

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23541

Permit No. 16 646.

District No.

1. Name of Applicant: Isaac H. Nash & David Nash.

Postoffice address: Rt. 1, Weston;

County: Franklin;

State: Idaho.

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 10 cubic feet per second.

3. Source of water supply: Weston Slough & Springs. which is a tributary of Bear River.

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the Lot 3,
of Section 1 , T. 16 S. , R. 38 E. , B. M., County of Franklin.

5. Water is to be used for: irrigation & domestic purposes.

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 500.00.

8. Kind of works: Ditch & dam.

9. Height of dam less than 10 feet; length of dam at top 12 feet; length of dam at bottom 4
feet; material used in dam: Earth and concrete

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

11. Ditch: Width at bottom 5 feet; width at water line 7 feet; depth of water 1
feet; dimensions of flume

Diameter of pipe inches; length of conduit 2 miles.

Average grade per mile 20 feet.

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

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

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

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

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

Isaac H. Nash & David Nash, Applicant.

By I. H. Nash Agent.

Date of first receipt at Department of Reclamation: 9.00 a.m., January 29, 1927.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16646.

Recorded in Book 60; Page 16646. Approved February 8, 1927.

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 April 9, 1927,

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

August 8, 1929.

The whole of said work to be completed on or before

February 8, 1932.

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

February 8, 1933.

Witness my hand this eighth day of February, 1927.

GEO. N. CARTER,
Commissioner of Reclamation.

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 $\frac{1}{4}$	
16 S.	39 E.	7	40	40	40		40	40	40	40	40	40	40		40	40	40		520
Total Number of Acres to be irrigated, 520.																			

RELINQUISHMENT

TO ALL WHOM IT MAY CONCERN:

We hereby relinquish to the State of Idaho, all our right, title and interest in and to five cubic feet per second of the waters obtained under Permit No. 16646 to appropriate the public waters of the State of Idaho.

Signed at Boise, Idaho this 29th day of December, 1931.

(Signed) Isaac H. Nash

David Nash

PERMIT NO. 16646 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Isaac H. Nash and David Nash of Weston, RFD # 1, County of Franklin, and State of Idaho, the holders of Permit No. 16646, issued upon Application No. 23541 bearing date of priority of January 29, 1927, authorizing the diversion of 5 second feet of the waters of Weston Slough, County of Franklin, State of Idaho, for Irrigation & Domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5 second feet of the waters of Weston Slough; that the point of diversion of said waters is in Lot 3, Sec. 1, Twp. 16 S., Range 38 E., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Twp. 16 S., Range 39 E.B.M., Sec. 7 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres; S $\frac{1}{2}$ NE $\frac{1}{4}$ - 80 acres; NW $\frac{1}{4}$ - 160 acres; N $\frac{1}{2}$ SW $\frac{1}{4}$ - 80 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 acres; N $\frac{1}{2}$ SE $\frac{1}{4}$ - 80 acres and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres.

Witness my hand this 1st day of February, A. D., 1932.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made January 29, 1932
Certificate of Completion of Works issued February 1, 1932

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 16646

Comes now, I. H. Nash, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 16646, and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Twp. 15 S., Range 38 E., B.M.
NW $\frac{1}{4}$ Section 1, Twp. 16 S., Range 38 E., B.M.
SW $\frac{1}{4}$ Section 7, Twp. 16 S., Range 39 E., B.M.

making a total of 480 acres.

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

Signed at Preston, Idaho, this 30th day of November, 1944.

I. H. NASH

Date of receipt at office of Department of Reclamation, Jan. 6, 1945.

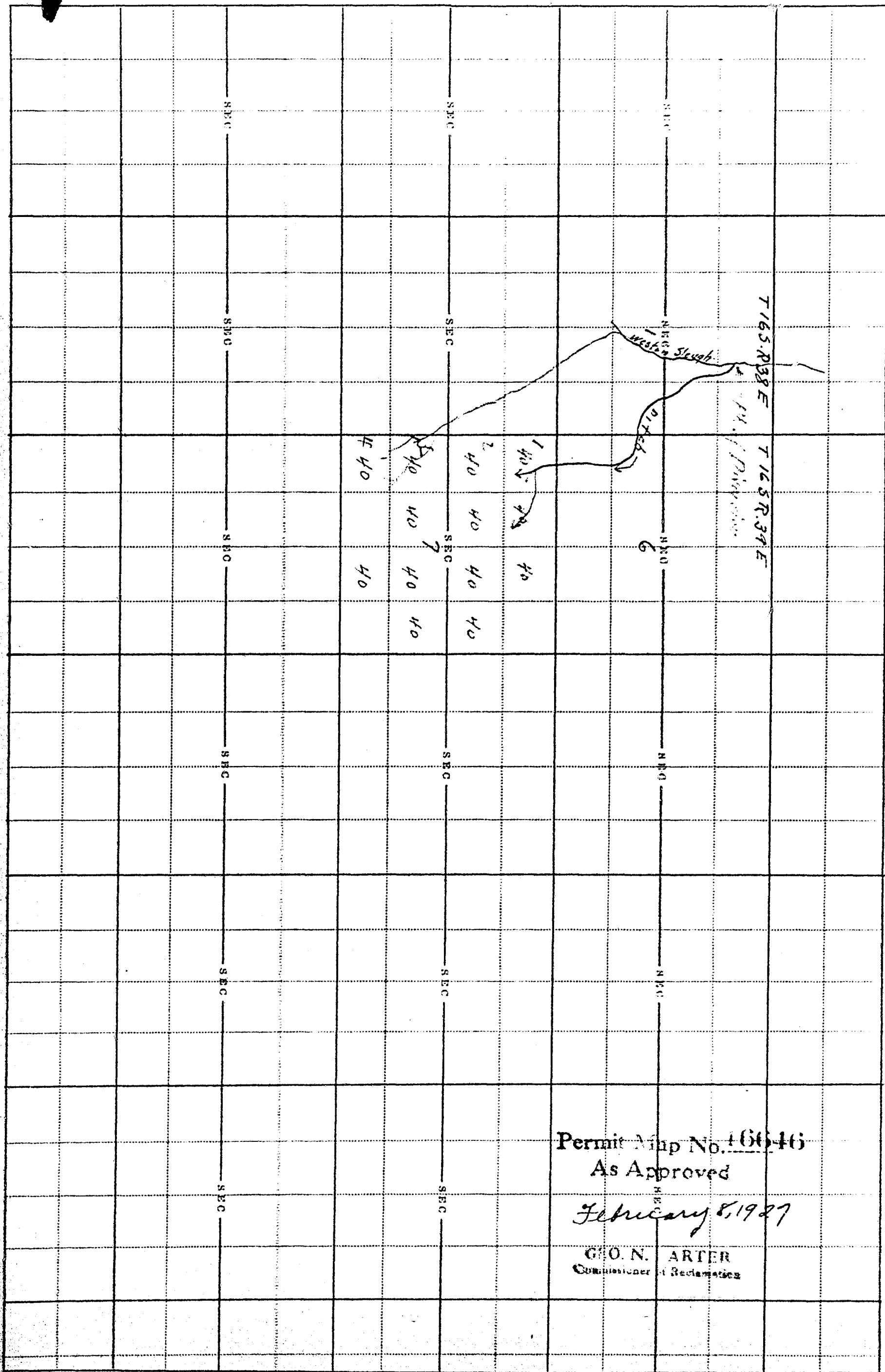
APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 16646. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 4.36 SEC. FL

p. 4276



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

1664

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16646

Mr. I.H.Nash,
State Land Dept.,
Boise, Idaho.
Dear Sir:

Boise, Idaho, February 10, 1927.

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

GEO. N. CARTER.

Commissioner of Reclamation.

16646

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

December 21, 1931
Boise, Idaho

Mr. I. H. Nash
Norton, Idaho

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 16646.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before February 8, 1932. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

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

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

Very truly yours,

R. W. PARIS

Commissioner of Reclamation.

16646

Post Office Department

OFFICIAL BUSINESS

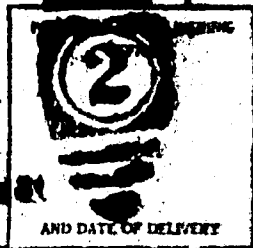
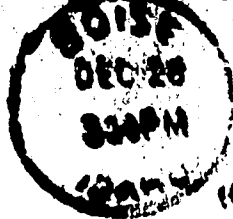
REGISTERED ARTICLE

No. 32060

INSURED PARCEL

No. _____

PERALTY FOR USE TO AVOID POSTAGE TAX



Return to

West J. Rice

(NAME OF RECIPIENT)

Send and Number, }
or Post Office Box, }

BOISE,

IDAHO.

RETURN RECEIPT

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



Samuel

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *12/28*

1931

16646

Form 3811

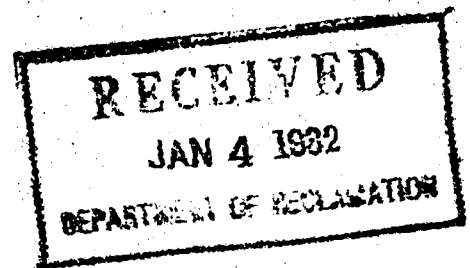
RELINQUISHMENT

TO ALL WHOM IT MAY CONCERN:

We hereby relinquish to the State of Idaho, all ~~our~~ right, title and interest in and to five cubic feet per second of the waters obtained under Permit No. 16646 to appropriate the public waters of the State of Idaho.

Signed at Boise, Idaho this 29th day of December,
1931.

Isaac H. Nash
David Nash



16646

January 28, 1932

Re: Permit No. 16646

MR. GLEN W. NASH
1110 Franklin Street
Boise, Idaho

Dear Sir:

Enclosed herewith is the affidavit of the holder for proof of completion of works on the above permit.

Will you please have the affidavit signed before a notary public and return same to this Department.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

FH/LP
Encl.

16646

Permit No. 16646STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Franklin

} SS

Inaac H. Nash and Donald Nash, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16646, and that his postoffice address is Western R.F.D. 10, Idaho, State of Idaho.Second: That the name of the stream from which said water is to be diverted is Western Slough.Third: That the point of diversion of said water is Lat 3, R. 1, Twp 16 S. R. 3 E.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 8, 1927.Fifth: That the use for which said water is intended is Irrigation & Domestic purpose.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: dam & ditch

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

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 42 feet, length of dam at bottom 4 feet. Material used in construction dirt

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit ditch width at bottom 5 feet, width at water line 2

(State whether ditch, flume or pipe.)

feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is 30 ft feet. Length of conduit is 2 miles.Seventh: That said works are capable of conducting to the place of intended use 5 second feet of water.Eighth: That water appropriated under said permit is available for 520 acres of land described as follows:Twp 16 South, Range 39 East, B.M., Section 7 - NW & NE 1/4 = 40 A. S 1/2 NE = 80 A.; NW 1/4 & N 1/2 SW 1/4 = 80 A.; SW & SW 1/4 = 40 A.; N 1/2 SE 1/4 = 80 A.; and the SW & SE 1/4 = 40 Acres

Ninth: Remarks: That

Subscribed and sworn to before me this

29th day of

(Sign here)

January, 1932

My commission expires

4/16/33

Notary Public.

16646

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

I. H. NASH, Agent
DAVID NASH,
RFD #1 Weston, Idaho

December 12, 1932

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16646, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Feb. 8, 1933, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS

~~RECEIVED~~

Commissioner of Reclamation.

16646

In regard to Permit No. 16646, in the name of I. H. and David Nash-

This was originally for 10 second feet, but reduced to 5 second feet, from Weston Slough and springs tributary to Bear River.

Proof of completion of works was made and certificate issued for 5 second feet on Feb. 1, 1932.

The original date of priority was Jan. 29, 1927. Beneficial use proof was due Feb. 8, 1933. It can be made now or at any time, but the date of priority will be advanced the length of time past due. In other words, if made now, it will be sometime in 1939, instead of 1927. This will not materially affect your right, however, as there is only one filing subsequent to yours- Reuben D. Butters who filed March 23, 1942, for one second foot, diverted in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Twp. 16 S., Range 38 E.

Notice of intention to make this beneficial use proof is to be made in duplicate on Form 10, enclosed, naming the Notary Public before whom the proofs will be made, and setting a date sufficiently far ahead to allow for the four weeks' publication. Both copies of the notice to be returned to this Department, together with Form 11, which is your authorization to have the notice published at your expense in the newspaper that you designate.

In regard to Reservoir Permit No. R-679- Twin Lakes Canal Company- for 2300 acre feet of water to be stored from Mink Creek- which I think is the one you and Mr. Sanford asked about.

The completion of works proof is not due on this until August 27, 1945, so it will not be necessary to do anything about an extension on that until sometime next spring or early summer.

16646

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

Nov 21 1944

(P. O.)

Preston Idaho

STATE RECLAMATION ENGINEER

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Preston Citizen

of

Preston Idaho

, published in

the county in which the works are situated.

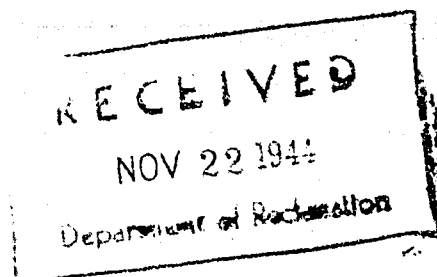
Irving David Nash
By I. D. Nash

(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.

16646



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

Notice is hereby given that at 11:00 A. M. on the 30th day of December, 1944
 at Preston, County of Franklin State of Idaho, before
Clifford Warr, Notary Public, proof will be submitted of the
 application to beneficial use of Five cubic feet per second of the waters of Weston Slough
Weston Slough in accordance with the terms and conditions of Permit No. 16646
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
I. H. Nash, Preston, Idaho, and David Nash, Weston, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is Five second foot

The place where said water is used (if for irrigation, give full and accurate description of the
~~lands irrigated~~) NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Twp. 15 S., Range 38 E., B.M.
N $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Twp. 16 S., Range 38 E., B.M.
S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 7, Twp. 16 S. Range 39 E., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is Weston Slough and Private Ditch

The right to take water from such works is based upon Permit No. 15546

The source of supply from which such water is diverted is Weston Slough

The date of priority which said user is prepared to establish is December 19, 1938

MARK E. KULP

.....
 Commissioner of Reclamation.
 State Reclamation Engineer

16646

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: November 25, 1944

Re: Permit No. 16646

The Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 30, 1944, the date set for proof, the expense of the publication to be paid by the applicant, I. H. Nash & David Nash of Preston, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

A
Encl.

16646

✓
November 25, 1944

Re: Permit No. 16646

Mr. I. H. Nash
No. 34 East 1st So.
Preston, Idaho

Dear Mr. Nash:

We acknowledge receipt of duplicate notice of your intention to make beneficial use proof under the above numbered permit on December 30th, 1944, and your authorization to have same published in the Preston Citizen.

In order to save expense in the cost of publication, I have combined the land descriptions, as it is not necessary in the notice to give the number of acres irrigated in each forty.

But on checking, I am wondering if you meant to include the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, or if it should be the SE $\frac{1}{4}$ SW $\frac{1}{4}$. I am enclosing a plat, on which I have marked the location of the various subdivisions, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ seems so apart from the rest, is what has raised the question.

So as to be sure and have the right description, and to save time in sending back and forth, I am enclosing a copy of the notice, together with letter to the Preston Citizen about publication. If this is correct as to description will you please take in to the Citizen Office- and if not correct, will you please change it before taking it in to the Citizen- and let us know about any changes that you make.

The priority date will be December 18, 1938- as explained in my recent letter to you- as the date set for proof is 11 years, 10 months and 22 days past the due date of Feb. 8, 1933.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

16646

Re: Permit No. 16646

December 16, 1944

Mr. I. H. Nash
No. 34 East 1st South
Preston, Idaho

Dear Mr. Nash:

I was glad to have your letter of December 14th- and am writing you at once in regard to the proofs that you are to make of beneficial use under this permit- on December 30th.

The proofs are to be made on the forms enclosed, being one for the holder and one for each of two disinterested witnesses. They are to be made before the Notary Public, Mr. Warr- and sent in to this Department, together with the affidavit of publication from the Preston Citizen, showing the four weeks' publication.

That completes your proofs- but before final action is taken and a license issued, Mr. Tolman, the Field Engineer for the Department, makes an examination and report- upon receipt of which you are notified as to the fees- which are at the rate of \$2.00 for each 40-acre subdivision in which there are acres irrigated from this water.

I have a notation to send these forms to Mr. Warr on the 20th- as it is our practice to send them out to the Notary about ten days ahead of the date set for proof. But quite often we send them to the permit holder, if they ask for them- as it is helpful to know ahead of time just what questions have to be answered.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

16646

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

Notice is hereby given that at 11.....A. M. on the 30th day of Dec....., 1944
 at Preston....., County of Franklin..... State of Idaho, before
 Clifford Warr..... proof will be submitted of the
 application to beneficial use of Five..cubic feet per second of the waters of Western
 Slough.....in accordance with the terms and conditions of Permit No. 16646
 heretofore issued by the Reclamation Dept..... of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
 L. H. Ward, Preston, Ida. and David Ness, ^{Medan} ~~Ida~~

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

The amount applied to beneficial use is Four seconds cut.....

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) 12 A. in NW SW 10 A. in NE SW 2 A. in SW SW
 25 A. in SE SE 4 all in Sec 36 13 S R 38 E B M. also 20
 in Lot 3 (on the NW 4) Sec 1 Twp 16 S R 38 E B M. also
 Lots 2 & 3 sec 2 Twp 16 S R 39 E Boise M. redon
 also 40 A. in the SE 4 q. NW 4 and NE 4 q. S 4 Sec 7 Twp 16 S R 39 E
 also 20 A. in S 2 S W 4 Sec 7 Twp 16 S R 39 E B M.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is Western Slough & Private ditch.....

The right to take water from such works is based upon Permit No. 16644.....

The source of supply from which such water is diverted is Western Slough

The date of priority which said user is prepared to establish is Jan 29 1927...

.....
 Commissioner of Reclamation.

16646

SCALE: ONE INCH TO ONE MILE

Township

16-39

Range

6	5	4	3	2	1
7	8	9	10	11	12
13	17	18	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

16646

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

Ans. 5' per foot

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. We are the owners to whom permit was issued

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

Ans. During whole irrigation season, have used all during dry part of the year, and has been used continuously for 20 years on all of it and 30 years on some of the land

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

Ans. Some water has been applied to SW⁴ NE⁴, NE⁴ SW⁴ Sec 7 T14S R35 E.B. M. From the Twin Lakes Canal Co Canal - none in late years except about 25 A.

(Sign) David D. Ash

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 Preston, County of Franklin,

State of Idaho, on this 30 day of December, 1944. D. 1944

Clifton Hays

My commission expires Dec 17 1948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16646

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. Jules Nash - 35 - Weston Idaho - Farming
Weston Idaho

Ques. 2. Are you acquainted with J. A. and David Nash, the holder of Permit No. 16646? How long have you known him and where does he reside?

Ans. yes - 35 yrs. Weston Idaho

Ques. 3. Have you read or heard read said Permit No. 16646, 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. Weston Slough & River Earth built Dam steel
Pipe with steel head gate. Part through Weston slough and
Private ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 5 cu ft

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

Ans. Irrigation and stock water NW⁴ & W⁴ NE⁴ SW⁴ SW⁴ & W⁴
SE⁴ SW⁴ all in sec. 36 T15 S R38 E Bm 51A irrigated
Lot 3 sec 1 Twp. 16 S 31 E Bm. 20A irrigated Lots 2 & 3 sec 7 Twp 16 S
R39 E Bm. 69A irrigated SE⁴ & W⁴, NE⁴ SW⁴ sec 7, Twp. 16 S
R39 E Bm 60A irrigated. SE⁴ & W⁴ sec 7. T16 S R38 E 20A
irrigated - all cultivated land

16646

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

Ans. Sandy loam

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

Ans. Sandy loam. Some sloping flooders. Sufficient to produce good crops and Pastureage

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. I have lived & worked with the Applicants all my life - and helped develop the system

(Signed) J. W. Nash

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 Trenton, County of Franklin, State of Idaho, on this 30 day of December, A. D. 1944.

My commission expires Dec 17 1948

Dixon May
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16646

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. St. Maurice Lingey - 34 - Preston Idaho - Farming -
Preston Idaho

Ques. 2. Are you acquainted with J. H. & David Nash, the holder of Permit No. 16646? How long have you known him and where does he reside?

Ans. yes - 25 yrs - J. H. & David Nash live at Preston

Ques. 3. Have you read or heard read said Permit No. 16646, 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. Weston Slough & Reservoir East built dam steel pipe
with steel head gate Part thro Weston Slough & Private
ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 5 sec ft

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

Ans. Irrigation and stock water water NE 1/4 SW 1/4 Sec 7 T15S R38E
all in sec 36 T15S R38E Bm. 51 A irrigated.
Lot 3 sec 1 Twp 16S. 38E Bm. 20 A irrigated. Lots 2 & 3 Sec 7 Twp 16S
R39E Bm. 69 A irrigated. SE 1/4 NW 1/4, NE 1/4 SW 1/4 Sec 7 Twp 16S
R39E Bm. 60 A irrigated. SE 1/4 SW 1/4 sec 7 T15S R38E 20 A
irrigated - all cultivated land 16646

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

Ans. Sandy, Loam

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

Ans. Sandy Loam Same slopping flooding sufficient to produce good crops and Pastureage

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. I have lived and farmed as neighbours also has worked on their farms.

(Signed) H. Maurice Tingley

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 Preston, County of Franklin, State of Idaho, on this 30 day of December, A. D. 1944.

My commission expires Dec. 17 1948

Edison M. M.
Notary Public.

AFFIDAVIT OF PUBLICATION

W. D. Mac Knight

Printer of The Preston Citizen,
a newspaper published weekly at
Preston, Franklin County, Idaho,
do solemnly swear that the notice
as per clipping attached was pub-
lished in the regular and entire
issue of said newspaper, and not
in any supplement thereof for

four consecutive weeks,
commencing with the issue dated

Nov. 30, 194*4*

and ending with the issue dated,

Dec. 21, 194*4*

W. D. Mac Knight

Signature.

Subscribed and sworn to be-
fore me this *29* day of

December, 194*4*

Clarence H. Hays

(SEAL) Notary Public.

Preston, Idaho

My commission expires:

Dec 17, 194*8*

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICA- TION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
11:00 A. M. on the 30th day of
December, 1944, at Preston,
County of Franklin, State of Ida-
ho, before Clifford Warr, Notary
Public, proof will be submitted
of the application to beneficial
use of Five cubic feet per second
of the waters of Weston Slough
in accordance with the terms and
conditions of Permit No. 16646
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

The name and postoffice ad-
dress of the persons holding said
permit are I. H. Nash, Preston,
Idaho, and David Nash, Weston,
Idaho.

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

The amount applied to bene-
ficial use is Five second feet.

The place where said water is
used is NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section
36, Twp. 13 S., Range 38 E., B.M.,
N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 1, Twp. 16 S.,
Range 38 E., B.M., S $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ Section 7, Twp. 16 S.,
Range 39 E., B. M.

The name of the canal or ditch
or other works by which said wa-
ter is conducted to such place of
use is Weston Slough and Private
Ditch.

The right to take water from
such works is based upon Permit
16646.

The source of supply from
which such water is diverted is
Weston Slough.

The date of priority which
said user is prepared to establish
is December 19, 1938.

MARK R. KULP,
State Reclamation Engineer
48-51

RECEIVED

JAN 2 1945

Department of Reclamation

16646

Charles C. Gossett

January 3, 1945

Mr. I. H. Nash
No. 34 East 1st South
Preston, Idaho

Dear Mr. Nash:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication from the Preston Citizen, all in connection with beneficial use proof under your Permit No. 16646.

These are all in order, but inasmuch as the land description is somewhat different from the description in the original application and permit, it is necessary for you to execute the enclosed form of application for amendment. This really should have been done before the proof was made, so you will note that I have dated it back. Please sign this, and return to this department.

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 say just when this examination will be made, since this department has but one field engineer who makes examinations all over the state.

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

We are returning the statement from the Preston Citizen, which was evidently enclosed by mistake, as you understand that the cost of publication is to be paid by you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encl.

16646

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 16646

Comes now I. E. Nash State Reclamation
Engineer, and represents to the Commissioner
of Reclamation of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 16646, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Twp. 15 South, Range 38 East, B.M.

N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 1, Twp. 16 South, Range 38 East, B.M.

S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 7, Twp. 16 South, Range 39 East, B.M.

making a total of 480 acres.

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

Signed at Preston, Idaho, this 30th day of November, 1944

I. E. Nash

Date of receipt at Office of Department of Reclamation Jan 6-1945

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp State Reclamation Engineer, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 16646. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp

Commissioner of Reclamation
State Reclamation Engineer

(Over)

16646

Charles C. Gossett

January 8, 1945

Re: Permit No. 16646

Mr. I. H. Nash
No. 34 East 1st South
Preston, Idaho

Dear Mr. Nash:

We acknowledge receipt of your application for amendment to the land list in connection with Permit No. 16646, on Weston Slough, and same has been approved by the State Reclamation Engineer, and duly recorded.

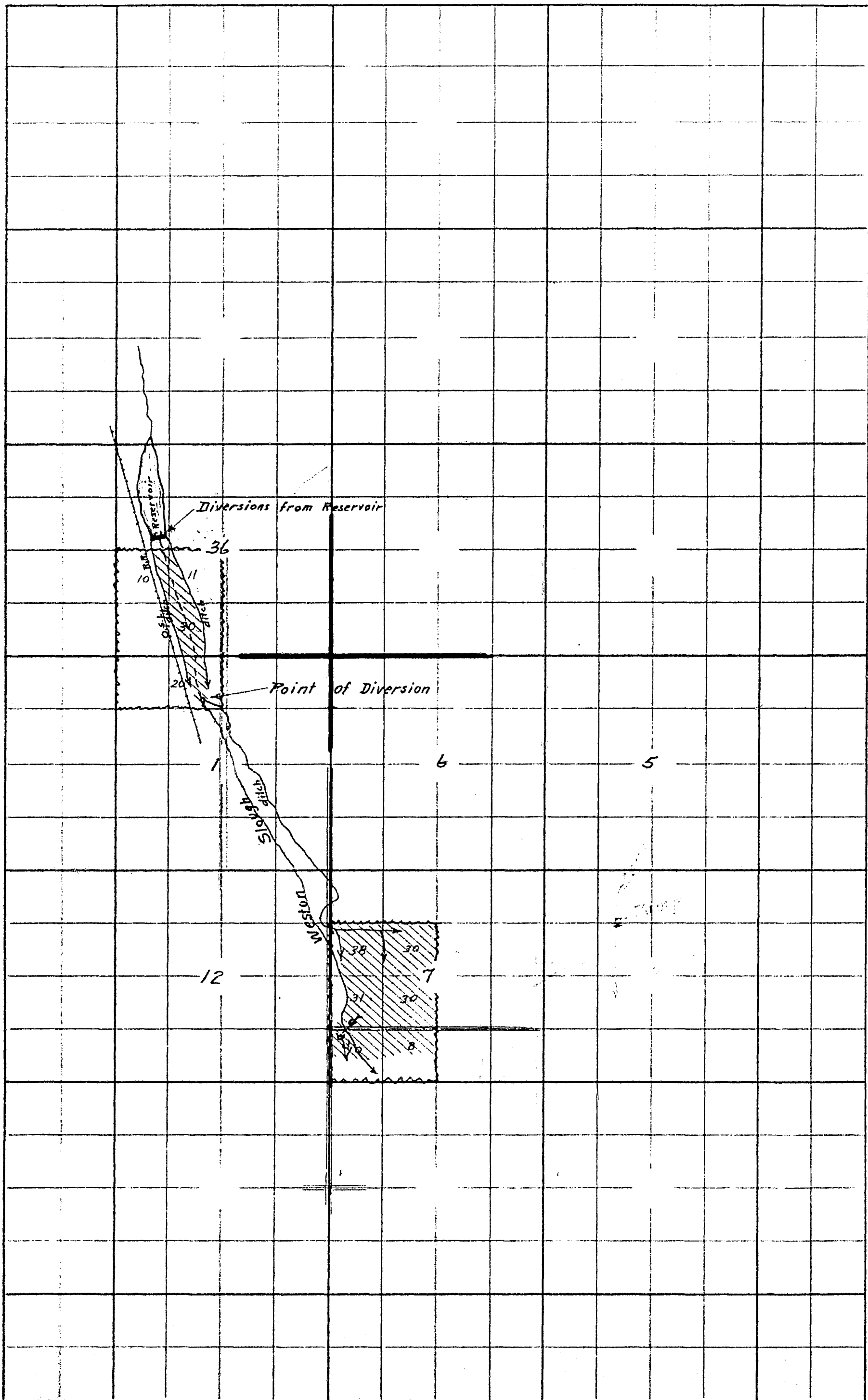
As mentioned in our letter of January 3rd, Mr. Tolman will try and contact you at the time he makes the field examination- which will probably not be until some time in the spring or early summer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

16646



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16646

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Isaac H. Nash & David Nash, Preston, Idaho

2. Source of water supply: Weston Slough

3. Location of point of diversion: Is in the N¹/₂ NW¹/₄ of Section 1

T. 16 S. R. 38 E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: Diversion Dam 750ft. long, Height 10ft. Lower slope 1¹/₂ X 1, Upper slope variable, due to wave action. Spillway 10ft. wide, Service outlet controlled by "Hardesty vertical slide gate. Ditch capacity adequate.

5. Water is used for: Irrigation

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

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

SW¹/₄ Section 36, Twp. 15 S. Range 38 E., B.M.

N¹/₂ NW¹/₄ Section 1, Twp. 16 S., Range 38 E., B.M.

S¹/₂ NW¹/₄, SW¹/₄ Section 7, Twp. 16 S., Range 39 E., 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? Bear River

Remarks: It was recommended to Mr. Nash that the diversion dam be strenghtened by replacing eroded material on the upper slope of the dam to a standard width of not less than 12 feet, with final upper and lower slopes of 3-1, and 2-1 respectively, and also that the upper slope be lined with Rock Rip-rap.

This examination was made on the 24th day of May, 1945

(Signed)

Fred A. Peterson
Examiner.

16646

December 29, 1945

Re: Permit No. 16646

Mr. I. H. Nash
Preston, Idaho

Dear Mr. Nash:

We enclose herewith License and Certificate of Water Right issued under the above numbered permit in the name of yourself and David Nash, confirming your right to the use of 4.36 second feet of the waters of Weston Slough, with priority of December 19, 1938, for irrigation and domestic use on 218 acres as described in Section 36, Township 15 South, Range 38 East, B.M., Section 1, Township 16 South, Range 38 East, B.M., and Section 7, Township 16 South, Range 39 East, B.M., Franklin County.

We also enclose Departmental Receipt No. 19273 for the \$20.00 fee paid by you in connection with this final proof- being at the rate of \$2.00 for each 40-acre subdivision in which the land is situated.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

16646

Certified copy of
Permit or license 16646

J H Nash & David Nash

from

Weston Slough

Send to Anne Nash Weston & da

16646

16646

August 16, 1949

Mr. Ariel Nash
Weston, Idaho

Dear Mr. Nash:

As per your telephone request, we enclose
a certified copy of License and Certificate of Water
Right issued under Permit No. 16646 in the name of
Isaac H. Nash and David Nash.

The fees for making this certified copy is
\$1.50 for which you may send us your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

16646

16646

September 14, 1949

Mr. Ariel Nash
Preston, Idaho

Dear Mr. Nash:

We have not yet received the \$1.50 for the certified copy of License and Certificate of Water Right issued under Permit No. 16646 in the name of Isaac H. Nash and David Nash.

No doubt you have overlooked this, so we are bringing the matter to your attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

16646

Weston
Sept. 19-19

Dept of Reclamation
Boise Id

Dear Sir.

Enclose find check amounting to
150. for certified copy of water certificate
Thanking you for this service.

Sincerely yours,

W. T. Wash.

16646

16646 ✓
September 20, 1949

Mr. Ariel Nash
Weston, Idaho

Dear Mr. Nash:

In reply to your letter of September 19,
we enclose Departmental Receipt No. 21820 for the
\$1.50 fee paid by you in connection with certified
copy of License and Certificate of Water Right is-
sued under Permit No. 16646 in the names of Issac
H. Nash and David Nash.

Very truly yours,

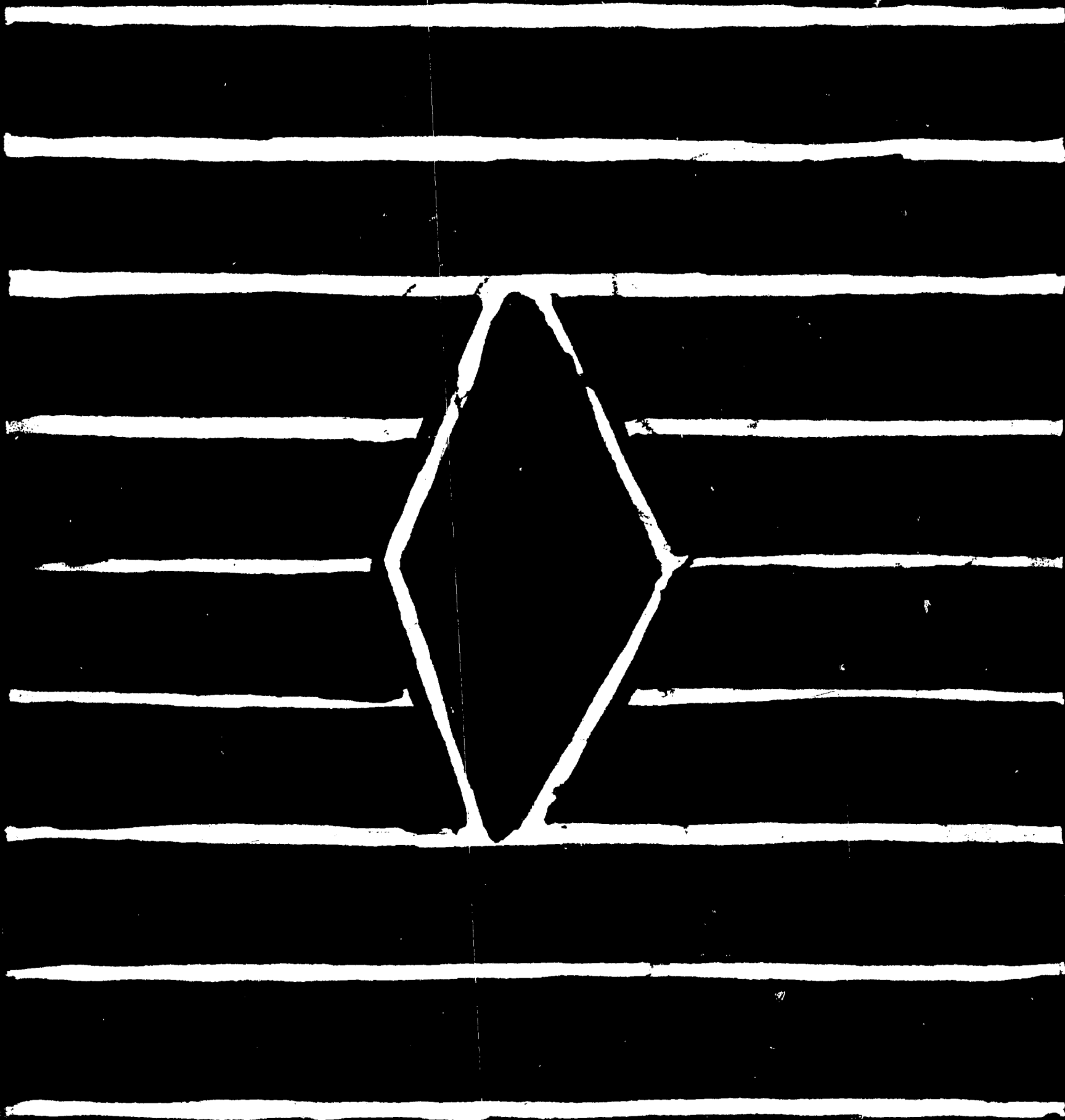
MARK R. HULP
State Reclamation Engineer
By

ROY E. THOMPSON
Supervisor of Water Distribution

RHT:bh

Enc.

16646



State of Idaho
License and Certificate of Water Right

Water License No. 16646
Water District No.

Amount 4.36 second feet
Priority December 19, 1938

THIS IS TO CERTIFY that ISAAC H. NASH and DAVID NASH of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 29, 1927; that Permit No. 16646 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5 second feet, was issued thereunder on February 1, 1932, showing that said works were completed on the 29th day of January, 1932; and that on the 30th day of December, 1944,

ISAAC H. NASH and DAVID NASH

of Preston and Weston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Weston Slough, a tributary of Bear River, for the purpose of irrigation and domestic use, under Use Permit No. 16646 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 7 of Licenses, at page 4276, on the 29th day of December, 1945;

The right hereby confirmed dates from December 19, 1938;

The Point of Diversion is located in Lot 3 in the 14 Sec. 1, Tp. 16 S., R. 38 E., B. M. Franklin County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	38 E.	36	NE 1/4 SW 1/4	-	11
			NW 1/4 SW 1/4	-	10
			SW 1/4 SW 1/4	-	-
			SE 1/4 SW 1/4	-	30
16 S.	38 E.	1	NE 1/4 NW 1/4	-	20
			NW 1/4 NW 1/4	-	-
16 S.	39 E.	7	SW 1/4 NW 1/4	-	38
			SE 1/4 NW 1/4	-	30
			NE 1/4 SW 1/4	-	30
			NW 1/4 SW 1/4	-	31
			SW 1/4 SW 1/4	-	10
			SE 1/4 SW 1/4	-	8
Number of acres actually irrigated					218

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

State Reclamation Engineer

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 29th day of December, 1945

MARK R. KULP

Commissioner of Reclamation
State Reclamation Engineer

(SEAL)