, with old pump shut off, discharge 8.86 c.f.s.

Measurement No. 3 - High line ditch same as above, old pump and new pump pumping into same pipe line, 2 pumps in operation, discharge 17.40 c.f.s.

Measurement No. 4 - Low line ditch, 50 foot lift, one pump in operation, discharge 16.21 c.f.s.

Measurement No. 5 - Private pumps - Owner, Frank Wilson, located approximately two miles down from head of ditch pumping from High line canal, Pomona pumps 10" - 10 H. P. Low Lift 12' Discharge - 4.03 c.f.s. High Lift 23', Discharge 2.36 c.f.s.

Measurement No. 6 - Private pump - Owner, Mr. Miller, located about 3/4 mile from head of ditch, pumping out of High line canal, Lift 25', 6" Pomona pump 5 H. P. Measured of 2' weir, Discharge 1.18 c.f.s.


Supervisor of Water Distribution.

October 1, 1945

14452

Charles S. Gossett

January 20, 1945

Re: Permit No. 14452

Indian Cove Irrigation District
Hammett, Idaho

Gentlemen:

We enclose herewith License and Certificate of Water Right confirming your right to use 25.5 cubic feet per second of the waters of Snake River, with priority date of November 14, 1919, for irrigation and domestic use upon the lands described within your irrigation district.

We also enclose Departmental Receipt # 18754 for the \$92.00 fee paid by you in connection with this final proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.
CC to H. T. Hitt

14452

January 17, 1945

Hon. Mark R. Kulp
State Reclamation Engineer
BUILDING

Re: Tender of payment of fees for
License on Permit No. 14452-
Indian Cove Irrigation District

Dear Sir:

We have your letter of January 10, 1945, whereby it appears that on or about March 21, 1925, proof of beneficial use, under Permit # 14452, was submitted by Indian Cove Irrigation District and approved by the then Commissioner of Reclamation. However, the fee of the Department of Reclamation, amounting to the sum of \$92.00 was not paid and, consequently, license has never been issued.

It now appears that the irrigation district has tendered to you the sum of \$92.00 in payment of said fee and you ask the following specific questions: (1) Can the Department of Reclamation accept the \$92.00 and issue license, waiving interest? (2) If the interest cannot be waived, has the Department of Reclamation authority to adjust the interest payment to an amount that seems reasonable, or must the statutory interest rate apply?

Please be advised that Sections 26-1904, Idaho Code Annotated, as amended by Chapter 197, Session Laws of 1933, defines legal rate of interest as follows:

"When there is no express contract in writing fixing a different rate of interest, interest is allowed at the rate of six cents on the hundred by the year on:

- "1. -----
- "2. Money after the same becomes due.
- "3. -----

By the provisions of said Section, interest would ordinarily accrue on the amount due the State from the irrigation district at the rate of 7% from the 21st day of March, 1925, to the 13th day of March, 1933, and at 6% from the 13th day of March, 1933, to date.

14452

In my opinion, the Department would have no legal right to waive interest on such an account under ordinary circumstances. However, because of the great lapse of time since this money became due, and apparently there has been no real effort to collect the same or interest thereon, the right to collect interest has probably been barred under the equitable rule of laches.

"Laches may operate to defeat the right to recover interest. Where interest is claimed as damages and not by reason of any contract therefore, it will not be allowed if the delay in the payment of the principal debt is the result of the neglect of the creditor to demand and enforce such payment". 33 CJ 190

In the case of the United States vs John D. Sanborn, 34 L.Ed.112, the Supreme Court of the United States had under consideration a claim of the United States against Sanborn, which apparently was about 13 years old, and there had never been any demand for interest on the account, the Court said:

"But we are of the opinion that the court below erred in allowing interest for any time prior to the institution of this action. More than ten years elapsed after the payment to Sanborn before his right to retain the money was questioned by suit or otherwise. When the facts disclosed by the evidence were first discovered by the officers of the government whose duty it was to institute legal proceedings against the defendant, does not appear. It is entirely consistent with the record that the long delay which occurred is without excuse. In Redfield v. Istalyfera Iron Co., 110 U.S. 174 (28:109), the question was whether the plaintiff was entitled, under the circumstances of that case, to recover interest, the action being against a collector to recover damages for an illegal exaction of custom dues. The court, after observing that interest is recoverable as of right, when reserved expressly in the contract, or when implied by the nature of the promise, said. 'But where interest is recoverable not as a part of the contract, but by way of damages, if the plaintiff has been guilty of laches in unreasonably delaying the prosecution of his claim, it may be properly withheld.' We think that the same rule should be applied against the government when in a case like this present one it has long delayed an assertion of its rights, without showing some reason or excuse for the delay, especially when it does not appear that the defendant has earned interest upon the money improperly received by him."

14452

Applying the doctrine of laches to this transaction, I am of the opinion that your Department should accept the \$92.00 and issue a license without demanding interest, and this, of course, disposes of your second interrogatory also.

Yours very truly,

FRANK LANGLEY
Attorney General

FL/WAB/mb

COPY

Charles C. Gossett

January 10, 1945

Hon. Frank Langley
Attorney General
Building.

Re: Tender of payment of fees for
License on Permit No. 14452-
Indian Cove Irrigation District

Dear Sir:

On November 14, 1919, Permit No. 14452 was issued to Indian Cove Irrigation District to appropriate public waters of the Snake River for the irrigation of 2821.80 acres of land through an existing pumping plant and distribution system.

Proof of completion of works was made on November 18, 1921, and certificate issued.

Beneficial use proof was made on November 19, 1924, and the field examination showed 2800 acres had been irrigated.

After some correspondence concerning pending legislation, the following letter was written to the attorneys for the irrigation district.

March 21, 1925

"Re: Permit No. 14452-Indian Cove Irrigation District

Messrs. Oppenheim & Lampert,
Attorneys at Law,
Idaho Building,
Boise, Idaho

Attention: Mr. B. T. Oppenheim

Gentlemen:

Referring to the proof of beneficial use of water under the above numbered permit would state that, upon receipt of fees in the sum of \$92.00, license will be issued in accordance with the provisions of Senate Bill No. 53, Session Laws of 1925.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation
By

Chief Clerk"

14452

Mr. Frank Langley
Attorney General
January 10, 1945
Page 2

Today the Indian Cove Irrigation District tenders their check for \$92.00

Opinions are requested on:

1. Can the Department of Reclamation accept the \$92.00 and issue License, waiving interest?
2. If the interest cannot be waived, has the Department of Reclamation authority to adjust the interest payment to an amount that seems reasonable, or must the statutory interest rate apply?

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A

14452

March 31, 1925

Re: Permit No. 14452-Indian Cove Irrigation District

Messrs. Oppenheim & Lampert,
Attorneys at Law,
Idaho Building,
Boise, Idaho.

Attention: Mr. B. W. Oppenheim.

Gentlemen:

Referring to the proof of beneficial use of water under the above numbered permit would state that, upon receipt of fees in the sum of \$92.00, license will be issued in accordance with the provisions of Senate Bill No. 53, Session Laws of 1925.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:EK

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

December 22nd,
1924.

George W. Carter,
Assistant Commissioner Reclamation,
Boise, Idaho.

Dear Sir: In Re: Permit No. 14452, Indian
Cove Irrigation District.

Our letter of inquiry was only for the purpose of gaining information as to the result of the filing of proof at Bruneau on November 29th, and not with a desire to request that license be issued as we are in accord with your plan as outlined to us that it is well to wait the issuance of the license until we ascertain what the Legislature may do for us in the way of amending Section 5579 so as to cover irrigation projects with an area of less than 25,000 acres, it being our thought that the number of acres should not at all be controlling, but the question should be one dependent upon whether or not it is an irrigation district--in other words, a body of land under this ownership which under the law may be formed into a district.

Some time early during the session, we trust that we may have further discussion with your department and initiate a cooperative effort to bring about an amendment.

Very truly yours,

OPPENHEIM & LAMPERT

JML/GMC

By 

14452

December 19, 1924.

Re: Permit 14452

Mr. J. M. Lampert,
Idaho Building,
Boise, Idaho.

Dear Sir:

Reference is made to your letter of December 17th, relating to proof for permit No. 14452.

I have checked over the papers filed and it appears to me that everything required is here.

With reference to form ~~the~~ license shall take and fee to be collected, I find in the assessment of benefits list of Indian Cove Irrigation District, ninety-two forty acre legal subdivisions are involved or all or parts of ninety-two legal subdivisions are assessed for benefits. The fees, therefore, for license will be \$92.00.

I believe it was our conclusion at the time we discussed this license, that it might be well to hold the issuance in abeyance until such time as an amendment might be made to the statute, providing that in cases of irrigation projects covering more than 25,000 acres, license might be made in blanket form.

Very truly yours,

Assistant Commissioner of
Reclamation

GNC:E

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

December 17, 1924

Honorable Warren G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

On November 29, there was to be submitted before Mr. Pascoe at Bruneau, certain depositions relative to Indian Cove Irrigation District water, permit No. 14452.

Will you kindly advise whether or not all papers have been received by your office and the present status of that permit?

Yours very truly,

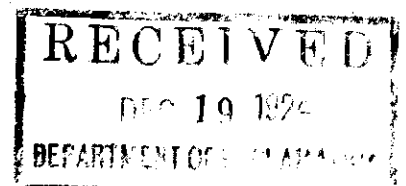
OPPENHEIM & LAMPERT

By



JML:SJ

*92-402
Make license to conform to
assessment of benefits list of Dist.*



14452

CHARLES PASCOE
United States Commissioner
BRUNEAU, IDAHO

December 2, 1924.

The Commissioner of Reclamation
Boise, Idaho.

Gentlemen:

The within proof was by request held until arrival of certificate of publication from the Avalanche, Silver City, Idaho, which paper published the notice. I am advised that the publication fee was paid with instructions to the publisher to send the proof thereof to my office. It has not yet arrived; and in the belief or hope that it is in your possession, I am now sending in the within testimony of holder and witnesses. Should the proof of publication reach me later, I shall forward it to your office without delay.

Very truly yours,

Charles Pascoe
Notary Public

14452

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 14452

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. George B. Wicher; age, 29 years; residence, Indian Cove, Owyhee County, Idaho; occupation, farmer; P.O. address, Hammett, 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. On behalf of Indian Cove Irrigation District whose principal place of business as designated by the Postoffice address is Hammett, Idaho, and my position is that of President of its Board of Directors and by virtue of said office I am herein acting for said corporation.

Ans. address is Hammett, Idaho, and my position is that of President of its Board of Directors and by virtue of said office I am herein acting for said corporation.

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

Ans. No. 14452, Dated November 1, 1919, and seeking priority as of November 29, 1919.

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

Ans. Snake River diverting at Southwest corner of Lot 4, Section 6, Township 6 South, Range 8 East, B.M., Owyhee County, Idaho

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. Pumping station, flumes, and ditches, capable of conveying 48 second feet of water from point of diversion to place of use, through canals and ditches known as Indian Cove Irrigation District System.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use, the District comprising 3603.933 acres, of which 2821.8 are irrigable and assessed for benefits, and of which 1602.05 have been irrigated by waters applied to them under this permit and through this system, said improved acreage is all cultivated as distinguished from natural meadow land, and crops produced have consisted of alfalfa hay, wheat, corn, oats, potatoes, and alfalfa seed.

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

Ans. None other.

14452

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

Ans. 56 second feet

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

Ans. Original corporation

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

Ans. April 1st to October 15th, each year 1919 to 1924, both inclusive, to the extent of 48 second feet.

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 right claimed thereunder.

Ans. No other.

INDIAN COVE IRRIGATION DISTRICT

(Sign) By George B. Lincoln
Its President

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 Brunau, County of Cwyhee
State of Idaho, on this 29th day of November A. D. 1924

Charles Pearson

Notary Public

14452

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 14452

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. Alfred W Wicher; age 62 years; occupation, farmer; P.O

address, Hammett, Idaho. residence Indian Cove Owyhee county Idaho

Ques. 2. Are you acquainted with.....Indian Cove Irrigation District....., the holder of Permit No. 14452.....? How long have you known him and where does he reside?

Ans. Yes; since 1917; its postoffice address is Hammett, Idaho

Ques. 3. Have you read or heard read said Permit No. 14452..., 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 diverting at Southwest corner of Lot 4, Section 6, Township 6 South, Range 8 East, B.M., Owyhee County, Idaho, consisting of electric pumping station, flumes, and ditches.

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. 48 second feet

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

Ans. Irrigation and domestic use, the District comprising 3603.933 acres, of which 2821.8 are irrigable and assessed for benefits, and of which 1602.05 have been irrigated by waters applied to them under this permit and through this system, said improved acreage is all cultivated as distinguished from natural meadow land, and crops produced have consisted of alfalfa hay, wheat, corn, oats, potatoes and alfalfa seed.

14452

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

Ans. None other

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 land, requiring 56 second feet

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

Ans. Only the indirect benefit of an owner of land within said district, being the owner of approximately 640 acres.

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. For the last five years, continuously, I have witnessed the application of the waters under said appropriation to a beneficial use to the lands within said irrigation district applied variously from 800 acres to 1602.05 acres, and in an amount to the extent of 48 second feet.

(Sign) *J. H. Miller*

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 Bruneau, County of Cwyhee, State of Idaho, on this 29th day of November A. D. 1924.

Charles Powers

Notary Public.

My commission expires June 27th, 1927

14452

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 14452

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. Lee Pancoast, 67 years of age, Owyhee County, Idaho,
occupation, farmer; postoffice address, Hammett, Idaho.

Ques. 2. Are you acquainted with Indian Cove Irrigation District, the
holder of Permit No. 14452? How long have you known him and where does he reside?

Ans. Yes; since 1917; its postoffice address is Hammett, Idaho.

Ques. 3. Have you read or heard read said Permit No. 14452, 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 diverting at Southwest corner of Lot 4, Section 6,
Township 6 South, Range 8 East, B.M., Owyhee County, Idaho, consisting
of electric pumping station, flumes, and ditches.

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. 48 Second feet

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

Ans. Irrigation and domestic use, the District comprising 3603.933
acres, of which 2821.8 are irrigable and assessed for benefits, and of
which 1602.05 have been irrigated by waters applied to them under this
permit and through this system, said improved acreage is all cultivated
as distinguished from natural meadow land, and crops produced have con-
sisted of alfalfa hay, wheat, corn, oats, potatoes and alfalfa seed.

14452

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

Ans. None other.

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 land, requiring 56 second feet.

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

Ans. Only the indirect benefit of an owner of land within said district being the owner of approximately 279 acres.

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. For the last five years, continuously, I have witnessed the application of the waters under said appropriation to a beneficial use to the lands within said irrigation district applied variously from 800 acres to 1602.05 acres, and in an amount to the extent of 48 second feet, and during the annual irrigation seasons

(Sign)

L. Paracoast

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 Bruneau, County of Cwynee, State of Idaho, on this 29th day of November, A. D. 1924.

Charles Paraco

Notary Public.

My commission expires June 27th, 1927.

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

November 29th,
1924.

Mr. Warren Swenason,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir: Attention Mr. Carter.

As per telephone conversation
to-day, we herewith enclose "Proof
of Publication" of the notice on
permit No. 14452, the hearing of which
was had at Bruneau this day.

Yours very truly,

OPPENHEIM & LAMPERT

JML/GMC

By 

14452

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss

I, CHARLES A. HACKNEY, being first duly sworn, depose and say that I am the publisher of the OWYHEE AVALANCHE, a newspaper of general circulation, published weekly at Silver City, County of Owyhee, and State of Idaho, and the annexed Notice was published in said paper once each and every week for four consecutive weeks, the first publication being on the 31st day of October, 1924 and the last publication being on the 21st day of November, 1924 and that said OWYHEE AVALANCHE has been published continuously and uninterruptedly in said county during a period of seventy-eight consecutive weeks prior to the first publication of the attached notice.

Charles A. Hackney

Subscribed and sworn to before me this 22nd day of
November, 1924

W. G. Swendsen
Notary Public.

Permit 14452

No of Proof Application of Water to Beneficial Use

Notice is hereby given that at 11 A. M. on the 29th day of November 1924, at Bruneau, County of Owyhee, State of Idaho, before Charles F. Pascoe, a notary public, proof will be submitted of the application to beneficial use of 72 cubic feet per second of the waters of Snake river, in accordance with the terms and conditions of Permit No. 14452, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the corporation holding said permit are Indian Cove Irrigation District, Hammett, Idaho.

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

The amount applied to beneficial use is 72 cubic feet per second.

The place where said water is used is the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 5 south, Range 7 east; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 6, Township 6 south, Range 8 east; NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 7, Township 6 south, Range 8 east, and the SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 1; SW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 2, all of Section 3, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 11, all of Section 12, and the N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 13, all in Township 6 south, Range 7 east, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Indian Cove Irrigation District (a quasi municipal corporation).

The right to take water from such works is based upon Permit No. 14452.

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 November 14, 1919.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication October 31

Last publication November 21

2422

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

~~PROOF OF COMPLETION OF WORKS~~

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

November 19, 1924

Cove Irrigation Dist.,

c/o Charles F. Pascoe,

Notary Public,

Bruneau, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. ~~14452~~ 14452 ~~14452~~

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 ~~November 29, 1924~~ November 29, 1924, the date set for proof, the enclosed forms (one for permit holder and ~~two~~ one each for two disinterested witnesses) should be filled out and sworn to, at ~~Bruneau~~ Bruneau before ~~Charles F. Pascoe, 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,

W. G. SWENDSEN,

Commissioner of Reclamation.

14452

State of Idaho

DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
~~PROOF OF COMPLETION OF WORKS~~
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

November 19, 1924

Cove Irrigation District,
by Oppenheim & Lampert, Attorneys,
Boise, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. ~~14452~~ **14452**

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 ~~November 29, 1924~~ **November 29, 1924**, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at ~~one~~ **one** before ~~Arundell~~ **Charles F. Pascoe, 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,

W. G. SWENDSEN,

Commissioner of Reclamation.

14452

STATE OF IDAHO DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 14452This proof is for Beneficial UseIn Water District No. 591. Name of applicant: Indian Cove Irrigation District2. Source of water supply: Snake River3. Location of point of diversion: Is ^{at} ~~in~~ the S.W. Cor. of Lot 4 of Section 6T. 6 S R. 6 E.B.M. County of Owyhee4. Describe works as they exist, giving dimensions and capacities of same Pumping station

equipped with 2-14" Cameron, and 3-10" Krough Centrifugal direct connected pumps, 4 Westinghouse motor 575 rated H.P. and 1 G.E. Motor of 150 H.P. Three 125 K.V.A. transformers, 3 miles power line, and all necessary equipment. 2 pipe lines of total length-2000 ft 36" wood stave. 640 ft 96" steel flume and About 14 miles of ditches

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 for other than irrigation): N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.34, T. 5 S., R. 7 E.; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec.6, T.6 S.R. 8 E.; NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec.7, T. 6 S., R. 8 E.; SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.1, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$, & SE $\frac{1}{4}$, Sec.2; all Sec.3; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.10; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.11; All Sec.12; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec.13, T. 6 S., R. 7 E., B.M.

Area under cultivation to date about 1275 acres.

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

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

Remarks: Lands of this system consist of about 2300 acres of which approximately 50% are served by a lift of 50 ft and the remainder by the "High line" of 100 ft elevation above the river

This examination was made on the 1st day of Nov. 1924

(Signed)

Examiner.

14452

Permit No. 14452

Examination for Beneficial Use

County OWYHIE

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 a 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.
-

October 15, 1924.

Re: Permit No. 14452.
Gove Irrigation Dist.

Messrs. Oppenheim & Lampert,
Attorneys at law,
Boise, Idaho.

Gentlemen:-

Notice for publication for proof of beneficial use of water under the above numbered permit has today been mailed to the Owyhee Avalanche, at Silver City, for the required four weeks publication prior to November 29, the date set for proof.

Deposition blanks, one for the holder and one each for two witnesses, will be mailed to Charles F. Pascoe, at Brunson, before whom proof is to be made.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

14452

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE October 15, 1924.

The Owyhee Avalanche,
Silver City, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 29, 1924, the date set for proof, the expense of the publication to be paid by the applicant, by its attorneys, Oppenheim & Lampert, of Boise, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT

JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

Sept. 22nd., 1924.

Hon. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Herewith please find original and one copy of your Form No. 10, Notice for Publication, and your Form No. 11, directing publication, in connection with Permit No. 14,452 issued to the Indian Cove Irrigation District.

Trusting that the date, November 29th. may be satisfactory, we are,

Very truly yours,

OPPENHEIM & LAMPERT

By



JML/GM
Enc's.

2452

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 a. m. on the 29th. day of November., 1924.,
at Bruneau, County of Owyhee, State of Idaho,
before Charles F. Pascoe, Notary Public, proof will be submitted
of the application to beneficial use of 72 cubic feet per second of the
waters of Snake River in accordance with the terms and conditions of
Permit No. 14,452 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Indian
Cove Irrigation District, Hammett, Idaho

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

The amount applied to beneficial use is 72 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T 5 S., R 7 E.; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 6, T. 6 S.
R. 8 E.; NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 7, T. 6 S., R. 8 E.; and SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 1,
SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 2, all of Section 3, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 10, NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, all of Sec. 12, and N $\frac{1}{2}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 13, all in Twp. 6 S., Range 7 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is Indian Cove Irrigation District (a quasi municipal corporation)

The right to take water from such works is based upon Permit No. 14,452

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

The date of the priority which said user is prepared to establish is December 10, 1919.
November 14, 1919.

W. G. Swendsen,
Commissioner of Reclamation.

1452

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 22nd... 1924

(P. O.) Boise, Idaho

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 Avalanche of Silver City, published in
the county in which the works are situated.

INDIAN COVE IRRIGATION DIST.

By Offerheim & Lampert
By J. Lampert
atty for Dist

(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 compe-
tent engineer.)

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

E. Frank
Engineer.

144.52

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

September 15, 1924.

Indian ~~Use~~ Irrigation District
Hammett, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ~~156~~ 14452 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN.

Commissioner of Reclamation.

14452

August 18, 1923.

Re: Permit No. 14452.
Indian Cove Irr. Dist.

Messrs. Ensign & Ensign,
Gen. Agents, National Surety Co.,
Boise, Idaho.

Gentlemen:-

Replying to yours of the 16th inst., would say that proof of completion of works under the above permit has been made and accepted. The bonding company is, therefore, released from any further responsibility under the bond filed in connection with this permit.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.
By
Chief Clerk.

14452

E. A. : OHN
(RESIDENT)

WE BOND MORE PEOPLE THAN ANY OTHER COMPANY IN THE WORLD



National Surety Company

New York

LOCAL BOARD

RESIDENT VICE-PRESIDENTS

JOHN D. DALY

JAS. H. HAWLEY

JESS B. HAWLEY

RESIDENT ASST. SECRETARIES

L. W. ENSIGN

FRANK G. ENSIGN

ENSIGN & ENSIGN
(AUTHORITY LIMITED)

GENERAL AGENTS FOR
SOUTHERN IDAHO

HAWLEY & HAWLEY
CONSULTING ATTORNEYS

BOISE, IDAHO

August 16, 1923

Mr. Warren G. Swendson
Commissioner of Reclamation
State House
Boise, Idaho

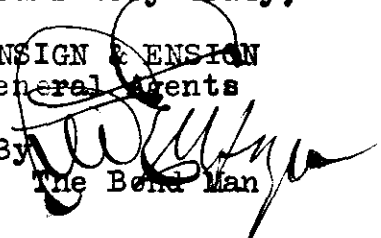
Re-Indian Cove Irrigation Dist.

Dear Sir:

In January 31, 1920 we filed a bond in the sum of \$1000 on behalf of Indian Cove Irrigation District on water permit #14452, application #20496. Mr. H. L. Waters, Secretary of the district, stated yesterday that the work had been done under this permit and that proof of completion of the work had been filed with your office. If this is true the district should not longer pay a premium to the National Surety Company. Will you kindly advise us whether or not proof of completion has been filed in your office.

Yours very truly,

ENSIGN & ENSIGN
General Agents

By 
The Bond Man

L.W. Ensign
HB

14452

January 8, 1923.

Re: Permit No. 14452
Indian Cove Irrig. Dist.

Mrs. Nora V. Pancoast,
Hammett, Idaho.

Dear Madam:

We are inclosing herewith Certificate of
Completion of Works, issued under the above numbered
Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By

Chief Clerk.

14452

Indian Cove Irrg. Dist.
Hammett, Ida.

12/26/22

Commissioner of Reclamation
Boise, Idaho.

Dear Sir. Enclose find endorsed draft
No. 26127 for \$11.18 and check of
Lee Paucoast for \$2.82 making a total
of \$14.00 in payment of warrant
467. for Water Permit.

Respt.

Lura V. Paucoast, Treas.
Indian Cove Irrg. Dist.

14452

37-10

14452

December 20, 1922.

Re: Permit #14452.
Indian Cove Irr. Dist.

Mrs. Nora V. Pancoast,
Hammett, Idaho.

Dear Madam:-

On July 20th, 1922, you wrote that a check in
in the sum of \$14.00 would be sent soon, for fees for proof
of completion of works under the above numbered permit. If
possible, please have this sent in before the end of the year
in order that the proof may be closed and the certificate issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

14452

Indian Cove Log. hli 5-
Ham-mett, Ida.

July 20, '22

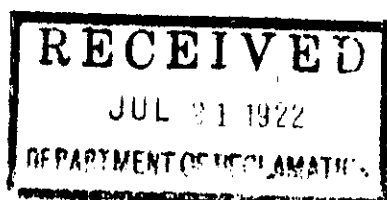
W. G. Swenson
Com. of Rec.
Baird, Idaho.

Dear Sir: I am holding your warrant
No. 467 for \$14.00, hoping that I may
be able to send check for same soon.
Resf.

Flora J. Paucoast
Hlt. Treas.

14452

14452



March 8, 1922.

Re: Permit No. 14452
Indian Cove Irr. Dist.

Messrs. Oppenheim & Lampert,
Attorneys at law,
Boise, Idaho.

Gentlemen:-

The report of our examining engineer for proof of completion of works under the above numbered permit has today been filed in this office. This report shows a capacity for canals and pumping plant of forty second feet. The fees will, therefore, amount to \$14.00, being \$5.00 for the first ten second feet and thirty cents additional for each additional second foot, or fraction. Upon receipt of fees as above stated, the certificate of completion of works will be issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

14452

REPORT OF ENGINEER

This proof is for COMP. WORKSIn Water District No. 59

1. State name of applicant and number of permit: Indian Cove Irrigation District - 14452
2. State source of water supply: Snake River
3. Location of point of diversion: Lot 4, Sec. 6, Twp. 6 S., R. 8 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same: Pump house, 4-10", 2-14" centrifugal pumps direct connected to electric motors, 1760 ft. 30" continuous wood stave pipe, 8.3 miles ditch, bottom width 4 ft. Slope 2:1, depth of water 2 ft. Capacity 20 sec. ft. (High Line Canal) 5.8 miles ditch, bottom width 4 feet, slopes 2:1, capacity 20 sec. ft. (Low Line Canal). Capacity of pumping plant, 40 sec. ft.
100 foot lift to High Line Canal.
50 foot lift to Low Line Canal.
5. State whether or not water has been turned into works of diversion: Water has been turned into works at diversion.
6. Give exact location 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 for other than irrigation): See list advertised.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? 14
9. Give names and amount of each right:
Indian Cove Irrigation District.
10. What large stream would the water here appropriated finally reach? Snake River
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: None. This tract is located along Snake River.

Remarks: _____

This examination was made on the 12th day of January, 1922.

(Signed) _____

Examiner.

14452

OVER

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

County of

Ada
Edna C. Smith

, being first duly sworn, deposes and says that the

statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *8th* day of *March* 19 *22*

My commission expires *7/3/23*

Notary Public.

Boise, Idaho
W. E. Taylor

RECEIVED

MAR 8 1922

DEPARTMENT OF RECLAMATION

Dist 59

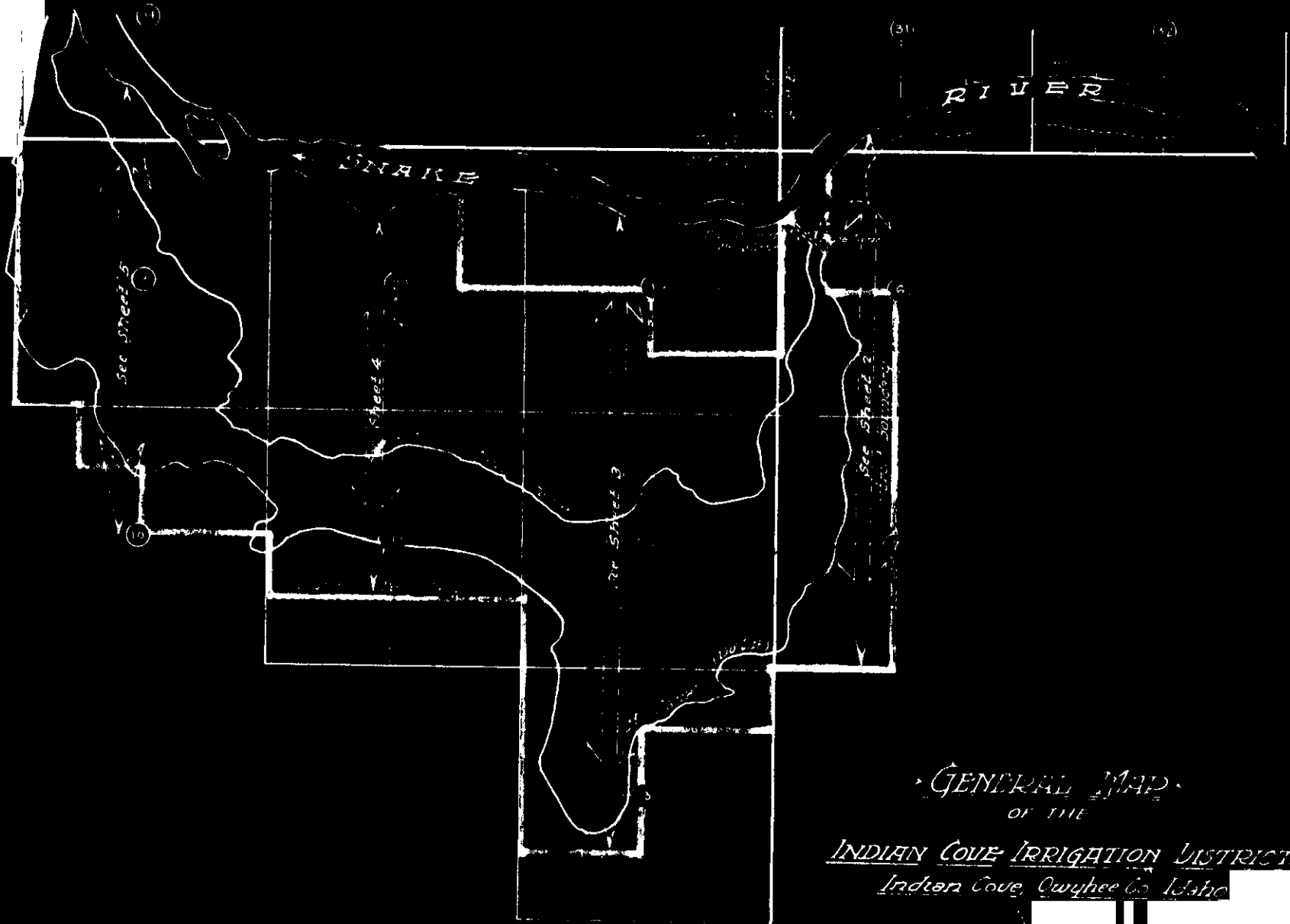
Indian Cove Irr. Dist.

Permit 14452

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

74452



GENERAL MAP
OF THE
INDIAN COVE IRRIGATION DISTRICT
Indian Cove, Owyhee Co. Idaho

For data

December 8, 1921.

Re: Permit 14452.

Messrs. Oppenheim & Lampert,
Attorneys-at-Law,
Boise, Idaho.

Attention: Jay L. Parrish.

Gentlemen:

We acknowledge receipt of depositions of proof of completion of works made under the above numbered permit, also affidavit of publication. These papers will be placed on file, pending an examination to be made by our engineer, after which you will be duly notified as to the fees required.

Very truly yours,

W. G. SCHENDSEN,
Commissioner of Reclamation

By

MB

14452

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

14452

NOTICE FOR PUBLICATION

NOTICE is hereby given that at 10 a.m., on the 28th day of November, 1921, at Boise, County of Ada, State of Idaho, before J. M. Parrish, Notary Public, 604 Idaho Bldg., proof will be submitted of the completion of works for the diversion of 55 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Indian Cove Irrigation District.

2. The postoffice address of such person or principal place of business of such corporation is Hammett, County of Elmore State of Idaho.

3. The number of such Permit is 14452, and the date set for the completion of such work is December 19th, 1921.

4. Said water is to be used for Irrigation and Domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such Permit, is 55 cubic feet per second.

6. The amount of land for which said water is available is 2821.80 acres, particularly described as follows:

Subdivision	Sec.	Twp	Rnge	B.M.
Lots 6 & 7.....	34	58	7 E	B.M.
SW1-4 & SW1-4.....	34	58	7 E	B.M.
SW1-4 & S1-2SE1-4.....	1	68	7 E	B.M.
Lots 2 & 4.....	2	68	7 E	B.M.
SW1-4 & SW1-4 & S1-2.....	2	68	7 E	B.M.
Lots 1, 2, 3 & 4.....	3	68	7 E	B.M.
S1-2NW1-4 & S1-2NE1-4.....	3	68	7 E	B.M.
SW1-4 & SE1-4.....	3	68	7 E	B.M.
NE1-4 & NE1-4NW1-4.....	10	68	7 E	B.M.
NW1-4 & NE1-4.....	11	68	7 E	B.M.
N1-2SW1-4 & N1-2SE1-4.....	11	68	7 E	B.M.
All.....	12	68	7 E	B.M.
W1-2NE1-4 & NE1-4SW1-4.....	13	68	7 E	B.M.
NW1-4.....	13	68	7 E	B.M.
Lots 4, 6, 7 & 8.....	6	68	8 E	B.M.
E1-2SW1-4.....	6	68	8 E	B.M.
Lots 1, 3, 5 & 7.....	7	68	8 E	B.M.
E1-2NW1-4 & E1-2SW1-4.....	7	68	8 E	B.M.

W. G. SWENDSEN,

Commissioner of Reclamation.

First publication October 18, 1921

Last publication November 8, 1921

AFFIDAVIT OF PUBLICATION

I, Charles Pascoe

publisher of the Owyhee Nugget, published weekly at Bruneau, Owyhee County, Idaho, do solemnly swear that a copy of the above notice, as per clipping attached was published Weekly in the regular entire issue of said newspaper, and not in any supplement thereof, for 1 consecutive issues, commencing with the issue dated October 13 1921 and ending with the issue dated November 3 1921

Charles Pascoe

Subscribed and sworn to before me this 2nd day of November 1921

George R. Smith

Notary Public

14452

Permit No. 14452

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

} ss.

County of Blaine

Cove Irrigation District

J. L. Little, President of Indian/, being first duly sworn, upon his oath deposes and says:

First: That ~~he~~^{it} is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14452, and that his postoffice address is Hammett State of Idaho.

Second: That the name of the stream from which said water is to be diverted is

SHAKE RIVER

Third: That the point of division of said water is near the South East corner of Lot Four (4) Section Six (6) Township Six (6) South Range Eight (8) East S.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 31, 1921.

Fifth: That the use for which said water is intended is Irrigation and Domestic.

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: Pumping plant, pipeline and ditches.

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam None 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 None acre feet.

(c) Size of headgate: Width None feet, height feet.

(d) Conduit ditch width at bottom 4 feet, width at water line 10 feet, depth of water feet; diameter of pipe 30 inches of ditches

inches, average grade per mile is 5.25 feet. Length of conduit is 13 miles.

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

Eighth: That water appropriated under said permit is available for 2021.80 acres of land described as follows: the irrigable area of

SUBD.	SECTION	TOWNSHIP	RANGE, B.M.	
Lots 6 & 7	34	5 South	7 East	"
SW 1/4 SW 1/4	34	" "	" "	"
SW 1/4 & S 1/2 SE 1/4	1	6 "	" "	"
Lots 2, 3, & 4.	2	" "	" "	"
SW 1/4 NW 1/4 & S 1/2	"	" "	" "	"
Lots 1, 2, 3, 4	3	" "	" "	"
S 1/2 NW 1/4 & S 1/2 NE 1/4	"	" "	" "	"
SW 1/4 & SE 1/4	"	" "	" "	"
NE 1/4 & NE 1/4 NW 1/4	10	" "	" "	"
NW 1/4 & NE 1/4	11	" "	" "	"
N 1/2 SW 1/4 & N 1/2 SE 1/4	11	" "	" "	"
All	12	" "	" "	"
N 1/2 NE 1/4 & NE 1/4 SW 1/4	13	" "	" "	"
NW 1/4	"	" "	" "	"
Lots 4, 6, 7 & 8	6	6 South	8 East	"
E 1/2 SW 1/4	6	" "	" "	"
Lots 1, 2, 3, 4	7	" "	" "	"
E 1/2 NW 1/4 & E 1/2 SW 1/4	7	" "	" "	"

14452

Permit No. 14452

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

} ss.

County of Ada

Cove Irrigation District

J. L. Hitt, President of Indian/, being first duly sworn, upon his oath deposes and says:

First: That ^{it} is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14452, and that his postoffice address is Hammett

State of IDAHO

Second: That the name of the stream from which said water is to be diverted is

SNAKE RIVER

Third: That the point of division of said water is near the South West corner of Lot Four (4) Section Six (6) Township Six (6) South Range Eight (8) East S. R.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 10, 1921.

Fifth: That the use for which said water is intended is Irrigation and Domestic

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: Pumping plant, pipe line and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam None feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

Ninth: Remarks: That Pumping plant discharges into two wood pipes:

the low lift of 55 feet into a 30 inch wood pipe 795 feet in length and the high lift of 108 feet into 30 inch wood pipe 965 feet in length.

(Sign here)

Subscribed and sworn to before me this 28 day of November, 1921

My commission expires April 1, 1923.

Notary Public.
Residence, Boise, Idaho.

14452

Permit No. 14452.....

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

} ss.

County of ADA.....

Cove Irrigation District

J. I. Hitt, President of Indian/, being first duly sworn, upon his oath deposes and says:

First: That ^{it} is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14452....., and that his postoffice address is Hammett.....

State of IDAHO.....

Second: That the name of the stream from which said water is to be diverted is.....

SNAKE RIVER.....

Third: That the point of division of said water is near the South West corner of Lot Four (4) Section Six (6) Township Six (6) South Range Eight (8) East B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 10....., 1921....

Fifth: That the use for which said water is intended is Irrigation and Domestic.....

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: Pumping plant, pipe line and ditches.....

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:.....

(a) Height of dam None..... feet, length of dam at top..... feet, length of dam at bottom..... feet. Material used in construction.....

EVIDENCE

EVIDENCE

EVIDENCE

EVIDENCE

EVIDENCE

EVIDENCE

EVIDENCE

EVIDENCE

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EVIDENCE

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EVIDENCE

EVIDENCE

Ninth: Remarks: That Pumping plant discharges into two wood pipes:

the low lift of 55 feet into a 30 inch wood pipe 795 feet in length and

the high lift of 105 feet into 30 inch wood pipe 965 feet in length.

(Sign here)

Subscribed and sworn to before me this 28 day of November, 1921.

My commission expires April 1, 1923.

Notary Public.
Residence, Boise, Idaho.

14452

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 14452

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. C. J. Franklin, Boise, Idaho; Consulting Civil Engineer;

(P.O. address) Boise, Idaho.

Ques. 2. Are you acquainted with J. J. ..., President, Indian Cove

Irrigation District

holder of Permit No. 14452, authorizing the diversion of 7.7 second-feet of the waters of

Snake River, at Southwest corner of

Lot 4, Sect 6, Tp. 6 So., R 8 East, B.M.

for Irrig. & Domestic purposes? How long have you known him, and where does he reside?

Ans. Yes. 2½ years. Hammett, Idaho is his Post Office Address

Ques. 3. Have you read or heard read said Permit No. 14452, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the land which is agricultural in
character. Amount of water required per acre, practically 1 inch

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. No only fifty-five second feet

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Works of diversion are pumping plant, supplying water to two
lifts, one 55 feet and the other 105 feet. This plant discharges
into 795 feet of 30 inch wood pipe for the low lift and 965 feet of
30 inch wood pipe for the high lift, the two lifts being respectively
55 feet and 105 feet.

(Sign here.)

C. J. Franklin

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, at my office in 604 Idaho Bldg. Boise, County

of ADA, State of Idaho, on this 28th day of

November A. D. 1921

My Commission Expires April 1, 1923

Jay McFarland
Notary public for Idaho
Residence: Boise, Idaho.

14452

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 14452

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. John Ericson, years, farmer, Hammett, Idaho.

Ques. 2. Are you acquainted with Indian Cove Irrigation District, the holder of Permit No. 14452, authorizing the diversion of 72 second-feet of the waters of SNAKE RIVER, at Southwest corner of Lot 4 Sect. 6 Tp. 6 So. R. 8 east B.M. for Irrig. & Domestic purposes? How long have you known him, and where does he reside?

Ans. Nearly 3 years, quasi-municipal subdivision of Owyhee County

Ques. 3. Have you read or heard read said Permit No. 14452, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Good agricultural land; sandy loam and will require one inch to the acre to irrigate it.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. No, only fifty-five second feet

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Pumping plant operated electrically delivering water into two wood pipes 30 inches in diameter with a lift of 55 feet and 105 feet through pipes 795 feet and 965 feet in length respectively.

(Sign here.)

J. E. Ericson

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, at my office in 604 Idaho Bldg. Boise, County of ADA, State of Idaho, on this 28th day of

November A. D. 1921

Commission Expires April 1, 1923

14452

Jaym Parrell
Notary Public for Idaho
Residence; Boise, Idaho.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Indian Cove Irrigation Dist.,

c/o Jay M. Parrish,

Boise, Idaho.

BOISE, IDAHO,

November 8, 1921.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. **14452.**

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 the permit holder's rights:

1. On **November 28, 1921**, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Boise, before Jay M. Parrish, 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,

W. G. SWENDSEN,

State Engineer.

14452

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

The Nugget,
Bruneseu, Idaho.

Boise, Idaho, Oct. 4, 1921

Dear Sirs:

Enclosed find Notice for Publication under Permit no. 14452 which please publish once a week for four consecutive weeks in your paper. The expense of this publication will be paid by Oppenheim & Lampert, Attorneys for Indian Cove Irr. Dist., of Boise, to whom you will please furnish proof of publication of this notice on or before date of proof.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,

W. G. SWENDSEN,

Commissioner of Reclamation

(P. O.)

(Date)

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of enclosing notice of proof under Permit No. which will be published as you request, beginning with our issue of

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

October 1st, 1921

Commissioner of Reclamation
Boise, Idaho

Dear Sir: In Re: Indian Cove Irrigation District.

Enclosed please find notice of publication for making proof for completion of works and I understand from your letter of instruction that you will forward this notice to the Owyhee Nugget at Bruneau for publication and ask them for the usual publisher's affidavit.

Yours very truly,

OPPENHEIM & LAMPERT

BY

Jay M. Parrish

JMP:D

14452

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 1st, 1921

(P. O.) P.O. Box 807, Boise, Idaho

TO THE STATE ENGINEER:

Boise, Idaho.

Dear Sir:

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

INDIAN COVE IRRIGATION DISTRICT.,

OPPENHEIM & LAMPERT, Attorneys
BY Jay M. Baruch

(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.

J. Franklin
Engineer

14452

NOTICE FOR PUBLICATION.

Notice is hereby given that at 10 A.M., on the 28th day of November, 1921, at Boise, County of Ada, State of Idaho, before Jay M. Parrish, Notary Public, 604 Idaho Bldg., proof will be submitted of the completion of works for the diversion of 55 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the ~~Commissioner~~ *Commissioner* of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Indian Cove Irrigation District.
2. The postoffice address of such person or principal place of business of such corporation is Hammett, County of Owyhee, State of Idaho.
3. The number of such Permit is 14452, and the date set for the completion of such work is December 10th, 1921.
4. Said water is to be used for Irrigation & Domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 55 cubic feet per second.
6. The amount of lands for which said water is available is 2821.80 acres, particularly described as follows:

SUBD.	SECTION	TOWNSHIP	RANGE, B.M.	- -
Lots 6 & 7	34	5 South	7 East	"
SW $\frac{1}{4}$ SW $\frac{1}{4}$	34	" "	" "	"
SW $\frac{1}{4}$ & S $\frac{1}{2}$ SE $\frac{1}{4}$	1	6 "	" "	"
Lots 2, 3, & 4.	2	" "	" "	"
SW $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$	"	" "	" "	"
Lots 1, 2, 3, 4	3	" "	" "	"
S $\frac{1}{2}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$	"	" "	" "	"
SW $\frac{1}{4}$ & SE $\frac{1}{4}$	"	" "	" "	"
NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$	10	" "	" "	"
NW $\frac{1}{4}$ & NE $\frac{1}{4}$	11	" "	" "	"
N $\frac{1}{2}$ SW $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$	11	" "	" "	"
All	12	" "	" "	"
N $\frac{1}{2}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$	13	" "	" "	"
NW $\frac{1}{4}$	"	" "	" "	"
Lots 4, 6, 7 & 8	6	6 South	8 East	"
E $\frac{1}{2}$ SW $\frac{1}{4}$	6	" "	" "	"
Lots 1, 2, 3, 4	7	" "	" "	"
E $\frac{1}{2}$ NW $\frac{1}{4}$ & E $\frac{1}{2}$ SW $\frac{1}{4}$	7	" "	" "	"

Commissioner of Reclamation
J. C. Swenson

-----:-----

Lot 4 - 65 - 8 E
59
14452

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Indian Cove Irrigation District,
c/o Oppenheim & Lamper, Agents,
Boise, Idaho.

Sept. 2, 1921.

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 14453

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before Dec. 10, 1921. Upon receipt of the blank, properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

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

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

14452

December 23, 1920.

Re: Permit No. 14452-- Indian Cove Irr. Dist.

Messrs. Oppenheim & Lampert,
Attorneys at law,
Boise, Idaho.

Gentlemen:--

Replying to your letter of the 22nd inst., relative to proof under the above permit, would say that no proof is required at this time. Under the terms of this permit, one-fifth of the works of diversion were required to be completed by December tenth but no showing is required to be made in this office, unless a protest has been filed on the ground that one-fifth had not been completed within the time required, and this is not the case. The first proof due is for completion of the works, December 10, 1921.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

Dec. 22, 1920.

Hon. G.W. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Referring to permit Number 14452 to the
Indian Cove Irrigation District. on which you
designate proof to be made as to the portion
of the work to be done by December 19th, 1920.

We would call your attention to the fact
that this is a constructed system and since
taking out the permit we have acquired thru
Condemnation Proceedings the interest of the
original owners, the court having given us a
judgment in condemnation and we having secured
satisfaction of judgment as to all interested
with the exception of one of the land owners
and this we expect to acquire by payment of
the same in the next few months.

We are some what at a loss to know what
you would require in the way of proof under
the permit at this time.

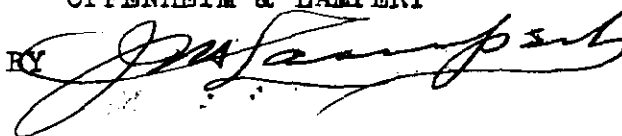
Thanking you in advance for your instructions,
We are

Yours very truly,

OPPENHEIM & LAMPERT

JML:R

RY



14452

BOND

KNOW ALL MEN BY THESE PRESENTS, That INDIAN COVE IRRIGATION DISTRICT
of Hammet, Idaho, as principal, and the NATIONAL SURETY COMPANY, a New
York Corporation, authorized to transact business in the STATE OF IDAHO,
of _____ and _____

of _____ as sureties, are held and firmly bound unto the State of Idaho in the full
and just sum of ONE THOUSAND and NO/100 (\$1,000.00 Dollars,
lawful money of the United States, to the payment of which sum, well and truly to be made, said principal
and sureties bind themselves, their heirs, administrators, executors and assigns, jointly and severally, un-
der the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the 14th
day of November, 1919, filed in the office of the State Engineer in Boise, Idaho, a
certain application for permit to appropriate the public waters of the State of Idaho, the said application
being thereupon numbered No. 20496, in accordance with which said application the State Engineer
granted and issued to the said principal herein a certain permit numbered No. 14452, a full, true and
complete copy of which application No. 20496 and permit No. 14452, is of record in the office of
the State Engineer, in Book 51 of Permits, at page 14452

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion
as specified in said application No. 20496 and permit No. 14452, in the manner and form pre-
scribed therein and within the time therein allowed, then the above obligation to be void otherwise to re-
main in full force and effect.

IN WITNESS WHEREOF, The said principal and sureties have hereunto set their hands and seals,
this 31st day of January, 1920.

WITNESSES:

Indian Cove Irrigation District (SEAL)

By C. J. [Signature] (SEAL)
is attorney

NATIONAL SURETY COMPANY. (SEAL)

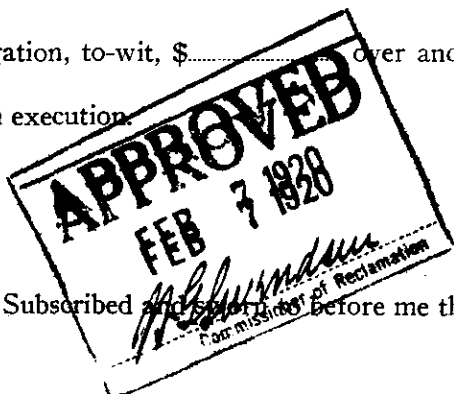
By *F. G. [Signature]*
Attorney-in-fact.

STATE OF IDAHO

County of _____ } ss.

_____ of _____ and
_____ of _____ whose names
are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn, upon oath
for himself deposes and says:

That he is a resident and freeholder of the State of Idaho and that he is worth the sum named in said
obligation, to-wit, \$ _____ over and above all his debts and liabilities, exclusive of property exempt
from execution.



Subscribed and sworn to before me this _____ day of _____, 19____

14452

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 14452
Indian Cove Irrigation District No.
Hammett, Idaho.

NOTE

Dec. 18, 1919.

That in order to keep this permit in force a bond in the sum of \$ 1000.00 must be filed in the office of the State Engineer on or before

February 8, 1920 conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

W. G. Swendsen
~~John H. Smith~~
Commissioner of Reclamation
~~State Engineer~~

14452

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14452
Indian Cove Irrigation Dist. Boise, Idaho,
Hammett, Idaho. Dec. 18, 1919.

Dear Sir :

I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. Swendsen

Commissioner of Reclamation.

14452

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

November 29, 1919

Hon. W. G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Herewith I return your complete file inre, water permit application No. 20496 made on behalf of the Indian Cove Irrigation District, to which is now attached a tracing and blue print as per your rule and we would call attention to the fact that in section 2 of township 6 south, range 7 east the trouble was not in the description or acreage as shown in the application but rather was due to the fact that in the plat the West-half of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4}$) appeared to be cut into two pieces, whereas it in fact is but a fraction over 40 acres and has always been designated as Lot Four (4), containing 54.56 acres and the East-half of the Northwest Quarter ($E\frac{1}{2} NW\frac{1}{4}$) contains 43.43 acres and is known as Lot Three (3). With this explanation we assume there will be no further difficulty.

Yours very truly,
OPPENHEIM & LAMPERT

BY 

JML:RS

14452

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho,November 22, 1919.....

Application No.20496.....

Oppenheim & Lampert
Boise, Idaho.

SIRS:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

Paragraph 14 and map must agree
Comply with Sec. B - C Pages
4-8 of Manual.

You are allowed until 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application will be refiled under a new number with later priority, requiring additional fee.

Yours truly,

COMMISSIONER OF RECLAMATION.

By

Encl.: App.....20496.....

14452

RECEIVED

NOV 2 1919

DEPARTMENT OF RECLAMATION

November 22, 1919.

20496

Oppenheim & Lampert
Boise, Idaho.

S:

Paragraph 14 and map must agree
Comply with Sec. B & C Pages
448 of Manual.

14452

20496

14452

State of Idaho

DEPARTMENT OF RECLAMATION

No. 4258

RECEIVED

Boise, Idaho, Nov. 14, 1919

FROM

Chapman's Land of

Boise \$8.40

Eight - 8 40/100 DOLLARS

FOR

Carey Act Trust Fund

Application for Permit No.

Proofs

Certified Copy

Recording Deed

Certificate

Total - - \$

W. G. Lundgren
Commissioner of Reclamation.

By

C. Brown

BENJ. W. OPPENHEIM
J. M. LAMPERT
JAY M. PARRISH

LAW OFFICES OF
OPPENHEIM & LAMPERT
IDAHO BUILDING
BOISE, IDAHO

November 14, 1919

Mr. Warren G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Herewith please find application for permit also plat and our check for \$8.10 for which we are seeking to secure permit for the appropriation of water out of Snake River for and on behalf of the Indian Cove Irrigation District, whose postoffice address is Hammett, Idaho, and whose directors are as shown on the application, the undersigned being the attorneys for the Indian Cove Irrigation District.

Several years ago there was taken out a permit No. 7651, covering the same lands but we are informed that that right under said permit has been forfeited by virtue of failure to comply with the terms and conditions. The district and the settlers upon the lands in the district find themselves in the situation of having works already constructed capable of supplying waters for the lands (although they are in need of considerable overhauling) and yet they are without any water right other than such as has been acquired by three or four of the settlers by virtue of the application of water to a beneficial use; this permit is sought for the purpose of acquiring the right to divert water from the Snake River for all of the lands within the district. In taking out this permit the district does not do so for the purpose of selling such right but desire to acquire the water right for the benefit of the settlers on the project. The district in turn contemplates to exercise its right under the Eminent Domain act to acquire the works and has already instituted proceedings looking to that end.

We trust that the plat and the information contained in the application will be sufficiently complete to justify the issuance of the permit at an early date.

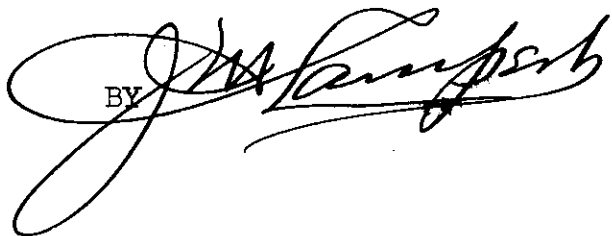
14452

#2 - - - - - Mr. Swendsen.

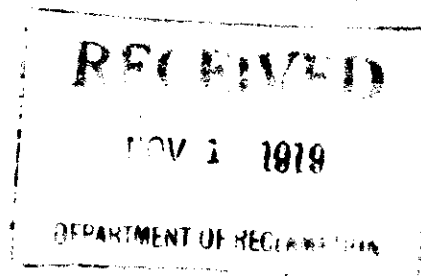
If, however, any additional information is required we would appreciate it if you would telephone us in order that we may avoid any unnecessary delay as it is especially desired that the permit would be granted at an early date in order that any of the settlers who have not as yet secured patents from the Federal government may be in a position to show a water right through the district and thus secure their patent. This is especially important in order that the assessment lien may be enforceable.

Again thanking you for giving this your prompt attention, we are

Yours very truly,
OPPENHEIM & LAMPERT

BY 

JML/D



14452