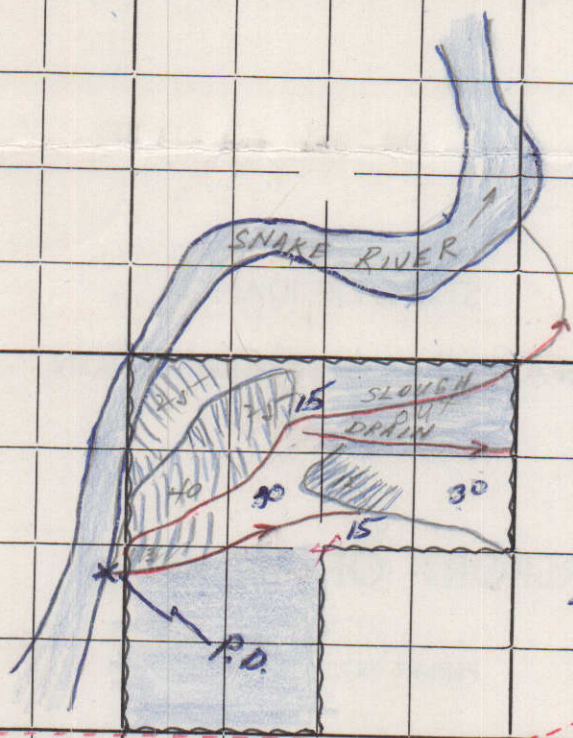


4.5
40.5

R 5 W

T
7
N



Subdivisions

4

area

90 acres

fee \$ 8 for Bu

Q 180 CFS OR 90 inches

Priority may 15, 1954

Nº 1833

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

C. L. Delphus, being duly sworn,
desposes and says:

That he is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
four consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
October 17, 1963, and ending
with the issue of November 7, 1963.
C. L. Delphus
Fee \$ 17.60

Subscribed and sworn to before me this 14th day
of November, 1963.
John R. Gatchel
Notary Public, Residing at Payette, Idaho.
My Commission Expires May 30, 1967

RECEIVED
MAY 29 1964
Department of Reclamation

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

Notice is hereby given that at
2:00 P.M. on the 15th day of No-
vember, 1963, at Law Office of
Daniel & Gatchel, Payette, County
of Payette, State of Idaho, before
Vernon Daniel, a Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 2.0
cubic feet per second of the waters
of Snake River in accordance with
the terms and conditions of Per-
mit No. 24564 heretofore issued by
the Department of Reclamation of
the State of Idaho.

The name and post office address
of the person or corporation hold-
ing said permit Russell F. Hyatt
and Ida E. Hyatt, Fruitland, Idaho.

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

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

The point of diversion of said
water is 330 feet distant SW from
the Southeast corner of the North-
east Quarter, in Section 5, Twp. 7
N., Range 5 W., B. M. in Payette
County, Idaho.

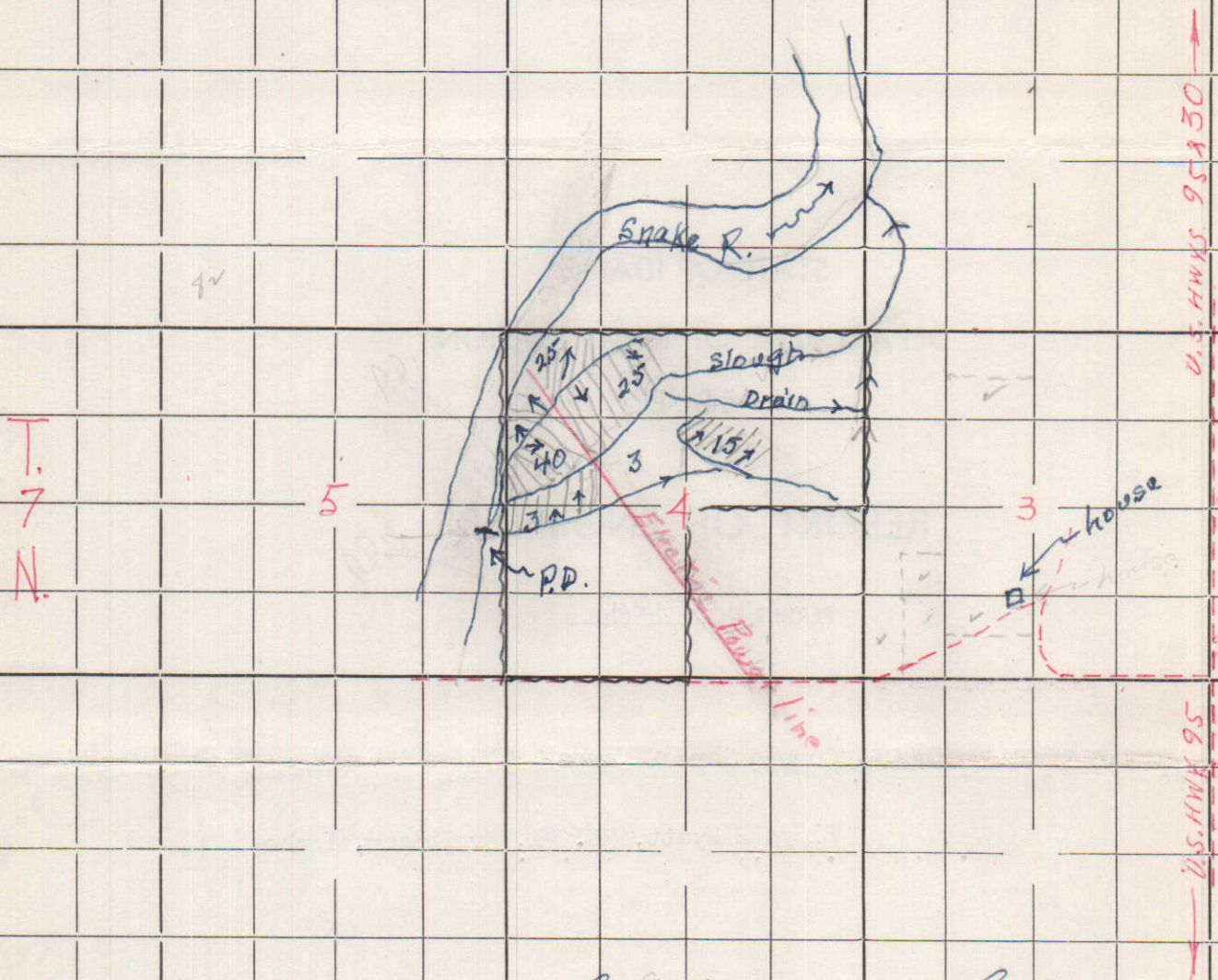
The place where said water is
used NE¼, W¼, Sec. 4, Twp. 7 N.,
R. 5 W. B.M.

The date of priority which said
user is prepared to establish is No-
vember 9, 1953.

CARL E. TAPPAN
State Reclamation Engineer
1833-10-63 35-38

24564

R-5W.



Subdivisions = Six

Area = 111 acres

Q = 2 cfs.

Q = by calculation.

Lloyd B. Hyatt is deceased.

attorney Vernon E. David, Payette
handled the administration.

7' 1/2 x 50 x 550

11 x 62 1/2

.5 = demand

License To Russell F. Hyatt
& Ida E.

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 13 1959

Department of Reclamation

Lloyd B. Hyatt
Rt. #1, Fruitland, Idaho

Permit No. 24564

Examination for Completion of Works

County Payette

5-7N.-5W.
Qr 9.22 c.f.s.

S = Snake River

SE, NE, }
P.D. = NE, SE. } Qr. 5, T. 7N. - R. 5W

Use = Irrigation & stock

Vernon E. Daniel

Payette settled estate

Filed = Nov. 9, 1953.

Due = Nov. 17, 1963.

Old use from Snake R. & a spring

1 phase 7 1/2 hp

Fr Morse

470633-Type QZK

11ft lift low water
#4

Parma Water lifter

supposed to be 90"

allow 100"

RECEIVED
MAY 27 1959
Department of Reclamation

RECEIVED
MAR 23 1959
Department of Reclamation

IN THE PROBATE COURT OF THE COUNTY OF PAYETTE, STATE OF IDAHO

In the Matter of the Estate of)
L. B. HYATT,)
Deceased.)

DEGREE OF DISTRIBUTION

Russell F. Hyatt, executor of the Last Will and Testament of L. B. Hyatt, deceased, having, on the 21st day of October, 1957, rendered and filed herein his full account and report of the administration of said estate, which said account was for a final settlement, and having with said account filed a Petition for Distribution of said estate, and said account and petition this day coming on regularly to be heard and proof having been made to the satisfaction of the court that the Clerk has given notice of the settlement of said account and the hearing on said petition in the manner and for the time required by law, and no exception or objection in writing to said account or petition having been filed or made and the said executor appearing in person and by his attorney of record, Vernon Daniel, Esq., of Payette, Idaho, and it appearing to the court after having fully examined the said account and vouchers filed herein that said account is in all respects true and correct and that said account is entitled to be settled, allowed and approved; and the court having duly considered all matters aforesaid, it is ORDERED and DECREED, That the said First and Final Account, be, and the same hereby is in all respects as the same was rendered and presented for settlement, approved, allowed and settled;

That it appearing that all claims and debts against said deceased and the administration of this estate have been paid except the claim of Vernon Daniel, Esq., of Payette, Idaho, for attorney's fees and costs in the amount of \$500.00, but said attorney has agreed to waive said claim and consent to the closing of this estate and the distribution of said property subject to the agreement that as soon as a re-financing transaction has been entered into between Russell F. Hyatt and a mortgage lending organization said claim will be paid; that the transfer and/or

1 inheritance tax due the State of Idaho from the estate of L. B. Hyatt, deceased,
2 has been paid by the heirs of the estate of L. B. Hyatt, deceased; and that said
3 estate is ready for distribution and in condition to be closed;

4 That it further appearing to the court that said L. B. Hyatt died test-
5 ate on the 2nd day of November, 1933, at Prescott, Arizona, but at the time of his
6 death was a resident of Payette County, Idaho, and left an estate therein consist-
7 ing of real and personal property; that all of said property was the community
8 property of said deceased and Ida E. Hyatt, his surviving wife; and that said de-
9 ceased left surviving him the following named legatees and heirs-at-law, to-wit:

10 Ida E. Hyatt, surviving wife	Fruitland, Idaho
11 Marjorie J. Perkins, daughter	Camp Wood, Arizona
12 Geraldine Bagley, daughter	Joseph, Oregon, and,
13 Russell F. Hyatt, son	Route #1, Fruitland, Idaho; and,

13 That it further appearing to the court that there now remains in the
14 hands of said executor for distribution the following described real and personal
15 property, to-wit --

16 Realty --

17 In Sec. 3, T. 7 N., R. 5 W. -- $\frac{1}{2}$ SW $\frac{1}{4}$, $\frac{1}{4}$ SW $\frac{1}{4}$, $\frac{1}{4}$ SE $\frac{1}{4}$ and
18 all SE $\frac{1}{4}$ SW $\frac{1}{4}$ save and except the following described tract: Begin-
19 ning at a point on the North line of the present county road 530
20 feet East of the West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence at right angles
21 to said county road in a Northerly direction a distance of 80
22 feet, thence parallel to the road in an Easterly direction a
23 distance of 120 feet, thence Southerly a distance of 80 feet,
24 thence Westerly along the North line of said road a distance of
25 120 feet to the place of beginning;

26 In Sec. 4, T. 7 N., R. 5 W. -- Gov. Lots 1, 2, 3 and 4; SE $\frac{1}{4}$
27 and SE $\frac{1}{4}$, being all of said section;

28 In Sec. 5, T. 7 N., R. 5 W. -- Assessor's Tax #2 situate in
29 SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, said tract of land being all of said legal
30 subdivisions lying East of the East bank of the Snake River
31 save and except the North 504 feet thereof;

32 With all above-described lands in Sections 3, 4 and 5, T. 7 N.,
R. 5 W. being subject to a 10-year hunting lease dated April
20, 1931; and,

Outstanding mortgages on the above-described lands --

- 33 a. Mortgage dated April 20, 1931, in favor of The Idaho First
34 National Bank, trustee, securing the sum of \$2,500.00 and
35 covering $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 3, and SE $\frac{1}{4}$ of Sec. 4, T. 7 N., R.
36 5 W., all located in Payette County, Idaho, which mortg-
37 age was increased to \$4,500.00 by Order Authorizing Mortg-
38 age issued by this court on the 17th day of February, 1936;
- 39 b. Mortgage dated April 22, 1934, in favor of M. C. Shelley,
40 securing the sum of \$2,500.00 and covering the $\frac{1}{2}$ SW $\frac{1}{4}$ and

- SE1/4 of Sec. 4, T. 7 N., R. 3 W.
- c. Mortgage dated August 10, 1932, in favor of The United States National Bank of Portland, (Oregon), a national banking association, securing the sum of \$7,500.00 and covering the SE1/4 and SE1/4 of Sec. 3, T. 7 N., R. 3 W., in Payette County, except the following described tract, to-wit: Beginning at a point on the Northline of the present county road 530 feet East of the Westline of the SE1/4 of said Sec. 3, thence at right angles with said county road in a Northerly direction a distance of 30 feet, thence parallel to the road in an Easterly direction a distance of 130 feet, thence Southerly a distance of 30 feet, thence Westerly along the Northline of said road a distance of 130 feet to the place of beginning;
- d. Mortgage dated March 24, 1934, in favor of United States of America acting through the administrator of the Foreman Run Administration, securing the sum of \$4,000.00 and covering lands described in paragraph 'c' above and Gov. Lots 1, 2, 3 and 4 in Sec. 4, T. 7 N., R. 3 W.
- e. Mortgage dated October 25, 1933, in favor of The United States National Bank of Portland (Oregon), a national banking association, securing the sum of \$5,700.00 and covering lands described in paragraph 'c' above; and,
- f. The community interest of L. B. Hyatt and Ida E. Hyatt, husband and wife, in and to the above-described lands are subject to a partnership agreement by and between L. B. Hyatt and Russell F. Hyatt, dated April 2, 1947, and filed of record January 15, 1952, in Record Book 4 of Bonds & Agreements, at page 300, whereby any increase in the physical assets of the partnership from the date of signing said articles of co-partnership are owned one-half by Russell F. Hyatt and one-half by L. B. Hyatt and Ida E. Hyatt; that the value of the improvements placed upon said lands by Russell F. Hyatt and L. B. Hyatt and Ida E. Hyatt, as partners, is \$28,800.00 as appraised by appraisers, and that \$14,400.00 of said improvements are owned by partner Russell F. Hyatt; that the entire property has mortgages against the same in the sum of \$16,345.00, which are liens upon said property in the sum of \$16,345.00 and the appraisers thereby determined that the gross appraised value of the entire property, including all persons' interests, is \$45,000.00, and from this sum should be subtracted one-half the improvements or \$14,400.00, leaving a net appraised value before subtracting mortgages of \$30,600., and that from this sum must be taken the liens against said property in the amount of \$16,345.00, leaving the net appraised value of the real property as \$14,255.00 as the community property of L. B. Hyatt and Ida E. Hyatt;

Agreement made and entered February 5, 1935, by and between L. B. Hyatt and Ida E. Hyatt, husband and wife, and J. C. Swisher for the hauling of sand and gravel across said properties owned by the Hyatts and for the payment of certain sums of money for sand and gravel hauled across said premises,

Certificate of membership in American Harford Association #24072, issued to L. B. Hyatt and dated August 26, 1947,

782 shares of capital stock of Royalties & Minerals, Inc., as evidenced by certificate #2 issued in the name of L. B.

1 Hyatt and Ida E. Hyatt,

2 Certificate of Participation in Farmers Supply Co-Op of
3 Ontario and Kyesa, Oregon, estate appraised value-----\$.30
4 Capital Reserve account of the Idaho Egg Producers of
5 Caldwell, Idaho, estate appraised value-----\$.30
6 Broad registration with the Department of Law Enforcement
7 of the State of Idaho #4038, designated as ' ' on left
8 rib, estate appraised value-----\$.30
9 Dairy cows -- Pat, Queen, Blackie, Stab, Baulch, Slim, Mari-
10 lya, Tiny and Whitey, estate appraised value-----\$ 400.00
11 25 registered Whiteface cows, estate appraised value-----\$ 1,250.00
12 Other cattle --
13 14 heifers (1 year and over), 24 heifers (under 1 year),
14 10 steers (1 year and over), 23 steers (under 1 year),
15 and 11 bulls (over 1 year), estate appraised value-----\$ 1,075.00
16 1 horse and 1 colt, estate appraised value-----\$ 50.00
17 John Deere #5 mower, harrow, Evermann leveler, haying plow,
18 including 2-bottom plow, wing ditcher, 10' disc, rake, farm-
19 hand, hayrack, chute, cement mixer, combine, snailage cutter,
20 trailer, cultivator, tool bar, corn planter, estate ap-
21 praised value-----\$ 1,000.00
22 1 1948 Studebaker truck, motor #21-23004, serial #21252194,
23 estate appraised value-----\$ 50.00
24 1 1950 Kaiser sedan, motor K1-245423, serial #2503000-42322,
25 estate appraised value-----\$ 50.00
26 1 1950 Studebaker 4-door, motor 349123, serial #2572944,
27 estate appraised value-----\$ 100.00
28 Miscellaneous household furniture, fixtures and equipment,
29 estate appraised value-----\$ 100.00.

30 It is hereby ORDERED, ADJUDGED and DECREED, That the assets of the estate
31 of L. E. Hyatt, deceased, now remaining in the hands of Russell F. Hyatt, executor,
32 he, and the same are hereby distributed as follows --

33 To Ida E. Hyatt, surviving wife of said deceased, and Russell F. Hyatt, son
34 of said deceased, the following described real and personal property in
35 undivided one-half interests and as the sole and separate property of
36 each --

37 Realty --

38 In Sec. 3, T. 7 N., R. 5 W. -- W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and
39 all SW $\frac{1}{4}$ save and except the following described tract: Begin-
40 ning at a point on the North line of the present county road 510
41 feet East of the West line of said SW $\frac{1}{4}$, thence at right angles
42 to said county road in a Northerly direction a distance of 50
43 feet, thence parallel to the road in an Easterly direction a
44 distance of 120 feet, thence Southerly a distance of 50 feet,
45 thence Westerly along the North line of said road a distance of
46 120 feet to the place of beginning;

47 In Sec. 4, T. 7 N., R. 5 W. -- Gov. Lots 1, 2, 3 and 4; S $\frac{1}{2}$ N $\frac{1}{2}$
48 and S $\frac{1}{2}$, being all of said section;

49 In Sec. 5, T. 7 N., R. 5 W. -- Assessor's Tax #2 situate in
50 SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, said tract of land being all of said legal
51 subdivisions lying East of the East bank of the Snake River
52 save and except the South 504 feet thereof;

53 With all above-described lands in Sections 3, 4 and 5, T. 7 N.,

1 R. S. WMS being subject to a 10-year hunting lease dated April
2 20, 1931; and,

3 Outstanding mortgages on the above-described lands --

- 4 a. Mortgage dated April 20, 1931, in favor of The Idaho First
5 National Bank, trustee, securing the sum of \$2,500.00 and
6 covering $\frac{1}{2}$ of Sec. 3, and $\frac{1}{2}$ of Sec. 4, T. 7 N., R.
7 S. WMS, all located in Payette County, Idaho, which mortg-
8 age was increased to \$4,500.00 by Order Authorizing Mortg-
9 age issued by this court on the 17th day of February, 1935;
10 b. Mortgage dated April 20, 1934, in favor of R. C. Shelley,
11 securing the sum of \$2,345.00 and covering the $\frac{1}{2}$ of Sec. 4, T. 7 N., R. S. WMS;
12 c. Mortgage dated August 16, 1933, in favor of The United
13 States National Bank of Portland, (Oregon), a national
14 banking association, securing the sum of \$7,500.00 and
15 covering the $\frac{1}{2}$ of Sec. 3, and $\frac{1}{2}$ of Sec. 4, T. 7 N., R. S. WMS, in Payette County, except the following describ-
16 ed tract, to-wit: Beginning at a point on the Northing
17 line of the present county road 520 feet East of the Northing
18 line of the $\frac{1}{2}$ of said Sec. 3, thence at right angles
19 with said county road in a Northerly direction a distance
20 of 20 feet, thence parallel to the road in an Easterly
21 direction a distance of 120 feet, thence Southerly a
22 distance of 20 feet, thence Westerly along the Northing
23 line of said road a distance of 120 feet to the place of
24 beginning;
25 d. Mortgage dated March 24, 1934, in favor of United States
26 of America acting through the administrator of the Fore-
27 and Home Administration, securing the sum of \$4,000.00
28 and covering lands described in paragraph 'c' above and
29 Gov. Lots 1, 2, 3 and 4 in Sec. 4, T. 7 N., R. S. WMS;
30 e. Mortgage dated October 23, 1933, in favor of The United
31 States National Bank of Portland, (Oregon), a national
32 banking association, securing the sum of \$3,750.00 and
covering lands described in paragraph 'c' above; and,
f. The community interest of L. B. Ryatt and Ida B. Ryatt,
husband and wife, in and to the above-described lands
are subject to a partnership agreement by and between L.
B. Ryatt and Russell F. Ryatt, dated April 2, 1947, and
filed of record January 15, 1952, in Record Book 4 of
Deeds & Agreements, at page 250, whereby any increase
in the physical assets of the partnership from the date
of signing said articles of co-partnership are owned
one-half by Russell F. Ryatt and one-half by L. B.
Ryatt and Ida B. Ryatt; that the value of the improve-
ments placed upon said lands by Russell F. Ryatt and L.
B. Ryatt and Ida B. Ryatt, as partners, is \$25,500.00
as appraised by appraisers, and that \$14,400.00 of said
improvements are owned by partner Russell F. Ryatt;
that the entire property has mortgages against the same
in the sum of \$16,345.00, which are liens upon said
property in the sum of \$16,345.00 and the appraisers
thereby determined that the gross appraised value of
the entire property, including all persons' interests,
is \$45,000.00, and from this sum should be subtracted
one-half the improvements or \$14,400.00, leaving a net
appraised value before subtracting mortgages of \$30,600.00,
and that from this sum must be taken the liens against
said property in the amount of \$16,345.00, leaving the
net appraised value of the real property as \$14,255.00
as the community property of L. B. Ryatt and Ida B.
Ryatt;

1 Agreement made and entered February 5, 1935, by and between L.
2 R. Hyatt and Ida E. Hyatt, husband and wife, and J. C. Sgisher
3 for the hauling of sand and gravel across said properties owned
4 by the Hyatts and for the payment of certain sums of money
5 for sand and gravel hauled across said premises,
6
7 Certificate of membership in American Barford Association
8 884975, issued to L. R. Hyatt and dated August 26, 1937,
9
10 752 shares of capital stock of Royalties & Minerals, Inc.,
11 as evidenced by certificate 98 issued in the name of L. R.
12 Hyatt and Ida E. Hyatt,
13
14 Miscellaneous household furniture, fixtures and equipment; and,

15 To Ida E. Hyatt, surviving wife of said deceased, an undivided one-fourth in-
16 terest, and to Russell F. Hyatt, son of said deceased, an undivided three-
17 fourths interest, as the sole and separate property of each, the following:

18 Certificate of Participation in Farmers Supply Co-op of
19 Ontario and Nye, Oregon,
20 Capital Reserve account of the Idaho Egg Producers of
21 Caldwell, Idaho,
22 Brand registration with the Department of Law Enforcement
23 of the State of Idaho #14334, designated as ' ' on
24 left rib,
25 Dairy cows -- Pat, Queen, Blackie, Stub, Bulch, Slim, Mari-
26 lyn, Tiny and Whitley,
27 28 registered Whiteface cows,
28 Other cattle --
29 14 heifers (1 year and over), 24 heifers (under 1
30 year), 18 steers (1 year and over), 22 steers (under
31 1 year), and 11 bulls (over 1 year),
32 1 horse and 1 colt,
33 John Deere 65 motor, harrow, overman leveler, larger plow,
34 outfitting 2-bottom plow, wing ditcher, 16' disc, roll,
35 farmhand, hayrack, chute, cement mixer, combine, mailage
36 cutter, trailer, cultivator, tool bar, corn planter,
37 1 1943 Studebaker truck, motor #31-25004, serial #1522194
38 1 1930 Kaiser sedan, motor #2-652432, serial #212224-62332
39 1 1935 Studebaker 4-door sedan, motor #42132, serial
40 #2672944; and,

41 the sum of \$15.00, each, to Ida E. Hyatt, surviving wife of said deceased, and
42 Charlotte J. Hankins and Geraldine Hagley, daughters of said deceased, as their
43 sole and separate property; and,

44 That it is further ORDERED, ADJUDGED and DECREED, That any other property
45 not now known or discovered which may belong to said estate or to which said estate
46 may have any interest, be, and the same is hereby distributed in undivided one-
47 half interests to Ida E. Hyatt, surviving wife of said deceased, and Russell F.
48 Hyatt, son of said deceased, as the sole and separate property of each party.

49 Dated this 12 day of Nov, 1937.

50 STATE OF IDAHO ss.
51 County of Payette.
52 I Hereby Certify That the foregoing instrument is a true and correct copy of
53 the original on file in this office.
54 Dated this 12 day of Nov, 1937.
55 *Vernon Daniel*
56 Probate Judge and Ex-Officio Clerk of the Probate Court of Payette
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V. A. STEPHENSON
Probate Judge

LAW OFFICE
VERNON DANIEL
PAYETTE, IDAHO

Nº 1063-E

RECEIVED
MAY 27 1959

RECEIVED
MAR 23 1959
Department of Reclamation

AFFIDAVIT OF PUBLICATION Department of Reclamation

STATE OF IDAHO, }
County of Payette } ss.

Gene Kullbren, being duly sworn,
deposes and says:

That Clerk he is the Clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho; that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
4 consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
Jan. 29, 1959, and ending
with the issue of Feb 19, 1959

Fee \$ 20.64

Subscribed and sworn to before me this 21st day
of February, 1959

Twist Albert
Notary Public, Residing at Payette, Idaho.

My Commission Expires May 2, 1959

NOTICE FOR PUBLICATION
PROOF OF COMPLETION OF
WORKS

NOTICE IS HEREBY GIVEN
that at 2:00 P. M., on the 21st day
of February, 1959, at Payette,
County of Payette, State of Idaho,
before Vernon Daniel Notary Pub-
lic, First Security Bank Bldg., Pay-
ette, Idaho proof will be submitted
of the completion of works for the
diversion of 9.22 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 Depart-
ment of Reclamation of the State of
Idaho.

1. The name of the person or
corporation holding said permit is
Lloyd B. Hyatt, Route No. 1, Fruit-
land, Idaho, County of Payette,
State of Idaho.

3. The number of such permit is
24564, and the date set for the
completion of such work is Nov. 17,
1958.

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

5. Said works of diversion will
be fully completed on the date set
for such completion, and the a-
mount 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 9.22
cubic feet per second.

6. The amount of lands for which
said water is available is 461 acres,
particularly described as follows:

N $\frac{1}{2}$ and SW $\frac{1}{4}$ of Sec. 4.,
Twp. 7 N, Rge. 5 W.B.M. Point
of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ -
NE $\frac{1}{4}$ Sec. 5, Twp. 7 N. Rge. 5
W.B.M.

GEO. N. CARTER
Commissioner of Reclamation.
1063-E 49-52

24507

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

Being Published
24564



INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions To Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

19799

INSURED NO.

Department of Reclamation
STREET AND NO. OR P.O. BOX

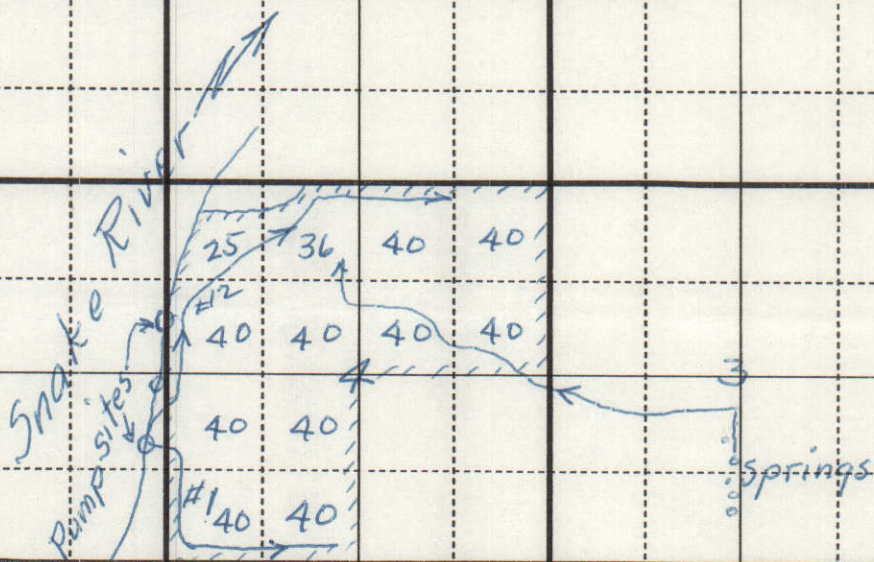
State House, Room 107
CITY, ZONE, AND STATE

Boise, Idaho

c6-16-71542-2

NAME OF APPLICANT Lloyd B. Hyatt

Form No. 0



T 7 N - R 5 W B M

Permit Map No. 2-564
As Approved
NOV 17 1953
MARK R. KULP
State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 03-2060
65-2583 Priority 5-15-54 Amount 1.80 c.f.s.
(late proof)

THIS IS TO CERTIFY, that RUSSELL HYATT
of Fruitland, Idaho, has complied with the terms and conditions of Permit
No. 65-2583 issued pursuant to Application for Permit dated 11-9-53,
and has submitted proof to the Department of Water Administration on 5-22-64,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.80 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from Snake River
tributary of Columbia River, is hereby confirmed in the following amounts:
Amount 1.80 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.80 c.f.s. of water be diverted at
any one time, said waters to be diverted within the _____

NE¹/₄ SE¹/₄ Sec. 5. Twp. 7 N., Rge. 5 W., B. M.
in the county of Payette; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 405 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7 N	5 W	4			15	30	15			30									90

Total number of acres irrigated 90

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of
January, 19 71.


Director

65 2583

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

65-2583

APPLICATION No. 32363
 PERMIT No. 24564
 DISTRICT No.

1. Name of Applicant: LLOYD B. HYATT

Postoffice address: Rt. 1, Fruitland

County: Payette

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

- (a) Cash on hand:
 (c) Bonds to be issued:

Assigned to Lloyd B. Hyatt
Route # 1
Fruitland
Idaho

2. Quantity of water claimed: 9.22

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of Columbia River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$
 of Section 5 , T. 7 N. , R. 5 W. , B.M., County of Payette

5. Water is to be used for Irrigation and stock

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: \$ 7000

8. Kind of works: Pumping plants, ditches and land leveling

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 2 feet; height 1.5 feet.

11. Ditch: Width at bottom #1 3 feet; width at water line 5.6 feet; depth of water 1.2 feet;
 #2 2 4.4 0.8

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile 4 feet.

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

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Use right for past 20 years from Snake River. Use of spring water rising near S $\frac{1}{2}$ corner, Sec. 3.

16. (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 water of the State of Idaho as herein set forth.

LLOYD B. HYATT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:30 p.m. November 9, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 24564

Recorded in Book 87 Page 24564 Approved November 17, 1953

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

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

Work to begin on or before January 17, 1954 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 May 17, 1956

The whole of said work to be completed on or before November 17, 1958

Beneficial use of water appropriated in accordance herewith, to be made on or before November 17, 1963

WITNESS My hand this 17th day of November, 1953

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th

day of November, 1953.

STATE OF IDAHO

Countersigned:

(SEAL) By IRA H. MASTERS

By LEN JORDAN Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 N.	5 W.	4	40	40	40	40	36	25	40	40	40	40	40	40					461
See letter on file re assignment to USRA (FH 1)																			
Permit No. 24564 STATE OF IDAHO DEPARTMENT OF RECLAMATION ✓																			
In the Matter of the Reinstatement) of Permit No. 24564 - Under the) Provisions of Section 42-311, Idaho) Code.)																			
ORDER REINSTATING PERMIT																			
WHEREAS, Permit No. 24564 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: November 17, 1958; and,																			
WHEREAS, On the 20th day of March, 1959, notice to show cause why said permit should not ^{be} cancelled under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,																			
WHEREAS, on the 26th day of January, 1959 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,																			
WHEREAS, on the 27th day of May, 1959, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and																			
WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 24564, and that the holder has acted in good faith;																			
continued																		next page	

IT IS, THEREFORE, Hereby Ordered that said Permit No. 24564, be and the ^{same}/is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 16th day of July, 1959.

s/ GEO. N. CARTER
State Reclamation Engineer

PERMIT NO. 24564
CERTIFICATE OF COMPLETION OF WORKS: ✓

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that LLOYD B. HYATT ESTATE, Russell F., Ida E. Hyatt ~~and~~ heirs, of Fruitland, County of Payette, and State of Idaho, the holder of Permit No. 24564, issued upon application No. 32363, bearing date of priority of November 9, 1953, authorizing the diversion of 9.22 second feet of the waters of Snake River, County of Payette, State of Idaho, for irrigation and stock water purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 2.0 second feet of the waters of Snake River, a tributary of the Columbia River; that the point of diversion of said waters is NE 1/4 Sec. 5, T. 7 N., R. 5 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

N 1/2, SW 1/4, Sec. 4, Twp. 7 N., R. 5 W., B. M.

Witness my hand this 16th day of July, A. D. 1959

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: May 26, 1959

ASSIGNMENT ✓

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 24564 to RUSSELL HYATT of Route #1, Fruitland, Idaho.

IDA E. HYATT
Permit Holder

STATE OF IDAHO)
) ss
County of Payette)

On this 8th day of June, 1964, before me, a Notary Public for the State of Idaho, residing at personally appeared IDA E. HYATT known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that she executed the same.

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

s/ Marjorie Martin
County Clerk

(SEAL)
My commission expires ____

PERMITS ISSUED FOR 1.80 SEC. FT.
WATER PAGE NO. _____

January 15, 1971

Re: Permit No. 65-2583 (24564)

Mr. Russell Hyatt
c/o J. R. Simplot Company
805 Idaho Street, Box 2777
Boise, Idaho 83701

Dear Mr. Hyatt:

Enclosed herewith is the Water License issued on the above numbered permit.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosure

65 2583

December 30, 1970

Ronald N. Graves
Assistant General Counsel
Properties
J. R. Simplot Company
Box 2777
Boise, Idaho 83701

Dear Mr. Graves:

Returned herewith is Departmental Receipt No. 5461 in the amount of
\$13.00 for Licensing fees on Permit No. 65-2583,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

65 2583

GENERAL OFFICES
J.R. SIMPLOT COMPANY

805 IDAHO STREET

BOX 2777

BOISE, IDAHO

83701

December 29, 1970

State of Idaho
Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 24564 (New No. 65-2583)

Gentlemen:

Enclosed is J. R. Simplot Company's check in the amount of \$13.00 covering the licensing fee for the above referenced permit. The J. R. Simplot Company is paying this license fee on behalf of Mr. Russell Hyatt who is currently leasing the property to the J. R. Simplot Company and who has granted an option to purchase to Simplot Industries, Inc.

Please forward the license to Russell Hyatt, c/o J. R. Simplot Company at the above address. If you have any questions concerning the above, please advise.

Sincerely,


Ronald N. Graves
Assistant General Counsel
Properties

RNG:chd

Enclosure

65 2583

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

30442

①

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

DEC 17 1970 ③

65 2583

65-2583

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

65-16-71648-10

POD Form 3811 Apr. 1967

65 2583

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

PERMIT FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
LIVERING

DEC

17

1970

AM

63619

RETURN
TO

NAME OF SENDER

DEPARTMENT OF WATER ADMINISTRATION

STREET AND NO. OR P.O. BOX

STATEHOUSE - ADMIN. #2

BOISE, IDAHO 83707

POST OFFICE, STATE, AND ZIP CODE

J. R. SIMPLOT CO.

BOISE IDAHO

No. 23149 A

EXPLANATION	AMOUNT	TOTAL
License fee for permit 24564/65-2583 Russell Hyatt 900-9051-07-000 65 2583		13.00

DETACH BEFORE PRESENTING FOR PAYMENT

December 15, 1970

CERTIFIED MAIL *#36442*

Re: Permit No. 24564 (New No. 65-2583)

Mr. Russell Hyatt
Route 1
Fruitland, Idaho 83619

Dear Mr. Hyatt:

It appearing to the Department of Water Administration that the terms and conditions of Permit 24564/65-2583 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee of \$13.00

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before January 24, 1971, why said permit should not be cancelled.

Permit 24564/65-2583 claims the use of 09.22 cubic feet per second of water, the point of diversion was to be located within the NE~~1~~SE~~1~~ & SE~~1~~NE~~1~~, Sec. 5, T. 7N, R. 5W, B.M. and the permit was approved November 17, 1953.

R. KEITH HIGGINSON
Director

65 2583

August 19, 1964

Re: Permit No. 24504

Russell Hyatt
Route #1
Fruitland, Idaho

Dear Mr. Hyatt:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 24504 shows the Snake River is capable of conveying 90 miner's inches, or 1.8 c.f.s. of water for the irrigation of 90 acres.

Upon receipt of the statutory fee of \$13.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of November 9, 1953 to the use of 1.8 second feet of surface water with the point of diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, for irrigation of 90 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4, T. 7 N., R. 5 W., B. M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:cw

24564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

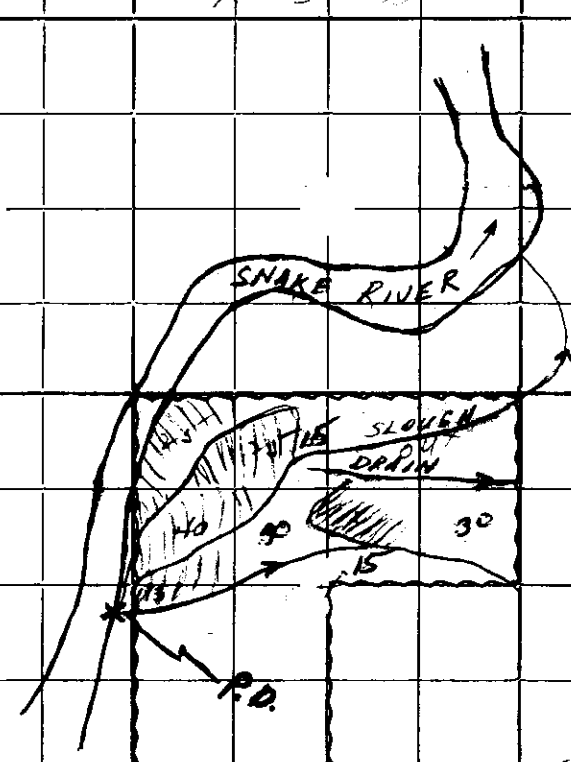
PERMIT NO. 24564

REPORT ON PROOF OF Beneficial Use

Russell Hyatt-- Route #1, Fruitland, Idaho

4.5
90
405

P = 10



U.S. Hwy 91 + 30

U.S. Hwy 91

Subdivisions of
area 90 acres

See # 8 for 60

Q 1.80 CFS OR 90 inches

Quantity may 15, 1954

March 15 - Nov 15

4.5 AF/acre

Irr:

$$90 \text{ acres} \times 4.5 \text{ AF/acre} = \frac{405 \text{ AF}}{\text{sec.}}$$

1.8 ct. 3

No stockwater indicated
on exam

- 1/6.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 24564

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Russell Hyatt ✓
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the NE¹₄ SE¹₄ and SE¹₄ NE¹₄ of Section X 5
T. 7N R. 5W County of Payette

4. Describe works as they exist, giving dimensions and capacities of same: 7½ H.P. F.M.
Motor # RS 284 5" pulley 3 belt drive to 12" pulley on power water
lifter pump # ? 3½" discharge into 8" x 45" discharge pipe into
open ditch

5. Water is used for: Irrigation and stock

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N¹₂, SW¹₄ Section 4 all in twp. 7N-R5W
Total number of acres to be irrigated 461.

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

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

Remarks: Mr. Russell Hyatt (owner) participated in
the examination

Measurement was made with Cipolletti weir
42 over 2' weir or 91 inches

This examination was made on the _____ day of August, 1964

(Signed)

Lawrence Seberg
Examiner.

24564

INSTRUCTIONS TO EXAMINERS

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

RECEIVED

AUG 11 1964

Department of Conservation

Russell Hyatt
Route #1
Fruitland, Idaho
Permit No. 24564

check on spring

Examination for Beneficial Use

County Payette

Quantity: 9.22 Cfs Sec. 5 T. 7N R. 5W

Source: Snake River

P. D.: NESE, 5-7N-5W

Use: Irrigation +
Stockwater

Filed: 11-9-53

Due: 11-17-63

Extension:

Protest:

Completion of Work: 5-26-59

Other Rights:

Installations - Farm Water Lifter

1M April 1962

July 3, 1964

Re: Permit No. 24564

Russell Hyatt
Route # 1
Fruitland, Idaho

Dear Mr. Hyatt:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~INDEPENDENT-ENTERPRISE~~ ~~STANDARD~~, all submitted in proof of completion ~~of work~~ and beneficial use on Permit No.

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

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

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

cc
EPR:
cc John K. Gatchel
Professional Building
Payette, Idaho

24564

June 24, 1964

Re: Permit No. 24564
Russell Hyatt

Daniel & Gatchell
P. O. Box 278
Payette, Idaho

Attn: John K. Gatchel

Dear Mr. Gatchell:

Enclosed is the Assignment of the above numbered permit from Ida E. Hyatt to Russell Hyatt, her share in the above permit.

Also enclosed is departmental receipt No. 32304 in the amount of \$0.50 covering fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignment
receipt

24564

VERNON DANIEL (1964)
JOHN K. GATCHEL
642-2312

LAW OFFICE
DANIEL & GATCHEL
PROFESSIONAL BUILDING
PAYETTE, IDAHO
June 22, 1964

SATURDAYS BY
APPOINTMENT ONLY
P.O. BOX 278

RECEIVED
JUN 23 1964

Department of Reclamation

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

Re: Water Permit No. 24564
Russell F. Hyatt

Gentlemen:

Enclosed please find the Assignment of Ida E. Hyatt, together with
my check in the amount of 0.50¢ for recording the assignment.

Sincerely yours,

John K. Gatchel
John K. Gatchel

/h
Enc. 2

24564

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 24564 to Russell Hyatt of Route #1, Fruitland, Idaho.

Ida E. Hyatt
Permit Holder -- Ida E. Hyatt

Wife of Permit Holder

STATE OF IDAHO)
) ss
County of Payette)

On this 24 day of June, 19 64, before me, a Notary Public for the State of Idaho, residing at _____

personally appeared Ida E. Hyatt

known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that she executed the same.

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

Margaret Martin
Notary Public County of Ada
Residing at _____

My commission expires: _____

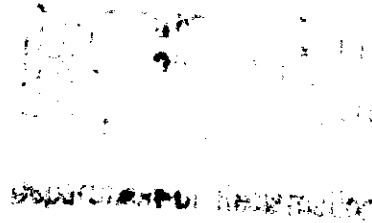
* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

24564

VERNON DANIEL (1964)
JOHN K. GATCHEL
642-2312

LAW OFFICE
DANIEL & GATCHEL
PROFESSIONAL BUILDING
PAYETTE, IDAHO
May 28, 1964

SATURDAYS BY
APPOINTMENT ONLY
P.O. BOX 278



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

Attention: D. L. Rhodes

Re: Water Permit of
Russell F. Hyatt
No. 24564

Dear Mr. Rhodes:

I am enclosing an Affidavit of Publication in regard to the above-entitled permit. I am extremely sorry for the inconvenience caused by my oversight.

I have sent the assignment to Ida Hyatt for her signature, and will forward it immediately upon its return.

Sincerely yours,

DANIEL & GATCHEL

John K. Gatchel
John K. Gatchel

JKG/h
Enc.

24564

Nº 1833

RECEIVED

MAY 29 1964

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

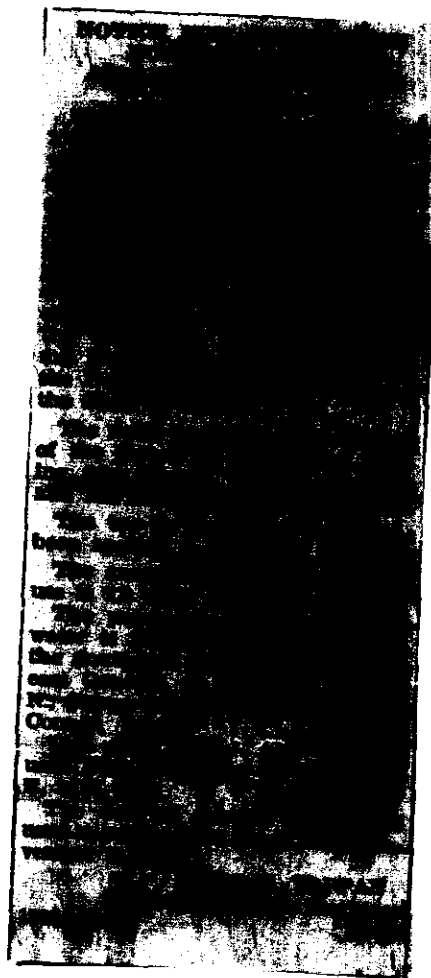
C. C. L. Delphus, being duly sworn,
desposes and says:

That he is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
four consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
October 17, 1963, and ending
with the issue of November 7, 1963.
C. C. L. Delphus
Fee \$ 17.40

Subscribed and sworn to before me this 24 day
of November, 1963.
John C. L. Delphus
Notary Public, Residing at Payette, Idaho.

My Commission Expires 12/31/64, 1964



24564

May 25, 1964

Re: Permit No. 24564
Russell & Ida E. Hyatt

John K. Gatchel
Daniel & Gatchel
Attorneys at Law
Payette, Idaho

Dear Mr. Gatchel:

Receipt of proof of application of water to beneficial use for the above noted permit is hereby acknowledged.

The affidavit of publication was not received with the proof. This is a necessary part of the proofs. Please see that it is sent in to this office. Proof will be held out of file pending receipt of affidavit from the newspaper.

In Question 9 on Form 16, deposition of holder, Mr. Hyatt states that he acquired subject permit from his parents. We have no record of such acquisition. As far as our records are concerned, the permit is in the names of Russell F. and Ida E. Hyatt. If the rights of Ida E. Hyatt have been acquired by Russell F. Hyatt, please have Mrs. Hyatt complete an assignment. A form is enclosed for this purpose. There is a 50¢ for recording an assignment.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

24564

DER:ew

Enc. assignment

VERNON DANIEL (1964)
JOHN K. GATCHEL
642-2312

LAW OFFICE
DANIEL & GATCHEL
PROFESSIONAL BUILDING
PAYETTE, IDAHO
May 22, 1964

SATURDAYS BY
APPOINTMENT ONLY
P.O. BOX 278

RECEIVED
MAY 25 1964
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Attention: Edna P. Rule

Re: Russell Hyatt
Permit No. 24564

Dear Mrs. Rule:

I am enclosing the depositions of Mr. Hyatt and his two witnesses,
along with my Affidavit that no one appeared on November 15th,
1963, to object or contest the submission of proof.

I hope that you find the enclosed material satisfactory.

Sincerely yours,

John K. Gatchel
JOHN K. GATCHEL

JKG/h
Enc. 4

24564

RECEIVED
MAY 25 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 24564

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Russell Hyatt -- Route #1, Fruitland, Idaho
Farmer

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

Ans. Not applicable

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

Ans. 24564 -- November 17, 1953

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

Ans. Snake River. The point of diversion of the water is 330 feet distant S.W.
from the Southeast corner of the Northeast Quarter of Section 5, Twp. 7
N. Range 5 W., B. M. in Payette 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The water is lifted from the Snake River by the use of a Parma pump which is capable of producing 80 inches of flow. The water is carried to the farm land through approximately 1/2 mile of ditch. The ditch is of dirt and is approximately 3 feet wide and 18 inches deep, capable of carrying 80 inches of water.

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

Ans. All land on which the water is used is under cultivation. It consists of 35 acres in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 4 T. 7 N. R. 5 W., B. M., Payette County, Idaho, and 42 acres in the NW $\frac{1}{4}$ of Sec. 4 T. 7 N., R. 5 W., B. M., Payette County, Idaho. The land on which the water is used was reclaimed from sagebrush, making land suitable for cultivation from wasteland.

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

Ans. Not applicable.

24564

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

Ans. The water is used in the fall months to flood low lying land to provide for water fowl shooting.

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

Ans. Approximately 10 inches per season.

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.

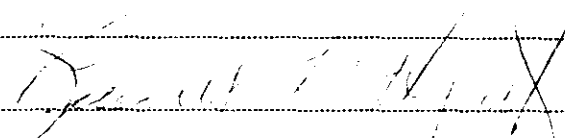
Ans. The permit was originally issued to L. B. Hyatt, Ida Hyatt and Russell Hyatt. I acquired the lands and permit from my parents, L. B. and Ida Hyatt.

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

Ans. The water diverted under the above mentioned permit has been used since 1953, in the amount allocated, for the irrigation of land under cultivation.

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

Ans. None

(Sign) 

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 Payette, County of Payette,

State of Idaho, on this 27 day of July, A. D. 1964.

My commission expires

24564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHORECEIVED
MAY 25 1964
Department of ReclamationPERMIT NO. 24564**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. A. O. Johnson, 60, Fruitland, Idaho, Route #1FarmerQues. 2. Are you acquainted with Russell Hyatt, the holder of Permit No. 24564? How long have you known him and where does he reside?Ans. 18 years. Route #1, Fruitland, IdahoQues. 3. Have you read or heard read said Permit No. 24564, 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. The water supply comes from the Snake River and it is about 3 or 4 feet S. W. from the Southeast corner of the Northeast Quarter of Sec. 5, Twp. 7, N. Range 5 W., B. M. in Payette County, Idaho.

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. Approximately 2. cubic feet per second

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

Ans. The water is used for the irrigation of crops on the farm of Russell Hyatt in Payette County, Idaho. Specifically, the water is used to irrigate 35 acres of land in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 4 T. 7 N., R. 5 W., B. M., Payette County, Idaho, and 42 acres in the NW $\frac{1}{4}$ of Sec. 4, T. 7 N., R. 5 W., B. M., Payette County, Idaho.

The land on which the water is used is under cultivation and was reclaimed from sagebrush, making land suitable for cultivation from wasteland.

24564

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

Ans. Low lying land has been flooded in the fall months to provide for waterfowl shooting.

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. The land has been reclaimed from sagebrush and leveled to permit the planting of crops. Approximately 1 inch per acre of water is needed for its profitable cultivation.

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

Ans. None

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. During the last five years I have seen at least 80 inches of water flowing in the ditch, which water was lifted to the ditch by the use of a pump, from the Snake River. The water in the ditch was distributed to the above described lands to irrigate crops.

(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Payette, County of Payette, State of Idaho, on this 29 day of July, A. D. 1964.

Notary Public.

My commission expires August 1, 1965

24564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHORECEIVED
MAY 25 1964
Department of ReclamationPERMIT NO. 24564**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. Clayton A. Barker, 59, Fruitland, Idaho, Route #1FarmerQues. 2. Are you acquainted with Russell Hyatt, the holder of Permit No. 24564? How long have you known him and where does he reside?Ans. 18 years. Route #1, Fruitland, IdahoQues. 3. Have you read or heard read said Permit No. 24564, 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. The water supply comes from the Snake River and it is about 3 or 4 feetS. W. from the Southeast corner of the Northeast Quarter of Sec. 5, Twp. 7 N.Range 5 W., B. M. in Payette County, Idaho.

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. Approximately 2. cubic feet per second.

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

Ans. The water is used for the irrigation of crops on the farm of Russell Hyatt in Payette County, Idaho. Specifically, the water is used to irrigate 35 acres of land in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 4 T. 7 N., R. 5 W., B. M., Payette County, Idaho, and 42 acres in the NW $\frac{1}{4}$ of Sec. 4, T. 7 N., R. 5 W., B. M., Payette County, Idaho.The land on which the water is used is under cultivation and was reclaimed from sagebrush, making land suitable for cultivation from wasteland.

24564

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

Ans. Low lying land has been flooded in the fall months to provide for waterfowl shooting.

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. The land has been reclaimed from sagebrush and leveled to permit the planting of crops. Approximately 1 inch per acre of water is needed for its profitable cultivation.

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

Ans. None

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. During the last five years I have seen at least 80 inches of water flowing in the ditch, which water was lifted to the ditch by the use of a pump, from the Snake River. The water in the ditch was distributed to the above described lands to irrigate crops.

(Signed) Rayton H. Parker

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 Payette, County of Payette, State of Idaho, on this 21 day of July, A. D. 1917.

[Signature]
Notary Public.

My commission expires August 1, 1918

24564

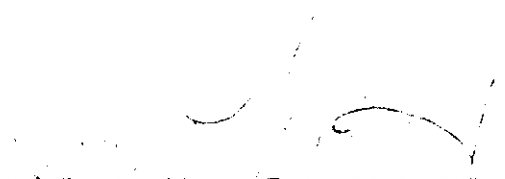
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MAY 25 1964
DEPARTMENT OF COMMERCE

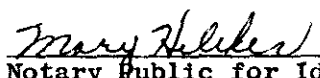
STATE OF IDAHO)
 : ss.
County of Payette)

JOHN K. GATCHEL, being first duly sworn, deposes and says: That he is an attorney at law licensed to practice law in the State of Idaho, with offices in the Professional Building in Payette, Idaho, under the firm name of Daniel and Gatchel, and that on the 15th day of November, 1963, at 2:00 o'clock P.M., he was present in said office and that on said date and at said time, Russell F. Hyatt was present with two witnesses to submit proof of the application to beneficial use of 2.0 cubic feet per second of water from the Snake River. Affiant further states that Vernon Daniel, the Notary Public before whom the proof was to be submitted was absent from the office at said date and time on other business, and that at said date and time no person appeared to object or contest the submission and proof.

DATED this _____ day of May, 1964.


John K. Gatchel

Subscribed and sworn to before me
this 22nd day of May, 1964.


Notary Public for Idaho
Residing at Payette, Idaho

24564

March 19, 1964

Re: Permit No. 24564
Russell F. & Ida E. Hyatt

Russell F. Hyatt
Fruitland, Idaho

Dear Mr. Hyatt:

The legal notice was published in the Payette Independent Enterprise showing you would make proof of beneficial use of water from Snake River on November 15, 1963.

We have no record of ever receiving the depositions. The deposition forms were mailed to Mr. Vernon Daniel with a carbon copy to you.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

24564

November 7, 1963

Re: Permit No. 24564
Russell F. & Ida E. Hyatt

Independent Enterprise
Payette, Idaho

Gentlemen:

On October 14th we mailed you a Notice for Publication, requesting at that time that copy or tear sheet be mailed in for checking purposes.

To date we have not received such copy and ask at this time that one be mailed to this office as soon as possible.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PENTRI
State Water Rights Clerk

HP:ew

24564

October 14, 1963

Re: Permit No. 24564
Russell F. and Ida E. Hyatt

Mr. Vernon Daniel,
Attorney at Law,
Professional Building,
Payette, Idaho.

Dear Mr. Daniel:

This acknowledges the Notice of Proof of ~~Construction of Water Right~~ Application of Water to Beneficial Use under Permit No. 24564, in the name of Russell F. and Ida E. Hyatt. Final Proof is to be made before you, as Notary on the 15th day of November, 19 63, at 2:00 o'clock P.M., at Law Office of Daniel & Gatchel, Idaho.
Payette,

As of this date we have mailed the Notice to the Independent Enterprise Payette, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

~~GEORGE D. GATCHEL~~
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

24564

EPR:pmk
Enc.
cc: Applicant

Re: Permit No. 24564
Russell F. and Ida E. Hyatt

Date: October 14, 1963

Independent Enterprise,
Payette, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to November 15, 1963 the date set for proof; the expense of the publication is to be paid by the applicant's attorney, Vernon Daniel, of P.O.Box 278, Payette, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,



CARL E. TAPPAN
State Reclamation Engineer

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

CET:pmk

24564

VERNON DANIEL
JOHN K. GATCHEL
642-2312

LAW OFFICE
DANIEL & GATCHEL
PROFESSIONAL BUILDING
PAYETTE, IDAHO

SATURDAYS BY
APPOINTMENT ONLY
P.O. BOX 278

October 11, 1963

RECEIVED
OCT 11 1963
DEPT. OF RECLAMATION

Department of Reclamation
State House
Boise, Idaho

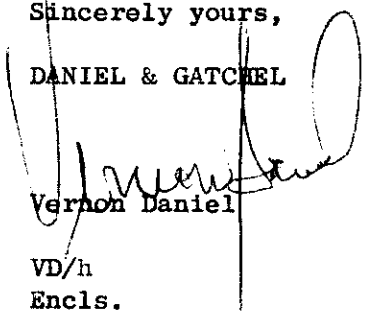
Re: Russell F. Hyatt

Gentlemen:

Returned herewith is your form 10 in duplicate and form 11.
I have made the corrections in accordance with your suggestion.
If these are satisfactory, kindly publish the notice for publica-
tion and have us billed directly.

Sincerely yours,

DANIEL & GATCHEL



Vernon Daniel

VD/h
Encls.

24564

RECEIVED
SEP 30 1963

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DEPARTMENT OF RECLAMATION

(Date) September 26, 1963

(P. O.) P. O. Box 278, Payette, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Independent-Enterprise of
Payette, Idaho published in the
county in which the works are situated.

Payette Co.
Samuel S. Sainel

(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.

24564

Engineer

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER

TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M. on the 15th day of November, 1963,
 at Law Office of Daniel & Gatchel, Payette, County of Payette, State of Idaho, before
Vernon Daniel, a Notary Public, proof will be submitted of the
 application to beneficial use of 2.0 cubic feet per second of the waters of Snake River
 in accordance with the terms and conditions of
 Permit No. 24564 heretofore issued by the Department of Reclamation of the State of
 Idaho.

The name and post office address of the person or corporation holding said permit Russell F. Hyatt and Ida E. Hyatt, Fruitland, Idaho

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

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

The point of diversion of said water is 330 feet distant from the Southeast corner
of the Northeast Quarter, in Section 5, Twp. 7 N., Range 5 W., B. M. in Payette County,
Idaho. cc NE SE Sec 5 T7N R5W

The place where said water is used (LEGAL DESCRIPTION) West 1/2 of the SW 1/4, SE 1/4 of
NW 1/4, South 1/2 of the NE 1/4, North 1/2 of SE 1/4, in Sec. 4, Twp. 7 N., Range 5 W.B.M.

NE 1/4, W 1/2, Sec 4, T7N, R5W.

The date of priority which said user is prepared to establish is November 9, 1958.

24564

CARL E. TAPPAN
 State Reclamation Engineer

October 3, 1963

Re: Permit No. 24564
Russell F. & Ida E. Hyatt

Daniel & Gatchell
Attorneys at Law
Payette, Idaho

Attn: Vernon Daniel

Dear Mr. Daniel:

Enclosed is form to amend the land list shown on a permit and Receipt No. 31836 in the amount of \$2.50. Also returned are the Forms 10 and 11.

The point of diversion would be correct if "SW" is inserted as shown in pencil, or just the 40-acre subdivision in pencil. Presently it indicates diversion in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5.

The land list shows land in Section 3, T. 9 N., R. 5 W. Most of the land described is adjacent and west of the house. I believe that land is irrigated with water from springs south of the house. The land in SE $\frac{1}{4}$ NE $\frac{1}{4}$ is probably in the swamp. If the copy of the permit sent to you shows land in Section 3, it is in error as it should be Sec. 4. The examination at time of completion of works showed 111 acres irrigated in NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 7 N., R. 5 W., adjacent and northeast of the diversion. I believe the land on the river bank is lower than the land in Section 3.

Kindly correct as necessary and return.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form to amend land list
Receipt
Forms 10 and 11

24564

October 3, 1963

Re: Permit No. 24564
Russell F. & Ida E. Hyatt

Daniel & Gatchell
Attorneys at Law
Payette, Idaho

Attn: Vernon Daniel

Dear Mr. Daniel:

Enclosed is form to amend the land list shown on a permit and Receipt No. 31836 in the amount of \$2.50. Also returned are the Forms 10 and 11.

The point of diversion would be correct if "SW" is inserted as shown in pencil, or just the 40-acre subdivision in pencil. Presently it indicates diversion in S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 5.

The land list shows land in Section 3, T. 9 N., R. 5 W. Most of the land described is adjacent and west of the house. I believe that land is irrigated with water from springs south of the house. The land in S $\frac{1}{2}$ NE $\frac{1}{4}$ is probably in the swamp. If the copy of the permit sent to you shows land in Section 3, it is in error as it should be Sec. 4. The examination at time of completion of works showed 111 acres irrigated in N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 7 N., R. 5 W., adjacent and northeast of the diversion. I believe the land on the river bank is lower than the land in Section 3.

Kindly correct as necessary and return.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form to amend land list
Receipt
Forms 10 and 11

24564

September 30, 1963

Re: Permit No. 24564
Lloyd B. Hyatt Estate

Vernon Daniel
Attorney at Law
Box 278
Payette, Idaho

Dear Mr. Daniel:

Returned herewith are Forms 10 and 11, we received today. Also, enclosed is copy of the noted permit, and new forms No. 10.

You will note that the permit record is still in the name of Lloyd B. Hyatt, Estate. We did not receive the \$0.50 fee for recording the Decree of Distribution where it seems that the land involved now belongs to Ida E. Hyatt and Russell E. Hyatt. Our copy of the Decree is the last carbon copy and impossible to read in places. That fee should be paid and proper names shown on Form 10.

The Certificate of Completion of Works, also proof of completion of works show that 2.0 cubic feet per second was the capacity of the pump and so limits the amount of water.

Kindly prepare new forms 10 and return with Form 11, and the \$0.50 fee for the assignment plus \$2.00 fee for the copy of the permit.

Very truly yours,

RALEIGH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Forms 10 and 11
new Forms 10

24564

VERNON DANIEL
JOHN K. GATCHEL
642-2312

LAW OFFICE
DANIEL & GATCHEL
PROFESSIONAL BUILDING
PAYETTE, IDAHO
September 27, 1963

RECEIVED
SEP 30 1963
SATURDAYS BY
APPOINTMENT ONLY
P.O. BOX 278
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. 24564

Dear Mr. Tappan:

Enclosed please find original and one copy of your Form No. 10, and copy of your letter for purposes of proving the permit for Russell F. Hyatt, the Executor of the Lloyd B. Hyatt Estate.

If you find the same in order, will you kindly have publication made and have us billed by the Independent-Enterprise for the publication.

Could you also kindly forward to me a copy of Permit No. 24564, as there is some divergence in the lands which are going to be watered, and I am not sure which is correct.

Sincerely yours,

DANIEL & GATCHEL

Vernon Daniel

Vernon Daniel

VD/h
Enc.

24564

STATE OF IDAHO
DEPARTMENT OF RECLAMATIONRe: Permit No. **24564**

Date:

Russell F. Hyatt, Executor
Lloyd B. Hyatt Estate
Route #1
Fruitland, Idaho**Aug. 30, 1963**Dear **Mr. Hyatt:**

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. **24564** is due not later than **Nov. 17, 1963**. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

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

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

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

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

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,


~~SECRETARY~~ **CARL E. TAPPAN**
State Reclamation Engineer

Enc. Form 10A-11

24564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 24564 Under the)
Provisions of Section 42-311 Idaho)
Code)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 24564 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: November 17, 1958; and,

WHEREAS, On the 20 day of March, 1959 notice to show cause why said permit should not be cancelled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,

WHEREAS, On the 26 day of January, 1959 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 27 day of May, 1959 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 24564, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 24564 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 16 day of July, 1959,

G. M. Carter
State Reclamation Engineer

24564

July 16, 1959

Re: Permit No. 24564

Lloyd B. Hyatt Estate
Russell F. Hyatt, Executor
Route #1
Fruitland, Idaho

Dear Mr. Hyatt:

We enclose Certificate of Completion of Works
issued on Permit No. 24564.

We also enclose departmental receipt No. 29620
in the amount of \$5.00 covering the fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. certificate
receipt

24564

RT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 24564

REPORT ON PROOF OF Completion of Works

Lloyd B. Hyatt, Rt. #1, Fruitland, Idaho

Lloyd B. Hyatt
Rt. #1, Fruitland, Idaho

Permit No. 24564

Examination for Completion of Works

County Payette

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 13 1959

Department of Reclamation

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

Permit No. 24564

This proof is for Completion of Works In Water District No. _____1. Name of applicant Lloyd B. Hyatt2. Source of water supply: Snake River3. Location of point of diversion: Is in the NE¹/₄SE¹/₄ and SE¹/₄NE¹/₄ of Section 5T. 7N R. 5 W.B.M. County of Payette

4. Describe works as they exist, giving dimensions and capacities of same: mtd over edge of river on wooden frame work
7 1/2 hp. single phase Fairbanks Morse motor
horizontal mounted on end.
Parma water lifter belt driven.
8" pipe discharge to open ditch up on bank.

5. Water is used for: irrigation and stock

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE¹/₄ and W¹/₂ of Sec. 4., Twp. 7 N., Rge 5 W. B. M.

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

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

Remarks: Flat dike ditches.

This land has been quite alkali.
And it is necessary to wash the salt out
in places before cropping.

Crops are hay-grain-corn.

R. Hyatt along.

This examination was made on the 5 day of June, 1959(Signed) E. N. Humphrey Examiner.

24564

May 27, 1959

RE: Permit No. 24564
Lloyd G. Hyatt

Mr. Vernon Daniel
Attorney at Law
Payette, Idaho

Dear Mr. Daniel:

We acknowledge receipt of a copy of distribution of the L.B. Hyatt Estate, Deposition of Holder and two witnesses, also affidavit of publication in The Independent-Enterprise, all submitted in proof of Completion of Works on Permit No. 24564.

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

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

Your check in the amount of \$5.00 for the Certificate of Completion of Works, has been received and receipt No. 29620 has been issued for that fee. However, we are holding the receipt in our file until after the above mentioned examination is made and Certificate issued.

Very truly yours,

GEO. N. CANNON
State Reclamation Engineer
By

Chief Clerk

EPR

cc: Mr. Russell F. Hyatt
Rt. #1
Fruitland, Idaho

24564

VERNON DANIEL
PHONE MIDWAY 2-2312

LAW OFFICE
VERNON DANIEL
FIRST SECURITY BANK BUILDING
PAYETTE, IDAHO

SATURDAYS BY
APPOINTMENT ONLY

May 26, 1959

RECEIVED
MAY 27 1959
Department of Reclamation

DEPARTMENT OF RECLAMATION
State House
Boise, Idaho

Attention Mrs. Edna P. Rutledge, Chief Clerk

re: Permit #24564
Lloyd B. Hyatt

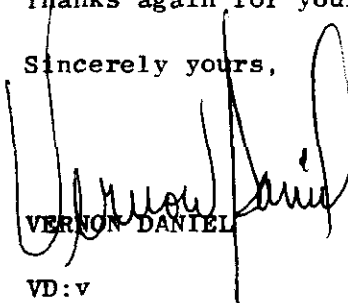
Dear Mrs. Rutledge:

Thank you for your very kind letter of May 25th. It was just exactly what I needed to spur me on and get this finished. I must say I have been terrifically busy since returning from the Senate.

I am enclosing herewith the Proof of Completion of Works for the holder and two witnesses, a certified copy of the Decree of Distribution in the L. B. Hyatt estate, the Affidavit of Publication and my check in the amount of \$5.00. If there is anything further you need, kindly let me know.

Thanks again for your every consideration.

Sincerely yours,


VERNON DANIEL

VD:v
Encs.

24564

IN THE PROBATE COURT OF THE COUNTY OF PAYETTE, STATE OF IDAHO

* * * * *

In the Matter of the Estate of)

L. D. HYATT,

Deceased.)

ORDER OF DISTRIBUTION

* * * * *

Danell F. Hyatt, executor of the Last Will and Testament of L. D. Hyatt, deceased, having, on the 21 day of October, 1967, rendered and filed herein his full account and report of the administration of said estate, which said account was for a final settlement, and having with said account filed a Petition for Distribution of said estate, and said account and petition this day coming on regularly to be heard and proof having been made to the satisfaction of the court that the claim has given notice of the settlement of said account and the hearing on said petition in the manner and for the time required by law, and no exception or objection is arising to said account or petition having been filed or made and the said executor appearing in person and by his attorney of record, Vernon Daniel, of Payette, Idaho, and it appearing to the court after having fully examined the said account and vouchers filed herein that said account is in all respects true and correct and that said account is entitled to be settled, allowed and approved; and the court having duly considered all matters aforesaid, it is ORDERED and DECREED, That the said First and Final Account, to, and the same hereby is in all respects as the same was rendered and presented for settlement, approved, allowed and settled;

That it appearing that all claims and debts against said deceased and the administration of this estate have been paid except the claim of Western Bank, of Payette, Idaho, for attorney's fees and costs in the county of Blaine, and upon attorney and against the said claim and request to the hearing of this matter and the distribution of said property subject to the agreement that as soon as a re-financing transaction has been entered into between Danell F. Hyatt and a mortgage lending organization said claim will be paid; that the transfer and/or

1 inheritance tax due the State of Idaho from the estate of L. B. Hyatt, deceased,
2 has been paid by the heirs of the estate of L. B. Hyatt, deceased; and that said
3 estate is ready for distribution and is in condition to be closed;

4 That it further appearing to the court that said L. B. Hyatt died test-
5 ate on the 2nd day of November, 1964, at Prescott, Arizona, but at the time of his
6 death was a resident of Payette County, Idaho, and left an estate therein consist-
7 ing of real and personal property; that all of said property was the community
8 property of said deceased and Ida E. Hyatt, his surviving wife; and that said de-
9 ceased left surviving him the following named legatees and heirs-at-law, to-wit:

10 Ida E. Hyatt, surviving wife	Fruitland, Idaho
11 Marjorie J. Hawkins, daughter	Camp Wood, Arizona
12 Geraldine Bagley, daughter	Joseph, Oregon, and,
13 Russell F. Hyatt, son	Route #1, Fruitland, Idaho; and,

14 That it further appearing to the court that there now remains in the
15 estate of said decedent for distribution the following described real and personal
16 property, to-wit: --

17 Realty --

18 In Sec. 3, T. 7 N., E. 3 W. -- $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, $\frac{1}{4}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and
19 all NE $\frac{1}{4}$ SW $\frac{1}{4}$ above and except the following described tract: Begin-
20 ning at a point on the North line of the present county road 330
21 feet East of the West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence at right angles
22 to said county road in a Northerly direction a distance of 80
23 feet, thence parallel to the road in an Easterly direction a
24 distance of 120 feet, thence Southerly a distance of 80 feet,
25 thence Westerly along the North line of said road a distance of
26 120 feet to the place of beginning;

27 In Sec. 4, T. 7 N., E. 3 W. -- Gov. Lots 1, 2, 3 and 4; NE $\frac{1}{4}$ SW $\frac{1}{4}$
28 and S $\frac{1}{4}$, being all of said section;

29 In Sec. 5, T. 7 N., E. 3 W. -- Assessor's T $\frac{1}{2}$ SW $\frac{1}{4}$ situate in
30 NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, said tract of land being all of said legal
31 subdivisions lying East of the East bank of the Snake River
32 above and except the South 334 feet thereof;

33 With all above-described lands in Sections 3, 4 and 5, T. 7 N.,
34 E. 3 W. being subject to a 10-year hunting lease dated April
35 30, 1961; and,

36 Outstanding mortgages on the above-described lands --

- 37 a. Mortgage dated April 30, 1961, in favor of The Idaho First
38 National Bank, trustee, securing the sum of \$2,500.00 and
39 covering $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 3, and NE $\frac{1}{4}$ of Sec. 4, T. 7 N., E.
40 3 W., all located in Payette County, Idaho, which mortg-
41 age was increased to \$4,300.00 by Order Authorizing Mortg-
42 age issued by this court on the 17th day of February, 1964;
- 43 b. Mortgage dated April 22, 1964, in favor of M. C. Shalley,
44 securing the sum of \$2,500.00 and covering the $\frac{1}{2}$ SW $\frac{1}{4}$ and

SE1/4 of Sec. 4, T. 7 N., R. 3 W.

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a. Mortgage dated August 16, 1933, in favor of The United States National Bank of Portland, (Oregon), a national banking association, securing the sum of \$7,500.00 and covering the SE1/4 and SE1/4 of Sec. 3, T. 7 N., R. 3 W., in Payette County, except the following described tract, to-wit: Beginning at a point on the Northline of the present county road 520 feet East of the Westline of the SE1/4 of said Sec. 3, thence at right angles with said county road in a Northerly direction a distance of 80 feet, thence parallel to the road in an Easterly direction a distance of 130 feet, thence Southerly a distance of 80 feet, thence Westerly along the Northline of said road a distance of 120 feet to the place of beginning;

1. Mortgage dated March 24, 1934, in favor of United States of America acting through the administrator of the Farmers Loan Administration, securing the sum of \$4,000.00 and covering lands described in paragraph 'c' above and Gov. Lots 1, 2, 3 and 4 in Sec. 4, T. 7 N., R. 3 W.

b. Mortgage dated October 25, 1933, in favor of The United States National Bank of Portland (Oregon), a national banking association, securing the sum of \$5,700.00 and covering lands described in paragraph 'c' above; and,

2. The community interest of L. E. Hyatt and Ida E. Hyatt, husband and wife, in and to the above-described lands are subject to a partnership agreement by and between L. E. Hyatt and Russell F. Hyatt, dated April 2, 1947, and filed of record January 15, 1948, in Record Book 4 of Bonds & Agreements, at page 200, whereby any increase in the physical assets of the partnership from the date of signing said articles of co-partnership are owned one-half by Russell F. Hyatt and one-half by L. E. Hyatt and Ida E. Hyatt; that the value of the improvements placed upon said lands by Russell F. Hyatt and L. E. Hyatt and Ida E. Hyatt, as partners, is \$25,800.00 as appraised by appraisers, and that \$14,400.00 of said improvements are owned by partner Russell F. Hyatt; that the entire property has mortgages against the same in the sum of \$16,345.00, which are liens upon said property in the sum of \$16,345.00 and the appraisers thereby determined that the gross appraised value of the entire property, including all persons' interests, is \$45,000.00, and from this sum should be subtracted one-half the improvements or \$14,400.00, leaving a net appraised value before subtracting mortgages of \$30,600., and that from this sum must be taken the liens against said property in the amount of \$16,345.00, leaving the net appraised value of the real property as \$14,255.00 as the community property of L. E. Hyatt and Ida E. Hyatt;

Agreement made and entered February 3, 1935, by and between L. E. Hyatt and Ida E. Hyatt, husband and wife, and J. C. Swisher for the hauling of sand and gravel across said properties owned by the Hyatts and for the payment of certain sums of money for sand and gravel hauled across said premises.

Certificate of membership in American Harford Association #04678, issued to L. E. Hyatt and dated August 22, 1947,

200 shares of capital stock of Royalties & Minerals, Inc., as evidenced by certificate #5 issued in the name of L. E.

Hyatt and Ida E. Hyatt,

Certificate of Participation in Farmers Supply Co-op of
Ontario and Kyma, Oregon, estate appraised value .30
Capital Reserve account of the Idaho Egg Producers of
Caldwell, Idaho, estate appraised value .34
Brand registration with the Department of Law Enforcement
of the State of Idaho #40302, designated as on left
rib estate appraised value .30
Dairy cows -- Pat, Queen, Blackie, Stub, Benish, Slim, Mari-
lyn, Tiny and Whitey, estate appraised value \$300.00
25 registered Whiteface cows, estate appraised value 1,250.00
Other cattle --
14 heifers (1 year and over), 24 heifers (under 1 year),
10 steers (1 year and over), 22 steers (under 1 year),
and 11 bulls (over 1 year), estate appraised value 1,075.00
1 horse and 1 colt, estate appraised value 20.00
John Deere #3 mower, harrow, Evermann leveler, Kardon plow,
tumbling 2-bottom plow, wing ditcher, 10' disc, rake, farm-
hark, hayrack, chute, cement mixer, combine, ensilage cutter,
trailer, cultivator, soil bar, corn planter, estate ap-
praised value 1,000.00
1 1948 Studebaker truck, motor #23-22004, serial #41243174,
estate appraised value 50.00
1 1947 Kaiser sedan, motor 35-243432, serial #22009042330,
estate appraised value 20.00
1 1939 Studebaker 4-door, motor 349122, serial #2272204,
estate appraised value 100.00
Miscellaneous household furniture, fixtures and equipment,
estate appraised value 100.00

It is hereby ORDERED, ADJUDGED and DECREED, That the assets of the estate
of Ida E. Hyatt, deceased, now remaining in the hands of Russell F. Hyatt, executor,
are and the same are hereby distributed as follows --

To Ida E. Hyatt, surviving wife of said deceased, and Russell F. Hyatt, son
of said deceased, the following described real and personal property in
undivided one-half interests and as the sole and separate property of
each --

Realty --

In Sec. 3, T. 7 N., R. 5 E. -- W1/2, S1/2, S1/2, S1/2 and
all NE1/4 and except the following described tract: Begin-
ning at a point on the North line of the present county road 120
feet East of the West line of said SE1/4, thence at right angles
to said county road in a Northerly direction a distance of 30
feet, thence parallel to the road in an Easterly direction a
distance of 120 feet, thence Southerly a distance of 30 feet,
thence Westerly along the North line of said road a distance of
120 feet to the place of beginning;

In Sec. 4, T. 7 N., R. 5 E. -- Qtr. lots 1, 2, 3 and 4; S1/2
and S1/2, being all of said section;

In Sec. 3, T. 7 N., R. 5 E. -- Assessor's Tax #2 situate in
SE1/4 and NE1/4, said tract of land being all of said legal
subdivisions lying East of the East bank of the Snake River
and except the North 304 feet thereof;

With all above-described lands in Sections 3, 4 and 5, T. 7 N.,

1 E. & Wm. being subject to a 14-year hunting lease dated April
2 24, 1931; and,

3 Outstanding mortgages on the above-described lands —

- 4 a. Mortgage dated April 26, 1931, in favor of The Idaho First
5 National Bank, trustee, securing the sum of \$2,500.00 and
6 covering $\frac{1}{2}$ of Sec. 3, and $\frac{1}{4}$ of Sec. 4, T. 7 N., R.
7 3 Wm., all located in Payette County, Idaho, which mort-
8 gage was increased to \$4,500.00 by Order Authorizing Mort-
9 gage issued by this court on the 17th day of February, 1936;
10 b. Mortgage dated April 25, 1934, in favor of R. C. Shelley,
11 securing the sum of \$2,345.00 and covering the $\frac{1}{2}$ of Sec. 4, T. 7 N., R. 3 Wm.;
12 c. Mortgage dated August 10, 1933, in favor of The United
13 States National Bank of Portland, (Oregon), a national
14 banking association, securing the sum of \$7,500.00 and
15 covering the $\frac{1}{4}$ of Sec. 2, T. 7 N., R. 3 Wm., in Payette County, except the following descri-
16 ed tract, to-wit: Beginning at a point on the northline
17 of the present county road 500 feet East of the Westline
18 of the $\frac{1}{4}$ of said Sec. 3, thence at right angles
19 with said county road in a Northerly direction a distance
20 of 10 feet, thence parallel to the road in an Easterly
21 direction a distance of 120 feet, thence Northerly a
22 distance of 20 feet, thence Westerly along the northline
23 of said road a distance of 120 feet to the place of
24 beginning;
25 d. Mortgage dated March 21, 1934, in favor of United States
26 of America acting through the administrator of the Farm
27 and Home Administration, securing the sum of \$4,500.00
28 and covering lands described in paragraph 'c' above and
29 Gov. Lots 1, 2, 3 and 4 in Sec. 4, T. 7 N., R. 3 Wm.;
30 e. Mortgage dated October 25, 1933, in favor of The United
31 States National Bank of Portland, (Oregon), a national
32 banking association, securing the sum of \$3,750.00 and
covering lands described in paragraph 'c' above; and,
f. The community interest of L. B. Hyatt and Ida E. Hyatt,
husband and wife, in and to the above-described lands
are subject to a partnership agreement by and between L.
B. Hyatt and Russell F. Hyatt, dated April 3, 1947, and
filed of record January 15, 1952, in Record Book 4 of
Deeds & Agreements, at page 200, where it appears
in the personal assets of the partnership from the date
of signing said articles of co-partnership are owned
one-half by Russell F. Hyatt and one-half by L. B.
Hyatt and Ida E. Hyatt; that the value of the improve-
ments placed upon said lands by Russell F. Hyatt and L.
B. Hyatt and Ida E. Hyatt, as partners, is \$20,500.00
as appraised by appraisers, and that \$14,400.00 of said
improvements are owned by partner Russell F. Hyatt;
that the entire property has mortgages against the sum
in the sum of \$10,345.00, which are liens upon said
property in the sum of \$10,345.00 and the appraisers
thereby determined that the gross appraised value of
the entire property, including all personal interests,
is \$45,000.00, and from this sum should be subtracted
one-half the improvements or \$14,400.00, leaving a net
appraised value before subtracting mortgages of \$30,600.,
and that from this sum must be taken the liens against
said property in the amount of \$10,345.00, leaving the
net appraised value of the real property as \$20,255.00
as the community property of L. B. Hyatt and Ida E.
Hyatt;

Agreement made and entered February 3, 1932, by and between L. E. Nytt and Ida E. Nytt, husband and wife, and J. C. Gulcher for the hauling of sand and gravel across said properties owned by the Nytt and for the payment of certain sums of money for sand and gravel loaded across said premises.

Cardinals of the Department of Agriculture, Washington, D.C., 1947.

100 shares of capital stock of Egyptian & American, Inc.,
as evidenced by certificate #3 issued in the name of
agent and John E. Smith.

THE UNIVERSITY OF CHICAGO PRESS

70. In 1921, surviving wife of said deceased, as provided one-fourth in interest, and in 1924, as provided, as provided three-fourths interest, as the sole and separate property of each, the following:

SECRET

Capital Assets Account of the Lake Agassiz Production of
California, Idaho.

Answer supplemented on 11/11/1980. The Department of Law and Public Safety of the State of Rhode Island has assigned no one to this task.

~~Very much - The, women, children, some, others had~~
~~the time and money.~~

THE UNIVERSITY OF CHICAGO

SECRET

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 26

Journal of Management Education 30(6)

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

1. 10-10-1964 10-10-1964 10-10-1964

1. The first group of people who are not allowed to enter the country are those who are considered to be a threat to national security. This includes anyone who is involved in espionage, sabotage, or other activities that could harm the country's interests.

[illegible]

the son of John W. Smith, a lowly State, surviving wife of said deceased, and
her sole and lawful heir, daughter of said deceased, as the
State of Missouri property, and

That it is further intended, AGREED and SAID, That any other property, real or personal or interest which may belong to said estate or in which said estate may have any interest in, and the same in every respect to be held and managed by said J. H. Smith, surviving wife of said deceased, and that said J. H. Smith, and all heirs, executors, or assigns and assigns property of said party

Created by [redacted] on [redacted] at [redacted]

Robert Taylor

PERMIT NO. 24564

RECEIVED
MAY 27 1959

Proof of Completion of Works Department of Reclamation

DEPOSITION OF HOLDER

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

Ans. James H. McCallister, Route #1, Fruitland, Idaho, farmer
Russell J. Hyatt one of the executors under the Will of J. B. Hyatt

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. not acting for a corporation

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. #24564; November 17, 1953; authorized to divert 9.22 cfs per sec
330' SW from the NE corner of SE 1/4 of Sec 4 Twp 7N R 5W B M. Payette County

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. irrigation and stock; lots 1, 2, 3 & 4 in N 1/2 N 1/2 of Sec 4 (80 acres)
tract in SE 1/4 (40 acres) tract in NW 1/4 (83 acres) all in Section
4 T 7 N R 5 W B M

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes, May 1955, 100 miners inches

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Works of diversion completed as described only

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. 100 miners inches of water pumped instead of 9.22 cfs per sec.
And water applied to different fields than set out in original
application

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Farm Water Lifter pump with electric motor located in
pumphouse on banks of Snake river throwing 100 miners inches of water
Cash \$200.00 including pump, motor, electric lines and ditches.

(Sign here.)

Russell J. Hyatt

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

County of Payette, State of Idaho, on this 26th
day of May, A. D. 1959.

Notary Public.

My Commission expires 3-28-61

24564

RT

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

PERMIT No 24564...

RECEIVED
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. James H. McCabe Route #1 Fruitland Idaho farmer

Ques. 2. Are you acquainted with... Russell J. Hyatt..., the

holder of Permit No... 24564... authorizing the diversion of... 9.22... second-feet of the waters of Snake River distant 500 feet from the NE corner of SE 1/4 of Sec 4 Twp 17 N R 5 W B B, Payette County for irrigation & stock purposes? How long have you known him, and where does he reside?

Ans. fourteen years Route #1 Fruitland Idaho

Ques. 3. Have you read or heard read said Permit No... 24564..., 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. Yes, Alluvial river bottom land... 100 miners inches

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? If so, when were they so completed?

Ans. Diversion is fully completed but not in accord with permit as it only pumps 100 miners inches and irrigates about 120 acres

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Two ditches with a combined capacity of carrying 100 miners inches of water with Gamma Water after pump in Pump house on Snake River Banks.

(Sign here.) X James H. McCabe

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 Payette, County of

Payette, State of Idaho, on this 26th day of May, A. D. 1959.

My Commission expires 3-28-61

Notary Public.

24564

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

PERMIT No.

RECEIVED
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. ... A.O. Johnson ... Route # 1 ... Fruitland Idaho farmer

Ques. 2. Are you acquainted with... Russell F. Hyatt ..., the

holder of Permit No. 24564 authorizing the diversion of... 9.22 ... second-feet of the waters

of Snake River distant 3 1/2 miles from the NE corner of SE 1/4 Sec 4 Twp 7 N R 5 W B M at approximately Payette County for irrigation purposes? How long have you known him, and where does he reside?

Ans. Fourteen years ... Fruitland, Idaho

Ques. 3. Have you read or heard read said Permit No. 24564 ..., 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. Yes, Alluvial river bottom land, 100 miners inches

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? If so, when were they so completed?

Ans. Diversion is fully completed but not in accordance with permit as it only pumps 100 miners inches and irrigates about 120 acres,

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Two ditches with a combined carrying capacity of 100 miners inches of water with farm water lifted pump in pump houses on Snake River bank

(Sign here.)

X. A.O. Johnson

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 ... Payette ... County of

Payette, State of Idaho on this 26th day of May A. D. 1959.

My Commission expires 3-28-61

Notary Public

24564

Nº 1063

RECEIVED
MAY 27 1959

RECEIVED
MAR 23 1959
Department of Reclamation

AFFIDAVIT OF PUBLICATION Department of Reclamation

STATE OF IDAHO, }
County of Payette } ss.

Guerrero being duly sworn,
deposes and says:

That he is the owner of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho; that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
4 consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

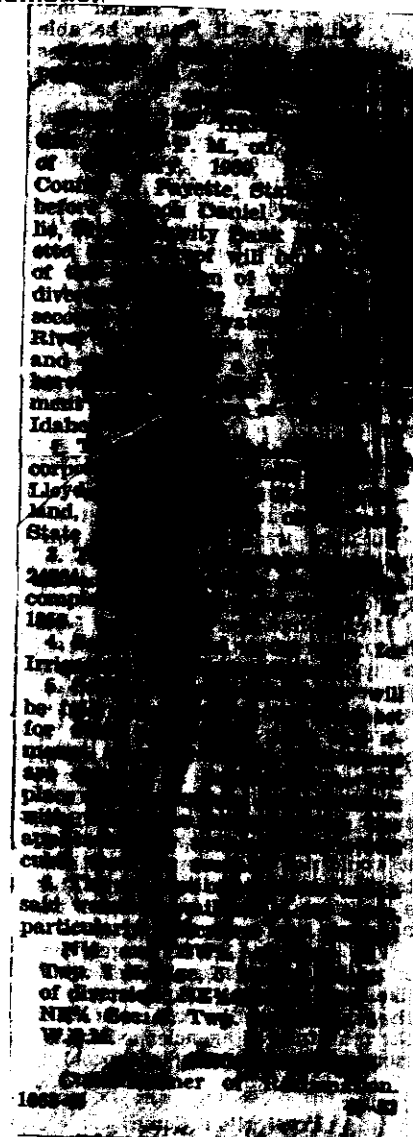
Such notice was published in the issue beginning with
June 29, 1959, and ending
with the issue of July 19, 1959

Fee \$ 20.64

Subscribed and sworn to before me this 21 day
of February, 1959.

Notary Public
Notary Public, Residing at Payette, Idaho.

My Commission Expires May 2, 1959.



24564

May 25, 1959

Re: Permit No. 24564
Lloyd B. Hyatt

Mr. Vernon Daniel,
Attorney at Law,
Payette, Idaho.

Dear Mr. Daniel:

We are writing you once again in connection with Permit No. 24564. On March 20, 1959, a Pre-Cancellation Notice was sent to Mr. Hyatt, but the water right seems so near completion that we are holding off cancellation procedure providing we hear from you and receive the completed forms at once.

On March 26th, Proof of Completion of Works was returned to you for more information, and on April 1st, the necessary forms for making Beneficial Use Proof were mailed you.

To date, none of these forms have been received in this Department. Unless these forms are received in this Department at once, our only alternative will be to cancel this permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/pmk

24564

April 1, 1959

Mr. Vernon Daniel
Attorney at Law
Payette, Idaho

Dear Mr. Daniel:

Enclosed are one form 15, two forms 29,
Depositions of Holder and two witnesses, Proof of
Completion of Works; also two forms 10 and one form
11, with instructions, Notice of proof of beneficial
use of water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

RT:EPR:ew

64564

VERNON DANIEL
PHONE MIDWAY 2-2312

LAW OFFICE
VERNON DANIEL
FIRST SECURITY BANK BUILDING
PAYETTE, IDAHO

SATURDAYS BY
APPOINTMENT ONLY

March 31, 1959

RECEIVED
APR 1 1959
Department of Reclamation

DEPARTMENT OF RECLAMATION
State House
Boise, Idaho

Hyatt permit #24564

Gentlemen:

In view of the fact there are so many errors in the Proof of Completion of Works for the above water permit, could you kindly forward additional forms for Depositions of Witness and Deposition of Holder so I may prepare amended proofs.

I relied too much on the individual testimony of the witnesses who were relying upon the Application for Permit.

Sincerely yours,


VERNON DANIEL

VD:v

24564

March 26, 1959

Re: Permit No. 24564
Lloyd E. Hyatt
Ida E. Hyatt

Vernon Daniel
Attorney at Law
Payette, Idaho

Dear Mr. Daniel:

We will accept the completion of works proof when the proof sets forth the information needed to complete the certificate of completion of works. The information given by the witnesses must corroborate the information given by the holder. All of the information in the depositions are supposed to be made under oath and there should not be contradictory statements.

The completion of works proof is only for installation of the actual works and amount of land irrigated is not necessary. Two cubic feet per second if that is all the pump will deliver, is a small amount of water to spread over 460 acres, however if the applicant is not sure, at this time, of the land he will actually irrigate with the water, the certificate can be made showing the lands as shown in the permit.

There is no doubt about completion of works but a very big doubt about what works have been completed and where. The depositions submitted do not answer the questions.

Don't forget the \$5.00 fee for the Certificate of Completion of Works when the proofs are submitted.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH THOMAS
Office Engineer

24564

RT:ew

VERNON DANIEL
PHONE MIDWAY 2-2312

LAW OFFICE
VERNON DANIEL
FIRST SECURITY BANK BUILDING
PAYETTE, IDAHO

SATURDAYS BY
APPOINTMENT ONLY

March 25, 1959

RECEIVED
MAR 26 1959
Department of Reclamation

STATE OF IDAHO DEPARTMENT OF RECLAMATION
State House
Boise, Idaho

Attention George N. Carter

Permit #24564
Lloyd B. Hyatt

Dear Mr. Carter:

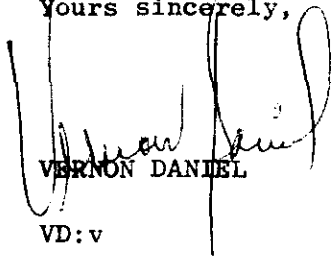
You will recall during the term of the Legislature I came in and talked with you personally in regard to the above Proof of Completion of Works, at which time your secretary prepared the notice of hearing for publication and forwarded the same to The Independent-Enterprise at Payette, and I was told at that time that inasmuch as the works had actually been completed in May of 1955 and if our hearing was had on the 21st day of February, 1959, the Completion of Works would be approved.

On the 21st day of February, 1959, I actually held a hearing and took the depositions of Mr. Hyatt and two witnesses; however, you will recall I was in the Senate and it was not possible for me to actually get the papers typed out and forwarded to you. This was accomplished as soon as I returned from the Senate.

In view of these facts will you kindly re-consider the Completion of Works proof and allow this to be filed in accordance with our prior communication. This will not hazard anyone's waterright, as the water is being drawn from the Snake River.

Thanking you very kindly for your past consideration and help in this matter, I am

Yours sincerely,


VERNON DANIEL

VD:v

24564

March 24, 1959

Re: Permit No. 24564
Russell F. Hyatt
Ida E. Hyatt

Vernon Daniel
Attorney at Law
Payette, Idaho

Dear Mr. Daniel:

Enclosed are depositions of holder and two witnesses, affidavit of publication and copy of distribution of the L. B. Hyatt Estate.

Deposition of holder, Question 3, shows two points of diversion and Question 8 describes one pump. Question 6 shows completion of works of diversion fully completed and complied in all respects with terms of permit. Question 7 shows 100 miner's inches of water pumped instead of 9.22 cubic feet per second.

There is a slip of paper marked "6". "122 acres instead of 461 acres are under cultivation, being 92 in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 30 in Lots 1 and 2 of NE $\frac{1}{4}$, Sec. 4, T. 7 N., R. 5 W., B. M." That is obviously an error in land description.

Depositions of witnesses both show under Question 2 that the permit authorized diversion of 100 miner's inches and both show only one point of diversion though not properly by 40-acre subdivision. No land description given under Question 4.

Kindly return corrected depositions and enclosed papers with the one point of diversion shown and description of the lands which may be irrigated, with the fee of \$5.00 for the certificate of completion of works.

We will then prepare the certificate for 2.0 cubic feet per second to irrigate the described lands.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc.

24564

RT

VERNON DANIEL
PHONE MIDWAY 2-2312

LAW OFFICE
VERNON DANIEL
FIRST SECURITY BANK BUILDING
PAYETTE, IDAHO

700900
SATURDAYS BY
APPOINTMENT ONLY

March 20, 1959

STATE OF IDAHO DEPARTMENT OF RECLAMATION
State House
Boise, Idaho

RECEIVED
MAR 23 1959
Department of Reclamation

Attention Edna P. Rutledge, Chief Clerk

Hyatt Completion of Works
Permit #24564

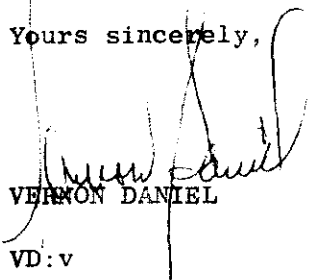
Dear Mrs. Rutledge:

I was able to take the deposition of witnesses on Proof of Completion of Works on the 21st day of February, 1959; however, I was unable to have them typed until now by reason of the fact I was in the State Senate. I am, therefore, enclosing herewith the Affidavit of Publication on the Proof of Completion of Works, the Deposition of James W. McCabe and A. O. Johnson and a certified copy of the Decree of Distribution in the L. B. Hyatt estate, which distributes all property to Russell F. Hyatt and Ida E. Hyatt, his mother.

The water has actually been placed to a beneficial use for more than three years last past, so if you will forward me the necessary papers for proving the application to beneficial use, we will try to complete this appropriative water right immediately.

Thanking you for your kind consideration, I am

Yours sincerely,


VERNON DANIEL

VD:v
Encs.

24564

Post Office Department
OFFICIAL BUSINESS

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

(GPO)

POSTMARK OF DELIVERING

OFFICE

MAR 23

2 PM

1933

IDAHO

24564

Return to State Department of Reclamation

(NAME OF SENDER)

Street and Number,
or Post Office Box,

Room 107 Statehouse

~~REGISTERED~~ ARTICLE

No. ~~CERTIFIED~~

Post Office Boise, Idaho

~~INSURED~~ PARCEL

No.

706

16-12421

State

424564

Form
Rev. 1-

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1 Mrs. Russell Wyatt
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery _____, 19__

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

March 20, 1959

Re: Permit No. 24564

To Lloyd B. Hyatt
Route #1
Fruitland, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 24564
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works Proof which was due November 17, 1958

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 24564
is hereby held for cancellation.

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

Said Permit No. 24564 claims the use of 9.22 cubic feet per second of the
waters of Snake River with point of diversion located
N. 3E 1/4 & SE 1/4 of Sec. 5., Twp. 7 N., Rge. 5 W. B. M., and
was approved November 17, 1953

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

20th day of March, 1959

State Reclamation Engineer.

By _____
Assistant.

24564

Feb. 9, 1959

Re: Permit No. 24564
Lloyd B. Hyatt

Independent Enterprise
Payette, Idaho

Gentlemen:

Re: Legal notice for Lloyd B. Hyatt

Please change "Commissioner of Reclamation" in the
final line to "State Reclamation Engineer".

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer

GNC:HP;ew

24564

77

January 27, 1959

Re: Permit No. 24564
Lloyd B. Hyatt

Mr. Vernon Daniel
Attorney At Law
First Security Bank Bldg.,
Payette, Idaho

Dear Mr. Daniel:

This acknowledges the Notice for Publication of Proof of Completion of Works under Permit No. 24564, in the name of Lloyd B. Hyatt. Final proof is to be made at 2:00 P. M. on the 21st day of February, 1959 before you, as Notary, at Payette, Idaho.

As of January 26th, we have mailed the notice to the Independent Enterprise, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date, and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (3)
cc: Lloyd B. Hyatt

24564

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: **January 26, 1959**

Re: **Permit No. 24564**
Lloyd B. Hyatt

Independent Enterprise
Payette, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **February 21, 1959** the date set for proof;

the expense of the publication is to be paid by the applicant's **Attorney**

Vernon Daniel

of **First Security Bank Bldg., Payette**

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer
By

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

24564

Notice for Publication

PROOF OF COMPLETION OF WORKS

Notice is hereby given that at 2:00 P.M., on the 21st day of February, 1959, at Payette, County of Payette, State of Idaho, before Vernon Daniel, Notary Public/First Security Bank Bldg., Payette, Idaho, proof will be submitted of the completion of works for the diversion of 9.22 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 Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is

Lloyd B. Wyatt, Route #1, Fruitland, Idaho

~~2. The postoffice address of such person or principal place of business of such corporation is~~

County of Payette, State of Idaho.

3. The number of such permit is 24564, and the date set for the completion of such work is Nov. 17, 1958

4. Said water is to be used for Irrigation and stock 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 9.22 cubic feet per second.

6. The amount of lands for which said water is available is 461 acres, particularly described as follows:

N $\frac{1}{2}$ and SW $\frac{1}{4}$ of Sec. 4., Twp. 7 N., Rge. 5 W.B.M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Twp 7 N., Rge 5 W.B.M.

GEO. N. CARTER

Commissioner of Reclamation.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 26, 1959

(P. O.) Rt. #1, Fruitland, Idaho

TO THE STATE RECLAMATION ENGINEER:

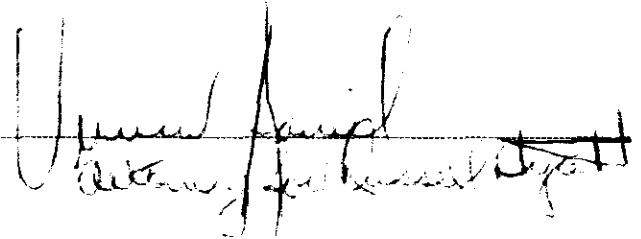
Boise, Idaho

Dear Sir:

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

Independent Enterprise of Payette, Idaho published in

the county in which the works are situated.


Vernon A. Smith
District Engineer, Payette District

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

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

Engineer.

24564

INSTRUCTIONS TO DELIVERING EMPLOYEE

- ☐ DELIVER ONLY TO ADDRESSEE (20¢ additional)
☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X Mrs. Eunice F. Dyett

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

12/22/58

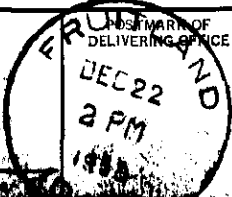
. 19

4.

124564

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

	
REGISTERED NO.	NAME OF SENDER
CERTIFIED NO.	STREET AND NO. OR P.O. BOX
INSURED NO.	CITY, ZONE, AND STATE

POD Form 3811, Dec. 1955

68-16-71642-2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

December 19, 1958

Re: Permit No. 24564

To: Lloyd B. Hyatt
Route #1
Fruitland, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 24564
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works Proof which was due November 17, 1958

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 24654
is hereby held for cancellation.

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

Said Permit No. 24654 claims the use of 2.22 cubic feet per second of the
waters of Snake River with point of diversion located
NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 5., Twp. 7 N., Rge. 5 E., B. M., and
was approved November 17, 1953

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
19th day of December, 1958

Geo. W. Banta

State Reclamation Engineer.

By _____ Assistant.

cc: Farmers Home Administration
Payette, Idaho

24564

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE.

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Re: Permit No. 24564

Boise, Idaho

September 2, 1958

Lloyd B. Hyatt
Route #1
Fruitland, Idaho
Dear Sir:-

Under the terms of your permit No. 24564 you are required to complete you diversion works on or before November 17, 1958. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer

24564

✓
April 9, 1954

RE: Permit No. 24564

Mr. Stanley P. Swenson
County Supervisor
Farmers Home Administration
Payette, Idaho

Dear Mr. Swenson:

We have placed on file your letter of April 8, 1954, in which you state that Lloyd B. Hyatt has mortgaged to the United States of America the land covered by Permit No. 24564.

We have also made a notation in regard to this on our record of said permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br

24564

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Payette, Idaho
April 8, 1954

APR 9 1954
Department of Agriculture

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Application for Permit
24564

Dear Mr. Kulp:

This is to advise you that Lloyd B. Hyatt has mortgaged to the United States of America the land covered by the above captioned permit.

We would appreciate your noting on your records that Mr. Hyatt has assigned the permit to the Farmers Home Administration. We would appreciate your acknowledging this request by signing the enclosed copy of this letter.

Sincerely yours,

Stanley P. Swenson
County Supervisor

Encl.

24564

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

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. 24564

Date November 18, 1953

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

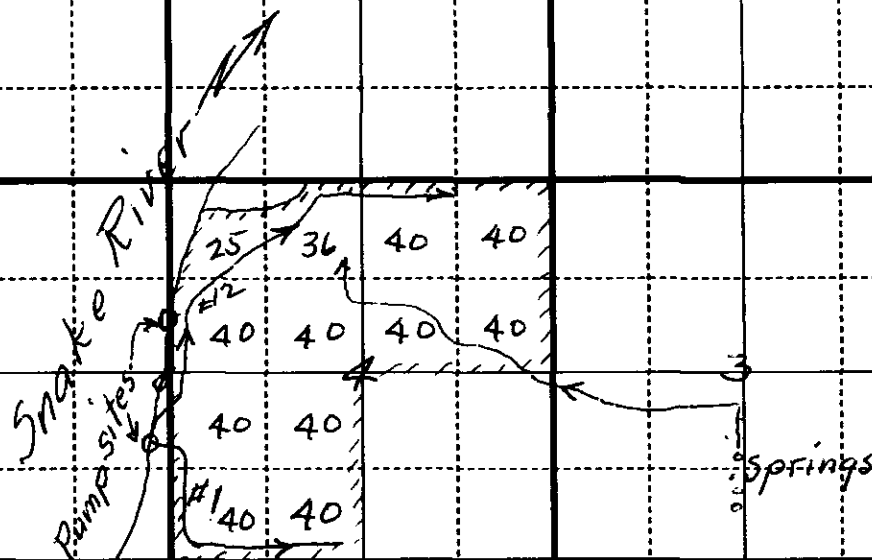
Mr. Lloyd B. Hyatt
Route 1
Fruitland, Idaho

MARK R. KULP
State Reclamation Engineer

24564

NAME OF APPLICANT

Lloyd B. Hyatt

Form No. 0

T 7 N - R 5 W B 1 M

Permit Map No. 2-564
As Approved
NOV 17 1953
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

24564

LEGAL NOTICES

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

Notice is hereby given that at 2:00 P.M. on the 15th day of November, 1963, at Law Office of Daniel & Gatchel, Payette, County of Payette, State of Idaho, before Vernon Daniel, a Notary Public, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 24564 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit Russell F. Hyatt and Ida E. Hyatt, Fruitland, Idaho.

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

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

The point of diversion of said water is 330 feet distant SW from the Southeast corner of the Northeast Quarter, in Section 5, Twp. 7 N., Range 5 W., B. M. in Payette County, Idaho.

The place where said water is used NE $\frac{1}{4}$, W $\frac{1}{2}$, Sec. 4, Twp. 7 N., R. 5 W. B.M.

The date of priority which said user is prepared to establish is November 9, 1953.

CARL E. TAPPAN
State Reclamation Engineer
1833-10-63 35-38

NOTICE FOR PUBLICATION PROOF OF COMPLETION OF WORKS

NOTICE IS HEREBY GIVEN that at 2:00 P. M., on the 1st day of February, 1959, at Payette, County of Payette, State of Idaho, before Vernon Daniel Notary Public, First Security Bank Bldg., Payette, Idaho proof will be submitted of the completion of works for the diversion of 9.22 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 Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Lloyd B. Hyatt, Route No. 1, Fruitland, Idaho, County of Payette, State of Idaho.

3. The number of such permit is 24564 and the date set for the completion of such work is Nov 17, 1958.

4. Said water is to be used for Irrigation and stock 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 9.22 cubic feet per second.

6. The amount of lands for which said water is available is 461 acres, particularly described as follows:

NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec. 4,
Twp. 7 N. Rge. 5 W. B.M. Point
of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ -
NE $\frac{1}{4}$ Sec. 5, Twp. 7 N. Rge. 5
W.B.M.

GEO. N. CARTER
Commissioner of Reclamation.
1063-E 49-52