

No. 19663

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

Application No. 27182
Permit No. 19663
District No.

1. Name of Applicant: VERN HINCKLEY

Postoffice address: R. 1, Preston

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:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Two (2)

cubic feet per second.

3. Source of water supply: Waste and drain water

which is a tributary of

4. Location of point of diversion:

feet distant from the At the SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ corner of Section 15, T. 16 S., R. 39 E., B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 15, T. 16 S., R. 39 E., B. M., County of Franklin

5. Water is to be used for Irrigation

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

(a) Point of use of water:

feet distant from

corner of Section

T., R., B. M., in the

of Section

, T.

, R.

, B. M.

(b) Amount of power generated:

H. P., under

feet head.

(c) Water is to be returned to

at a point

feet

distant from the

corner of Section

, T.

, R.

, B. M., in the

of Section

, T.

, R.

, B. M.

7. Estimated cost of works: \$ 150.00

8. Kind of works: Cement dam, culvert and ditch

9. Height of dam 4 feet; length of dam at top 10

feet; length of dam at bottom 10

feet; material used in dam: Cement

10. Size of headgate: Width 2 $\frac{1}{2}$

feet; height 3

feet;

11. Ditch: Width at bottom 3

feet; width at water line 4

feet; depth of water 2

feet;

dimensions of flume:

Diameter of pipe 16

inches; length of conduit One

miles.

Average grade per mile 2

feet.

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

~~year~~

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

No

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.

A. V. HINCKLEY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:30 P. M. June 29, 1945

Returned to applicant for correction: July 3, 1945

Corrected application received: July 26, 1945

Approval of State Reclamation Engineer

The number of this permit is 19663

Recorded in Book 71 Page 19663 Approved August 3, 1945

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 October 3, 1945

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 November 3, 1945

The whole of said work to be completed on or before February 3, 1946

Beneficial use of water appropriated in accordance herewith, to be made on or before February 3, 1946

Witness my hand this 3rd day of August, 1945

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT

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 3rd

day of August, 1945.

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By CHARLES C. GOSSETT

Governor

Remarks: This is waste and drain water from waste water from a private drain. Water is used from private drains, and then the waste water from this use of water is run off in a constructed ditch and barrow pit and this water is taken from there.

14.

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	
16 S.	39 E.	23					40	40	40,	40									160
14-A:	Existing	water rights and/or valid	permits appurtenant to the lands to be irrigated are- None.																
APPROVAL OF STATE RECLAMATION ENGINEER I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the comple of construction work under Permit to appropriate the public waters of the State of Idaho, No. 19663, to Febryary 3 Witness my hand this 28th day of December, 1945. MARK R. KULP State Reclamation Engineer																			

PERMIT NO. 19663
Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that VERN HINCKLEY, of Preston, County of Franklin, and State of Idaho, the holder of Permit No. 19663, issued upon Application No. 27182, bearing date of priority of June 29, 1945, authorizing the diversion of Two (2) second feet of the waters of Waste and drain water, County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said waste and drain water; that the point of diversion of said waters is in the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 16 South, Range 39 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northwest Quarter (NW $\frac{1}{4}$) Section 23, Township 16 South, Range 39 East, B.M.

Witness my hand this 23rd day of December, A. D. 1946.

Proof of completion of works made December 21, 1946
Certificate of completion of works issued December 23, 1946

MARK R. KULP
State Reclamation Engineer

PERMIT ISSUED FOR 0.16 SEC. FL

Page 6878

Trans # 1027



CHARLES C. GOSSETT
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 8, 1945

Mr. Vern Hinckley
Route # 1
Preston, Idaho

Dear Mr. Hinckley:

We are in receipt of your application for permit to appropriate two second feet of water from waste and drain water, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 16 South, Range 39 East, B.M.

The filing fee required in connection with this application amounts to \$5.25- being at the rate of \$5.00 for the first second foot, and 25 cents for each additional second foot.

Upon receipt of this fee, the application will be given a number and a starting date.

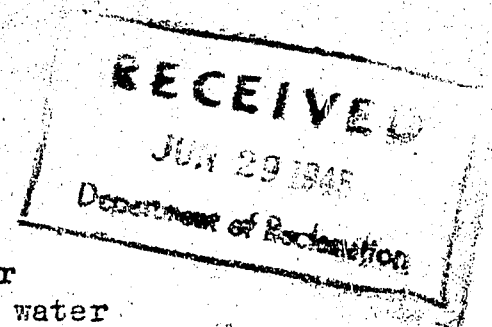
Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannie L. Anderson*
Chief Clerk

A

Gentlemen,
Please find enclosed
Check for five dollars twenty five cents
(\$5 $\frac{25}{100}$) to cover filing fee
Thank you
Respectfully
Vern Hinckley
19663



July 3, 1945

Re: Application No. 27182

Mr. VERN HINCKLEY
Route # 1
Preston, Idaho

Dear Mr. Hinckley:

We acknowledge receipt of your check for \$5.26 in payment of filing fee on your application for permit to appropriate two second feet of waste or drain water in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 16 South, Range 39 East, B.M.

Your application does not state whether this water is diverted from a natural drain or from a constructed ditch belonging, perhaps, to an irrigation or drainage district.

Under Remarks, please give information as to this, and if the latter it will be necessary to obtain written permission from such district before the application can be approved.

We are returning the application for this information, and please also answer Question 14-A, at the bottom of the second page.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19663

July 21, 1945

Re: Application No. 27182

Mr. Vera Hinckley
Route 1
Preston, Idaho

Dear Mr. Hinckley:

We acknowledge return of your application No. 27182, but it still does not give the necessary information requested in office letter of July 5th.

You state that the waste and drain water for which you apply is waste water from a private drain which is run off in a constructed ditch, but you do not give the original source of the water into this drain.

This department can only accept filings on unappropriated public water, and we are unable to tell whether the water applied for can be classified as public or private water.

Please advise us definitely as to the original source of the water, and the owner of the drain and constructed ditch described in your application.

If the water is taken from a private ditch it will be necessary to obtain permission of the owner before the application can be approved.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19663

R.F.D. #1

Preston, Idaho

July 25, 1945

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Application No. 27182

Dear Sir:

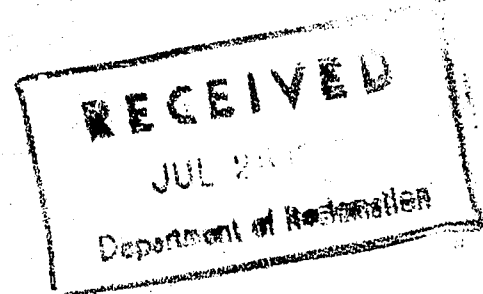
The waste and drain water applied for under application No. 27182 is waste water from a private drain. The private drain is owned by Henry H. Rawlings and is an open drain. The original source of the water rising in this drain apparently comes from land which contains too much water. This water, naturally, drains into the drain constructed by Henry H. Rawlings, and is owned by him.

The water rising in this drain is used by Henry H. Rawlings for the purpose of irrigation. After it is used by Mr. Rawlings, the waste water is caught in a constructed ditch and is used by Mr. Vern Hinckley. A portion of this ditch which catches this waste water belongs to Vern Hinckley. It is the waste water which Mr. Rawlings does not use that is desired to be filed upon by this application. The drain owned by Mr. Henry H. Rawlings was completed during 1944.

Mr. Rawlings has filed on the water which rises in the drain, but is willing to allow Mr. Hinckley to file upon surplus drain water and waste water as it leaves Mr. Rawlings' place.

Yours very truly,

Vern Hinckley
Vern Hinckley



19663

Point of
diversion →

22

25

Township 16 South, Range 39 East of the Boise Meridian

Submit Map No. 19663

As Approved

AUG 3 1945

MARK R. KOLP

State Reclamation Engineer

August 6, 1943

Re: Application No. 27132

Mr. Vern Hinckley
Route 1
Preston, Idaho

Dear Mr. Hinckley:

We are sorry to have to write you again about your application for permit to appropriate waste or drain water, but when we come to make the final record of same we find a slight discrepancy between the application and the sketch map which accompanied same.

The map shows the land to be irrigated as the NW $\frac{1}{4}$ Section 23, Twp. 16 South, Range 39 East, but the application itself describes it as the NE $\frac{1}{4}$ of this section.

Taken in connection with the rest of the drawing, we assume that the sketch map is correct, and the land should really be described as the NW $\frac{1}{4}$ of Section 23, but before finally issuing the permit should have your advice in the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19663

R.F.D. #1

Preston, Idaho

August 14, 1945

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Re: Application No. 27182

The discrepancy brought to my attention in your letter of August 6, 1945, is as you assume. Misadventently, the application described the property to be irrigated as the NE $\frac{1}{4}$ of Section 23, Township 16 South, Range 39 E.B.M., but should be as shown on the map: the NW $\frac{1}{4}$ of Section 23, Township 16 South, Range 39 E.B.M.

I am sorry to have inconvenienced your office by this error.

Yours very truly,

Vern Hinckley

Vern Hinckley



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19663

Date August 17, 1945

Dear Sir:

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

Vern Linckley
R. 1,
Preston, Idaho
Encl. Receipt # 19144

MARK R. KULP

State Reclamation Engineer

19663

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Mr. Vern Hinckley
Route 1
Preston, Idaho

December 1, 1945

Dear Sir:

Under the terms of your permit No. 19663 you are required to complete your diversion works and make proof of beneficial use on or before February 3, 1946.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is February 3, 1946, 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.

Very truly yours,

19663
MARK R. KULP
State Reclamation Engineer

Preston, Idaho
December 15, 1945

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

In connection with Permit No. 19663, according to your statement of December 1, 1945, I am required to complete diversion works and make proof of beneficial use on or before Feb. 3, 1946. Because of weather conditions it is impossible to complete the diversion works by that time. It will also be impossible to make proof of beneficial use.

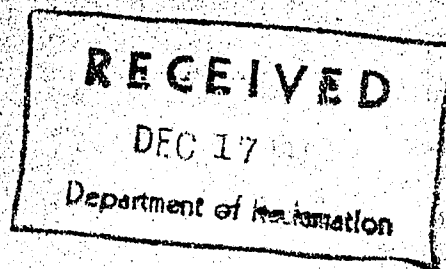
May I have an extension of time for these purposes until June 30, 1945.

Yours very truly,

Vern Hinckley
Vern Hinckley

dated 8-3-45

due 2-3-46



19663

Arnold Williams
XXXXXXXXXXXX

December 17, 1946

Re: Permit No. 19663

Mr. Vera Hinckley
Preston, Idaho

Dear Mr. Hinckley:

We are in receipt of your letter of December 15th, in which you request an extension of time for completion of works and beneficial use under your Permit No. 19663.

We enclose a form of application for such extension, which you may execute and return to this department for approval.

We suggest that you ask for a year's extension, or until February 3, 1947, and then you may make the proofs at any time before that that you are able to do so.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19663

Permit No. 19663

Application for Extension of Time FOR COMPLETION OF WORKS

Vern Hinckley

of Preston, R.F.D. #1

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 19663

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by Feb. 3, 1946

That he has heretofore performed the following work described under said permit:

Diversion work partially completed, surveying partially done.

costing \$ 25.00

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

Weather conditions. Would be unable to show beneficial use before
irrigation season.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to February 3, 1947

Subscribed and sworn to before me this 21st day of December, 1945

My commission expires 1-21-50

Notary Public.

Date of receipt at office of Department of Reclamation Dec. 28-1945

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION
State Reclamation Engineer

I, Mark R. Kulp, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19663 to February 3, 1947

Witness my hand this 28th day of December, 1945

19663

Mark R. Kulp
State Reclamation Engineer

Arnold Williams
~~XXXXXXXXXXXX~~

December 23, 1945

Re: Permit No. 19663

Mr. Vern Hinckley
Preston, Idaho

Dear Mr. Hinckley:

We enclose herewith the approval of the
State Reclamation Engineer of your appli-
cation for extension of time for completion
of work under your Permit No. 19663, to
February 3, 1947.

This should be attached to your original
application, of which it now forms a part.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19663

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

December 2, 1946

Mr. Vern Hinckley
Route 1
Preston, Idaho

Dear Sir:

Under the terms of your permit No. 19663 you are required to complete your diversion works and make proof of beneficial use on or before February 3, 1947.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 of Works will be issued to you.

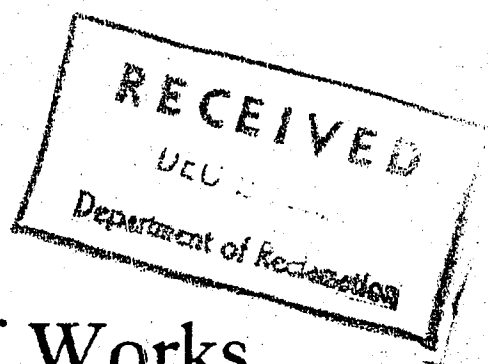
We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is February 3, 1947, 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.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

19663

Permit No. 19663

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Franklin } ss.

Vern Hinckley

, 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. 19663, and that his postoffice address is Preston, Idaho. R. #1
State of Idaho

Second: That the name of the stream from which said water is to be directed is
Waste water and drain water from private drains

Third: That the point of diversion of said water is SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 16 S. R. 39 EBM.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 3, 1947, 19

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

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

I. Kind of works: Cement dam, culvert, and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 2 $\frac{1}{2}$ feet, height 3 feet.

(d) Conduit ditch width at bottom 3 feet, width at water line 4 feet, depth of water 2 feet; diameter of pipe 10 $\frac{1}{2}$ inches, average grade per mile is 2 feet. Length of conduit is one miles.

Seventh: That said works are capable of conducting to the place of intended use 2 second feet of water.

Eighth: That water appropriated under said permit is available for 100 acres of land described as follows: the NW $\frac{1}{4}$ of Sec. 23, T. 16 S. R. 39 EBM

Ninth: Remarks: That

(Sign here)

Subscribed and sworn to before me this 21 day of December, 1946

My commission expires 1-21-49

Notary Public.

19663

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 21, 1946

(P. O.) Preston, Idaho. R. #1

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.

Vern Lindley

(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.

19663

December 23, 1946

Re: Permit No. 19663

Mr. Vern Hinckley
Route 1
Preston, Idaho

Dear Mr. Hinckley:

We enclose herewith Certificate of completion of works issued under the above numbered permit to appropriate two (2) second feet of water from waste and drain water, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Twp. 15 South, Range 39 East, B.M., for the irrigation of land in the Northwest Quarter of Section 23, Twp. 16 South, Range 39 East, B. M., Franklin County; also Departmental Receipt No. 19746 for the \$5.00 fee in connection with this proof.

A copy of the notice of beneficial use proof to be made under this permit on February 1, 1947, will be sent to the Preston Citizen, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send you the affidavit of publication, together with statement of publication cost.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19663

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: December 26, 1946

Re: Permit No. 19663

The Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 1, 1947 the date set for proof, the expense of the publication to be paid by the applicant, Vern Hinckley of Rt. 1, Preston, Idaho, to whom you should furnish affidavit 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

19663

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

Notice is hereby given that at 10 A. M. on the 1st day of February, 1946,
at Preston,, County of Franklin, State of Idaho, before
G. L. Swenson, Notary Public, proof will be submitted of the
application to beneficial use of 2 cubic feet per second of the waters of Waste water and
drain water from private drains
in accordance with the terms and conditions of Permit No. 19663
heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

Vern Hinckley, Preston, Idaho, R. #1

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 2 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) The Northwest quarter of Section 23, Township 16 South,
Range 39 East of the Boise Meridian

The name of the canal or ditch or other works by which said water is conducted to such place of
use is unnamed

The right to take water from such works is based upon Permit No. 19663

The source of supply from which such water is diverted is waste water and drain water
from private drains

The date of priority which said user is prepared to establish is June 29, 1945
~~August 1, 1946~~

MARK R. KULP
State Reclamation Engineer.

19663

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, January 21, 1947

Re: Permit No. 19663
Vern Hinckley

Mr. C. L. Swenson
Notary Public
Preston, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19663

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

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

1. On February 1, 1947, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Preston, Idaho before C. L. Swenson, Notary Public

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

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

Yours truly,

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

19663

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Don E. Smith

, being duly sworn,

deposes and says:

That he is the *Publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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 publication, 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 consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Jan 2 19*47*, and ending with the issue of *Jan 23* 19*47*.

Don E. Smith

Fees \$ *11.75* paid *134*.

Subscribed and sworn to before me this *1st* day

of *Feb* 19*47*.

[Signature]

Notary Public, Residing at Preston, Idaho

My Commission Expires *1/21/49* 19.....

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 1st day of February, 1947, at Preston, County of Franklin, State of Idaho before C. L. Swenson, Notary Public, proof will be submitted of the application of beneficial use of 2 cubic feet per second of the waters of Waste water and drain water from private drains in accordance with the terms and conditions of Permit No. 19663 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Vern Hinckley, Preston, R. 1.

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

The amount applied to beneficial use is 2 cubic feet per second

The place where said water is used. The Northwest quarter of Section 23, Township 16 South, Range 39 East of the Boise Meridian.

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

The right to take water from such works is based upon Permit No. 19663.

The source of supply from which such water is diverted is waste water and drain water from private drains.

The date of priority which said user is prepared to establish is June 29, 1945.

Mark R. Kulp
State Reclamation Engineer
1-4

19663

✓
C. A. Robins

February 3, 1947

Re: Permit No. 19663

Mr. C. L. Swenson
Notary Public
Preston, Idaho

Dear Mr. Swenson:

We acknowledge receipt of the depositions of Vern Hinckley and two witnesses, also affidavit of publication in the Preston Citizen, all in connection with beneficial use proof under the above numbered permit.

We are returning all three depositions for completion in the following particulars:

Question 1 in the depositions of the two witnesses only gives the names, and fails to state the age, residence, occupation and postoffice address.

In Mr. Hinckley's deposition, he fails to describe the point of diversion, as required in Question 4, by subdivision, section, township and range.

Also in Question 11, he should state the amount of water already appurtenant to this same land, and the source, or name of the ditch company.

Very truly yours,

MARK H. RULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19663

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19663

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Vern Hinckley Farmer
R. #1, Preston, Franklin County, Idaho

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

Ans. _____

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

Ans. No. 19663, dated Dec. 28, 1945. Date of priority June 1, 1946

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

Ans. Water is from waste and drain water, originating from waste water from a private drain; the water is used from private drains and then the waste water from this use of water is run off in a constructed ditch and borrow pit and this water is taken from there. Water is diverted in the SW 1/4 Sec. 15, T. 16 S. R. 39 EBM.

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

Ans. Diversion works are a cement dam, culvert, and ditch, capable of conveying a little over two cu. ft. per sec. Conveyed in unnamed ditch.

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

Ans. Water is used for irrigation on the Northwest quarter of Sec. 23, Tp. 16 S. R. 39 EBM. Acres irrigated 160 cultivated land. Additional crops have been raised which could not have been produced without this water and as a direct result of the use of this water.

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

Ans. _____

19663

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

Ans. Entire water available is required.

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

Ans.

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

Ans. Entire amount has been used effectively since completion of diversion works.

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. Other water used on this land is water obtained from Private Ditch Company, Cub-River Irrigation Co., Preston, Idaho. 4 shares of water stock; 1 cu. ft. per sec., 4 hrs. every 8 days during irrigation season. This water must be diverted from other land owned in order to be used on this land affected by this permit.

(Sign)

John L. Lusk

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 1 day of February, A. D. 1947.

[Signature]

My commission expires 1-21-49

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19663

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. Vernon P. Cole, 45 years of age; Farmer; Preston, Ida. R. #1

Ques. 2. Are you acquainted with Vern Hinckley, the holder of Permit No. 19663? How long have you known him and where does he reside?

Ans. Have known him about seventeen years. Lives at Preston, R. #1, Franklin County, Idaho. (Fairview, Idaho)

Ques. 3. Have you read or heard read said Permit No. 19663, 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. Water is waste and drain water from private drain. Water is used from private drain and then the waste water from this use is run off in a constructed ditch and borrow pit and this water is taken from there. The diversion point is the SW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 16 S. R. 39, EBM. The diversion works consist of a cement dam, a culvert, and ditch.

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. Maximum of two cu. ft. per sec. The supply varies and is used to the extent it becomes available

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. Used on NW quarter Sec. 23, T. 16 S. R. 39 EBM. Used on cultivated land.

19663

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

Ans. _____

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

Ans. Land is clay loam. The maximum water available is used and can continue to be used on this land very effectively.

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

Ans. _____ No

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

Ans. The maximum amount of water available has been used on this land, during all of the year. The water is put to beneficial use whenever available. It has been used for about one year.

(Signed)

Vernor P. Cole

I hereby certify that the foregoing testimony was read to the above subscriber before his 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 1 day of February, A. D. 1947.

[Signature]

Notary Public.

My commission expires 1-21-47

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19663

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. Gilbert Caffery; 39 yrs. of age, Farmer, Preston, Idaho. R. #1

Ques. 2. Are you acquainted with Vern Hinkley, the holder of Permit No. 19663? How long have you known him and where does he reside?

Ans. Have known him seventeen years; He lives at Fairview, Idaho.
(R. #1, Preston, Idaho.)

Ques. 3. Have you read or heard read said Permit No. 19663, 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. Waste water and drain water from waste water from a private drain. Water is used from private drains and then the waste water from this use of water is run off in a constructed ditch and borrow pit and this water is taken from there. Diversion Point: SW corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 16 S. R. 39 EBM. Works: Cement dam, culvert, and ditch.

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. Maximum of two cubic feet per second. Water supply varies, and is used as it becomes available.

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. Used on Northwest quarter Sec. 23, T. 16 S. R. 39 EBM
Cultivated land.

19663

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

Ans. _____

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

Ans. Land is clay loam. Maximum water available is used and can
continue to be used on this land very effectively.

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

Ans. No.

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

Ans. Maximum amount of water available has been used on the land
described during all of year. Water is put to beneficial use
whenever available. The use of this water has been observed
for about a year.

(Signed) _____

Gilbert Cafferty

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 1 day of February, A. D. 1947

My commission expires 1-21-49

[Signature]
Notary Public.

February 11, 1947

Re: Permit No. 19663

Mr. Vern Hinckley
Route #1
Preston, Idaho

Dear Mr. Hinckley:

We acknowledge receipt of the deposition of yourself and two witnesses and also affidavit of publication in "The Preston Citizen", all submitted in proof of beneficial use under your Permit No. 19663.

Before final action can be 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, as this Department has but one field engineer who makes examinations all over the State.

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

Very truly yours,

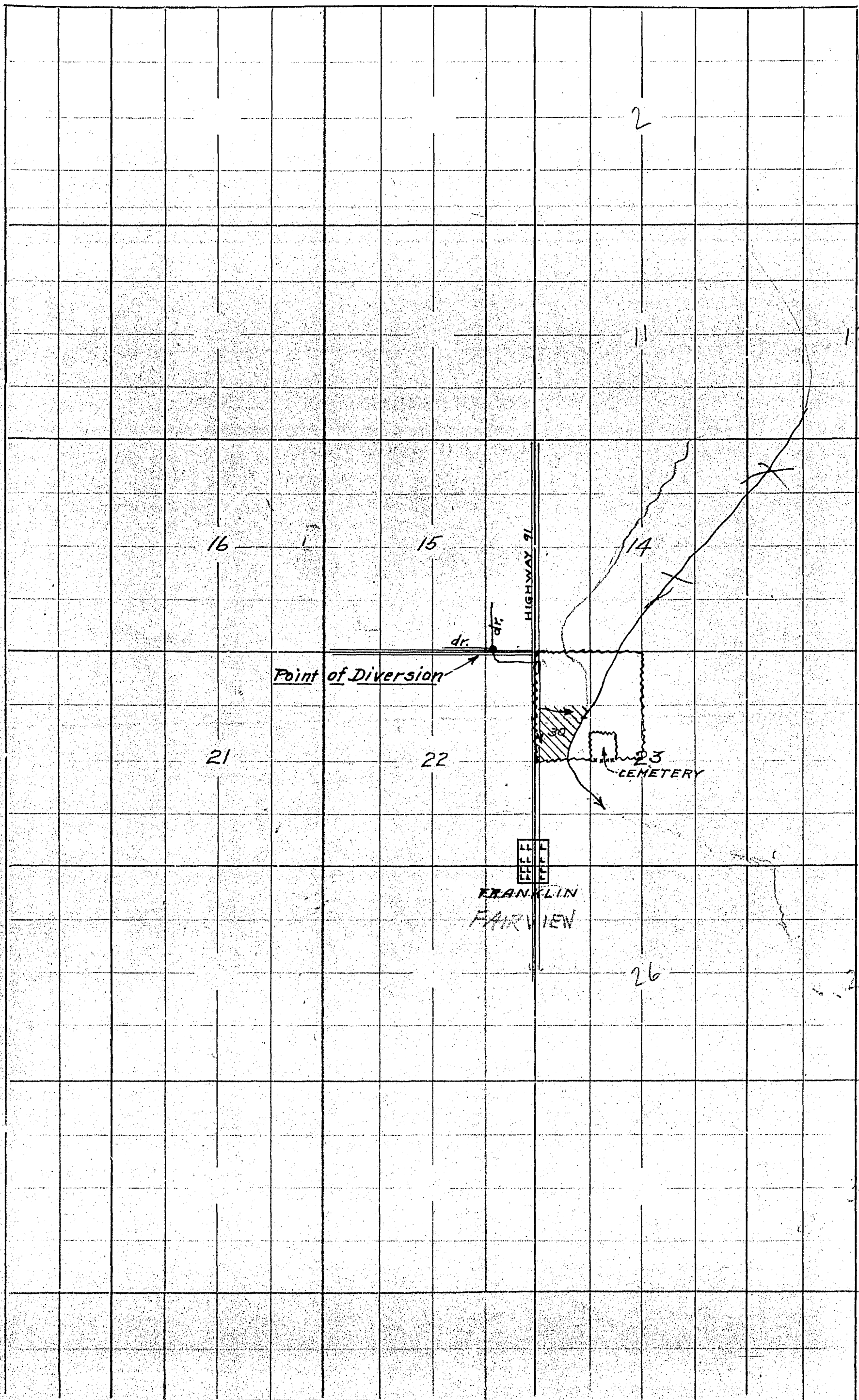
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

cc: C. L. Swenson
Notary Public
Preston, Idaho

EPM

19663



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

19660

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19663

This proof is for Beneficial use

In Water District No.

1. Name of applicant Vern Hinckley, Route 1, Preston, Idaho

2. Source of water supply: Waste water and drain water from private drains

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15

T. 16 South R. Range 39 East County of Franklin

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

A concrete structure consisting of two wing walls of 20 feet length respectively, and 10 inches thick, diverts into an 18 inch pipe which leads across a road to the ditch, which is 3 feet wide and 1 foot deep.

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 other than irrigation):

NW $\frac{1}{4}$ Section 23, Township 16 South, Range 39 East, B.M.

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

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

Remarks:

This examination was made on the 21st day of May, 1947

(Signed)

F. H. Schuman

Examiner.

✓
January 28, 1948

Re: Permit No. 19663

Mr. Vern Hinckley
Route 1
Preston, Idaho

Dear Mr. Hinckley:

We now have on file the report of our Field Engineer on examination for beneficial use under your Permit No. 19663.

This report shows that you are irrigating 30 acres of land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 16 S., Range 39 E.B.M.

Therefore, upon receipt of the statutory fee of \$2.00 a license will be issued for 30" or .6 of second feet of waste water diverted in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, same township and range.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

19663

March 14, 1960

RE: Permit No. 19663

Vern Hinckley
Route 1
Preston, Idaho

Dear Mr. Hinckley:

Enclosed is License and Certificate of Water Right under Permit No. 19663. Departmental Receipt No. 30029 in the amount of \$2.00 for the license fee was handed to you in this office.

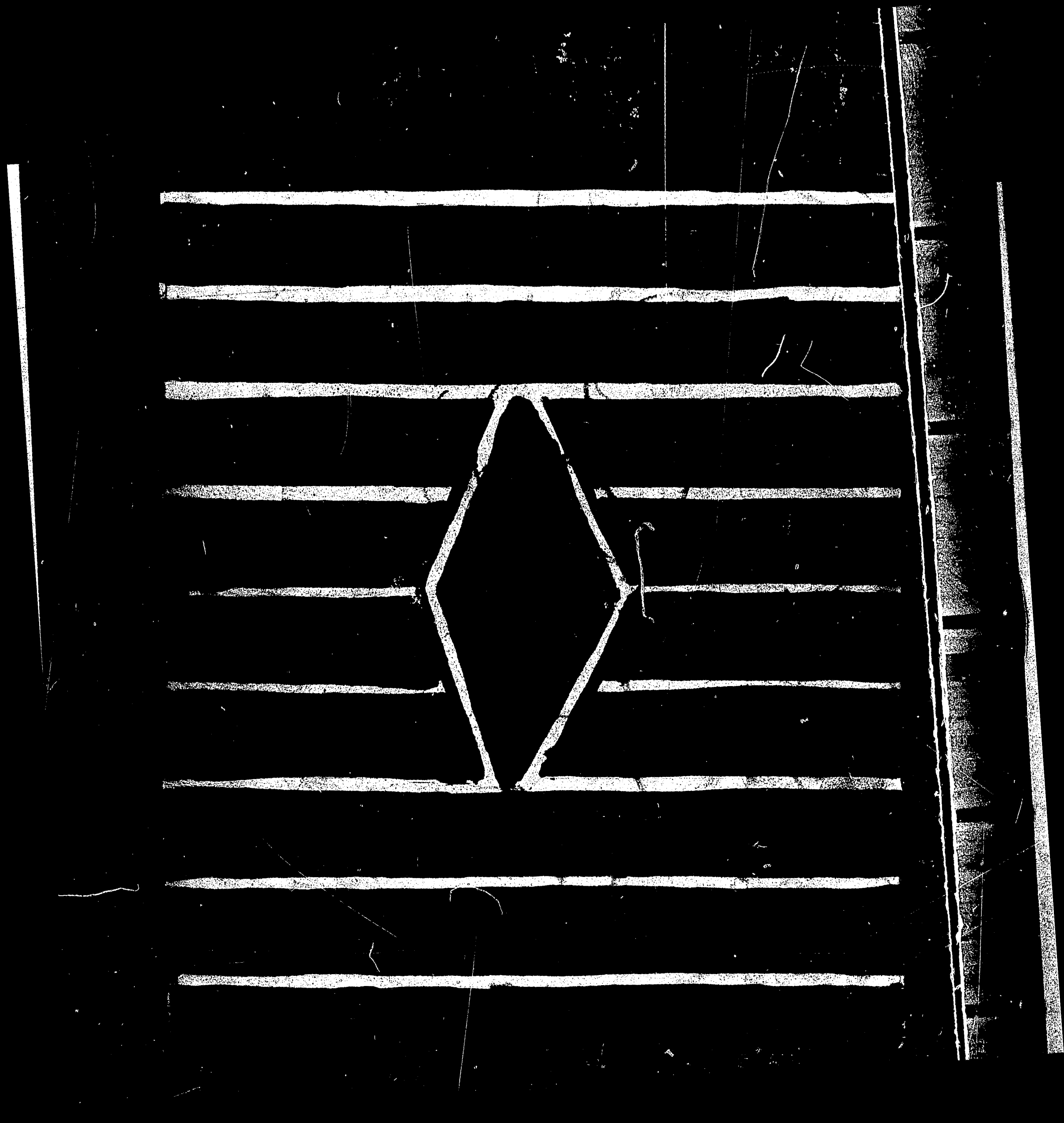
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. license

19663



April 28, 1964

Re: Transfer of Water Right No. 1027

Mr. Vern Hinckley,
Route #1,
Preston, Idaho.

Dear Mr. Hinckley:

In accordance with your recent request, we are enclosing Order Cancelling Transfer No. 952, together with Order Granting Transfer and Certificate of Transfer of Water Right No. 1027.

Kindly return Certificate of Transfer of Water Right No. 952, so that we may cancel same.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl.

RWH:pmk

cc: Roland R. Carter, Watermaster
Water District No. 5-H
Preston, Idaho

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13-2150

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Certificate
of Transfer Issued Pursuant to
the Application of Vern Hinckley,
Designated as Transferred Right
No. 952;

ORDER CANCELLING TRANSFER
OF WATER RIGHT NO. 952 AND
ISSUANCE OF NEW TRANSFER OF
WATER RIGHT NO. 1027

WHEREAS, Under date of December 15, 1960, an Order was executed granting the transfer requested by the application of Vern Hinckley covering a certain water right in Water District No. 5-H, and as a result of such Order, Certificate of Transfer of Water Right No. 952 was issued December 15, 1960; and

WHEREAS, There was an error made in the first page of the Certificate which read "waters of subterranean well" instead of "waters of private drains", of said Certificate of Transfer of Water Right No. 952; now

Certificate of Transfer of Water Right No. 952, issued December 15, 1960, is HEREBY CANCELLED, and a new Certificate of Transfer of Water Right No. 1027 shall be issued.

WITNESS THE SEAL and signature of the State Reclamation Engineer of the State of Idaho affixed at Boise, Idaho, this 27th day of April, 1964.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN

State Reclamation Engineer

T-952

13-9150

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Vern Hinckley

of

Route #1,
Preston, Idaho

For a Transfer of Water Right in
Water District No. 5-H,
Franklin County, Idaho

ORDER GRANTING TRANSFER

NO. 1027

WHEREAS, On the 16th day of September, 1960, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Vern Hinckley of Route #1, Preston, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 27th day of April, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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13-2150
can

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 1027

THIS IS TO CERTIFY, That Vern Hinckley of Route #1, Preston, Idaho, is the owner of and using a certain water right of 0.6 cubic feet per second of the waters of private drains, said water being obtained by virtue of License No. 19663, issued by the State of Idaho, Department of Reclamation, dated March 14, 1960, bearing date of June 29, 1945, for the purpose of irrigating the following described lands situate, lying, and being in Water District No. 5-H, in the County of Franklin, State of Idaho, to-wit:

30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 23, Township 16
South, Range 39 E.B.M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 11 of Licenses at Page 6878 thereof;

And that Vern Hinckley of Route #1, Preston, Idaho, has become the owner of said right by statutory appropriations;

And that now, upon the application of Vern Hinckley of Route #1, Preston, Idaho, for the transfer of 0.6 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 0.6 cubic feet per second of the waters of private drains upon the above described land is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

150 acres in the NW $\frac{1}{4}$
Section 23, Township 16
South, Range 39 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.6 cubic feet per second of
the waters of private drains
with priority of June 29, 1945;

And that the water right hereby transferred has heretofore been conducted from private drains with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 16 South, Range 39 E.B.M., and delivered through private ditch;

Canc

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That the water right hereby transferred will hereafter be conducted to the last above described lands from private drains with various points of diversion in the NW¹/₄, Section 23, Township 16 South, Range 39 E. B. M., and delivered through pipe and private sprinkler system;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 27th day of April, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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Copy of the Certificate was not sent
to the watermaster

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In The Matter of the Application of

Vern Hinckley

of

Route #1
Preston, Idaho

For a Transfer of Water Right in
Water District No. 5-H,
Franklin County, Idaho.

Cancelled

ORDER GRANTING TRANSFER

NO. 952

WHEREAS, on the 16th day of September, 1960, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Vern Hinckley of Route #1, Preston, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 15th day of December, 1960.

Geo. N. Carter
GEO. N. CARTER
State Reclamation Engineer

Cancelled

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 952

THIS IS TO CERTIFY, That Vern Hinckley of Route #1, Preston, Idaho, is the owner of and using a certain water right of 0.6 cubic feet per second of the waters of a (subterranean) said water being obtained by virtue of License No. 19663, issued by the State of Idaho, Department of Reclamation, dated March 14, 1960, bearing date of June 29, 1945, for the purpose of irrigating the following described lands situate, lying, and being in Water District No. 5-H, in the County of Franklin, State of Idaho, to-wit:

30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 23, Township 16
South, Range 39 E.B.M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 11 of Licenses at Page 6878 thereof;

And that Vern Hinckley of Route #1, Preston, Idaho, has become the owner of said right by statutory appropriations;

And that now, upon the application of Vern Hinckley of Route #1, Preston, Idaho, for the transfer of 0.6 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 0.6 cubic feet per second of the waters of (subterranean source by well, upon the above described land is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

150 acres in the NW $\frac{1}{4}$
Section 23, Township 16
South, Range 39 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.6 cubic feet per second of
the waters of subterranean
source with priority of
June 29, 1945;

And that the water right hereby transferred has heretofore been conducted from (subterranean source) with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 16 South, Range 39 E.B.M., and delivered through pipe and private sprinkler system to place of use;

That the water right hereby transferred will hereafter be conducted to the last above described lands from (subterranean source by well) with no change in point of diversion;

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13-2150

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 15th day of December, 1960.



GEO. N. CARTER
State Reclamation Engineer

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13-2150
Cane

December 15, 1960

Re: Transfer of Water Right
Transferred Right No. 952

Mr. Vern Hinckley,
Route #1,
Preston, Idaho.

Dear Mr. Hinckley:

We enclose Certificate of Water Right Transferred
Right No. 952, together with Departmental Receipt No. 30381
which was issued covering payment in the amount of \$1.00
for the recording fee of the above mentioned Transfer of
Water Right.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pmk

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13-2150

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.

ss.

County of Franklin

Glen F. Smith

, being duly sworn.

deposes and says:

That he is the *Publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *five* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, 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 consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Sept 2 19 *60*, and ending

with the issue of *Sept 15* 19 *60*

Glen F. Smith

Fees, \$ *8.51*

Subscribed and sworn to before me this *29* day

of *Nov.* 19 *60*

Paul G. Swann

Notary Public, Residing at Preston, Idaho

My Commission Expires *4-25-62* 19 *62*

DEC 1 1960

Department of Reclamation

NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT

Notice is hereby given that Vern Hinckley of Rt. 1, Preston, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and place of use of the waters of drainage ditch as follows: Amount: 0.6 cubic feet per second. Priority: June 29, 1945. Point of diversion: SE¼ SE¼, Section 23, Township 16 S, Range 39 E., B. M. Place of Use: SW¼ NW¼ Sec. 23, Twp. 16 S., R. 39 E.B.M.

To Be Transferred To
Point of diversion: NW¼, Section 23, Township 16 S, Range 39 E.B.M. Place of Use: NW¼, Sec. 23, twp. 16 S., R. 39 E.B.M.

And that on the 15th day of Sept. 1960, at 10:00 o'clock A. M., at Room 107, State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

First Pub. Sept. 8, 1960

Last Pub. Sept. 14, 1960

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can

ARMCO DRAINAGE & METAL PRODUCTS, INC.

Denver, Colo.
Grand Junction, Colo.
Salt Lake City, Utah
Boise, Idaho
Caldwell, Idaho
Idaho Falls, Idaho
Jerome, Idaho
Twin Falls, Idaho
El Paso, Texas
Nyssa, Oregon
Ontario, Oregon
Albuquerque, N. M.

HEL-COR Perforated Pipe



14663

6978 Page verification of Free

W. S. Jones & Co. - 13-

T-952

13-2150

Cane

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Transfer of Water Right
Vern Hinokley

Preston Citizen,
Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **September 16, 1960** the date set for hearing; the expense of the publication is to be paid by the applicant **Vern Hinokley** of **Route #1, Preston, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

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

ROY W. THOMPSON
Supervisor of Water Distribution

**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.

Encl.
RWT:PMK

T-952
13-2150
Cane

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Vern Hinckley of
Rt. 1, Preston, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
and ~~the~~ place of use of the waters of drainage ditch as follows:
Amount: 0.6 cubic feet per second. Priority: June 29, 1945
Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 16 S, Range 39 E., B. M.
Place of Use: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 16 S., R. 39 E.B.M.

To Be Transferred To

Point of diversion: ~~SE~~ NW $\frac{1}{4}$, Section 23, Township 16 S, Range 39 E, B. M.
Place of Use: NW $\frac{1}{4}$, Sec. 23, Twp. 16 S., R. 39 E.B.M.

And that on the 16 day of Sept., 1960, at 10:00 o'clock A. M.,
at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

GEO. N. CARTER
State Reclamation Engineer

T-952
13-2150
Cane

RECEIVED
AUG 2 6 1960
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

Aug 20/60

J. Preston Lee

TO THE STATE RECLAMATION ENGINEER:

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.

Vern Hinckley

(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.

T-952
13-2150
can

August 12, 1960

RE: Application for Transfer of Water Right

Vern Hinckley
Rt 1
Preston, Idaho

Dear Mr. Hinckley:

Returned herewith is your application for transfer of water right for further information, with Form 11.

There are a number of answers written in pencil where you had no answers, and check marks where we could not answer.

Kindly check, answer questions, sign the application on page 2 before a Notary Public and sign on page 3, which does not require the Notary Public seal.

Kindly show whether you will use a sprinkler system with various points of diversion or a pumping plant with one point of diversion. That should be shown on the map. Also show new location of the drain to the unnamed stream.

There is a fee of \$1.00 for the transfer which you may attach to the application when you return it or you will be billed later.

Kindly complete Form 11 which gives this office authority to have the necessary legal notice, which we will prepare, published in a Franklin County paper. The paper will bill you for the publication cost.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr
Enc. application
form 11

T-952
13-2150
Cane R1

RECEIVED
AUG 1 2 1960
Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Franklin

} ss.

Vern Hinckley

, being first duly sworn, deposes and says:

That his name is Vern Hinckley; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Rt. #1, Preston, Idaho.

That he is the owner and using a certain water right, bearing date of priority of June 29, 1945, for 0.6 cubic feet per second of the waters of waste water and drain water.

County of Franklin, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

for obtained by virtue of License No. 19663, issued by the State Department of Reclamation of the State of Idaho, dated June 29, 1945, bearing date of June 29, 1945.

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 5-H in the County of Franklin and State of Idaho, to-wit: 30 acres in

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, T16S, R39E BM

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. _____

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ ##### of Section 15, Township 16 S, Range 39 E, B. M., and conducted to the above described lands through private ditch as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 0.6 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Franklin and State of Idaho, to-wit:

150 acres in NW $\frac{1}{4}$ Sec. 23, T16S, R39E BM

That reasons for desiring to make such transfer are as follows: better efficiency in irrigation

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13-2150
Cane

That he intends to divert and convey said 0.6 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

private ditch and pump plant

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to ^{Various} ~~a~~ points located in 1/4 of 17 1/4 of Section 23, Township 16 S, Range 39 E, and thereafter conduct same to the above described land through the Pump Plant ditch, and private sprinkler system as per map appended.

That his reasons for desiring to make such change are as follows:

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Subscribed and sworn to before me this

15th day of August, 1968

Ben Lincoln
Applicant

Ray Wright
Notary Public

Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Unnamed stream

Where is the diversion point located? SE 1/4 Sec 15 T16S R39E

Through what ditch is it now conducted? private

How much land is now irrigated by the water sought to be transferred? 30 acres

Give the description: SW 1/4 NW 1/4 Sec 23 T16S R39E

What is the total amount of water in inches, or second feet, dedicated to said land? 0.6 cfs
What kind of crops are being raised? for Beth. field corn alfalfa grain
How much water per acre is now required to irrigate said land? 3 cfs for 2.5 hours
What will be the effect on the land now irrigated, if the use of water on it is discontinued? none

Give location of new point of diversion, if change is to be made various points in NW 1/4 Sec 23 T16SR39E

Through what ditch will it be conducted after transfer? private sprinkler system and Pumping Plant

How much water will be required per acre to irrigate the land to which this water is transferred?

1/2 acre - 3 cfs continuous

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source none

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source none

Signed Don Simpson
Applicant

STATE OF IDAHO,

County of _____ } ss.

I, _____, Watermaster of _____

Water District No. _____, County of _____, State of Idaho, whose postoffice address

is _____, have read or heard read the foregoing affidavit and petition

of _____, and, of my own knowledge, believe the same to be true

as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;

and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer

issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of

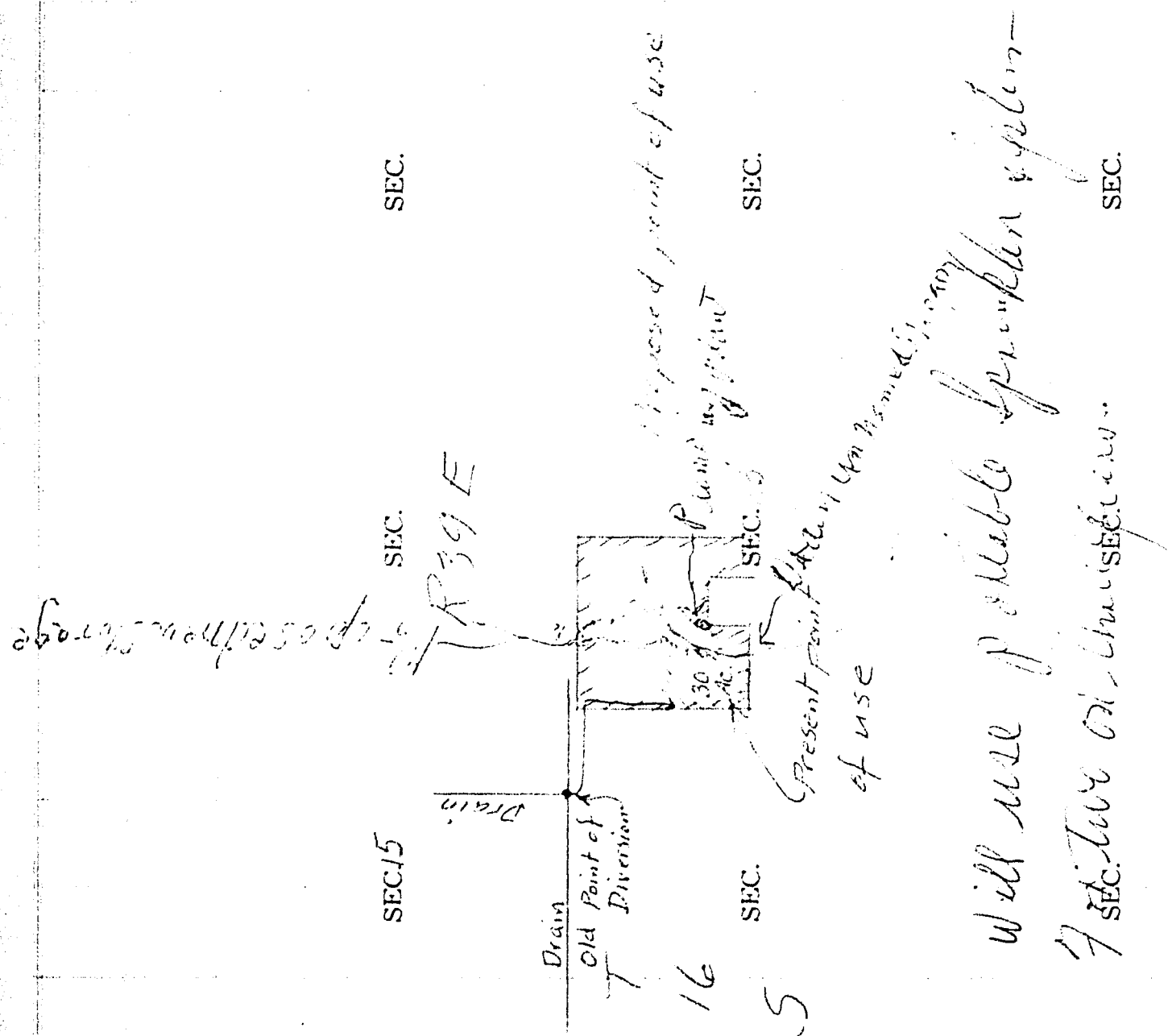
transfer prayed for) for the following reasons: _____

Watermaster, District No. _____

Dated at _____, Idaho, this _____ day of _____, 19____

T-952
13-2150
can

Name of Applicant Verde Hinckley



Mr. Vern Hinckley requested an
Order cancelling Transfer No.
952 because an error was made in
the Certificate.

He was issued the corrected
Transfer, Transfer No. 1027.

The correspondence from T-952
and T-1027 has been placed in

T-952
15-2150.

13-2150 can.

April 28, 1964

Re: Transfer of Water Right No. 1027

Mr. Vern Hinckley,
Route #1,
Preston, Idaho.

Dear Mr. Hinckley:

In accordance with your recent request, we are enclosing Order Cancelling Transfer No. 952, together with Order Granting Transfer and Certificate of Transfer of Water Right No. 1027.

Kindly return Certificate of Transfer of Water Right No. 952, so that we may cancel same.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl.

RWH:pmk

cc: Roland R. Carter, Watermaster
Water District No. 5-H
Preston, Idaho

T-1027
13-2150

DEPARTMENT OF RECLAMATION

ORDER CANCELLING TRANSFER
OF WATER RIGHT NO. 952 AND
ISSUANCE OF NEW TRANSFER OF
WATER RIGHT NO. 1027

WHEREAS, There was an error made in the first page of the Certificate which read "waters of subterranean well" instead of "waters of private drains", of said Certificate of Transfer of Water Right No. 952; now

WITNESS THE SEAL and signature of the State Reclamation Engineer of the State of Idaho affixed at Boise, Idaho, this 27th day of April, 1964.

S/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

T-1027

73-2150

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Vern Hinckley

of

Route #1,
Preston, Idaho

For a Transfer of Water Right in
Water District No. 5-H,
Franklin County, Idaho

ORDER GRANTING TRANSFER

NO. 1027

WHEREAS, On the 16th day of September, 1960, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Vern Hinckley of Route #1, Preston, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 27th day of April, 1961.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

T-1027

13-2150

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 1027

THIS IS TO CERTIFY, That Vern Hinckley of Route #1, Preston, Idaho, is the owner of and using a certain water right of 0.6 cubic feet per second of the waters of private drains, said water being obtained by virtue of License No. 19663, issued by the State of Idaho, Department of Reclamation, dated March 14, 1960, bearing date of June 29, 1945, for the purpose of irrigating the following described lands situate, lying, and being in Water District No. 5-H, in the County of Franklin, State of Idaho, to-wit:

30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 23, Township 16
South, Range 39 E.B.M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 11 of Licenses at Page 6878 thereof;

And that Vern Hinckley of Route #1, Preston, Idaho, has become the owner of said right by statutory appropriations;

And that now, upon the application of Vern Hinckley of Route #1, Preston, Idaho, for the transfer of 0.6 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 0.6 cubic feet per second of the waters of private drains upon the above described land is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

150 acres in the NW $\frac{1}{4}$
Section 23, Township 16
South, Range 39 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.6 cubic feet per second of
the waters of private drains
with priority of June 29, 1945;

And that the water right hereby transferred has heretofore been conducted from private drains with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 16 South, Range 39 E.B.M., and delivered through private ditch;

T-2027

13-2150

That the water right hereby transferred will hereafter be conducted to the last above described lands from private drains with various points of diversion in the NW¹/₄, Section 23, Township 16 South, Range 39 E. B. M., and delivered through pipe and private sprinkler system;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 27th day of April, 1964.

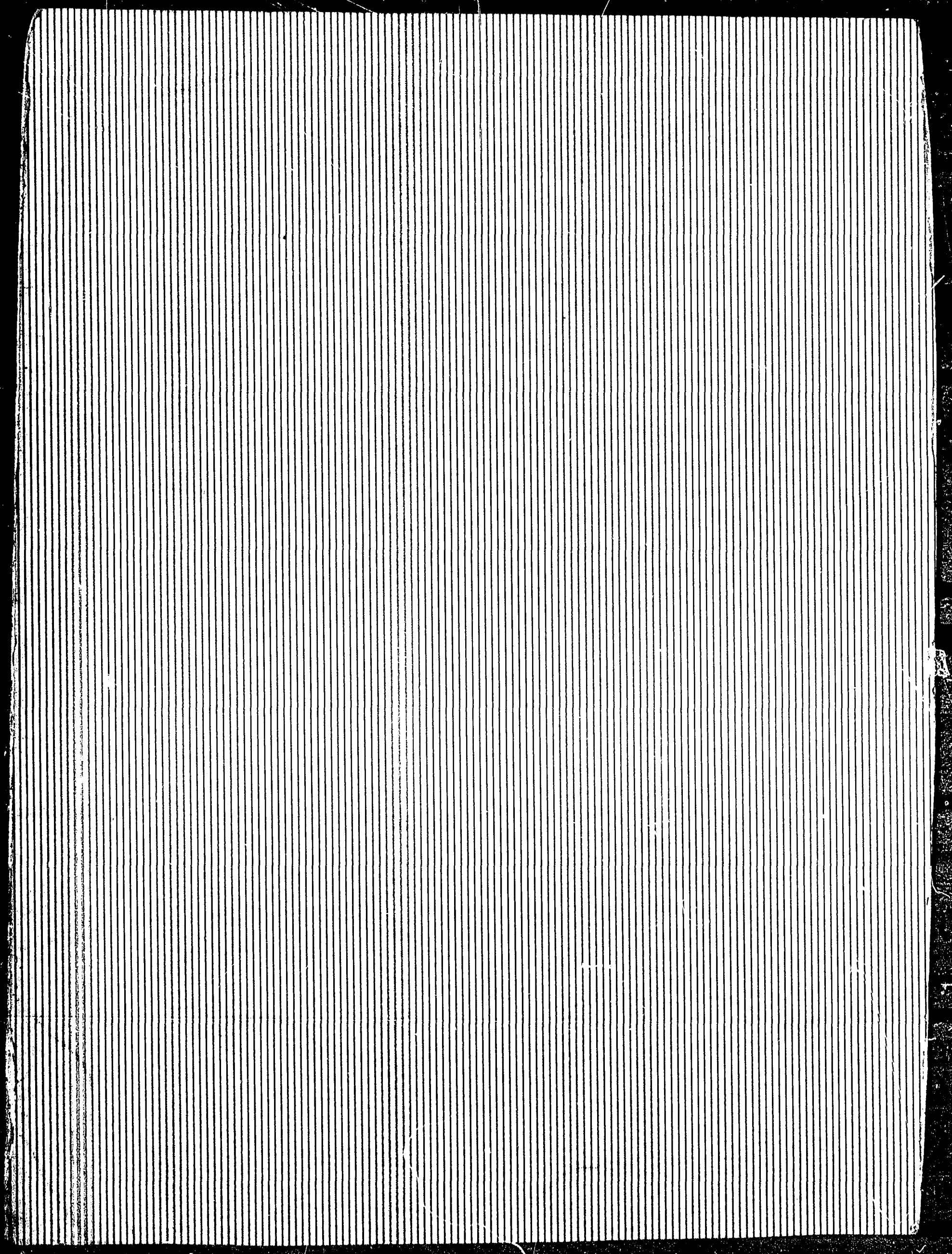
(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

T-1027

13-2150



State of Idaho

License and Certificate of Water Right

Water License No. 19663

Amount .6 c.f.s.

Water District No.

Priority June 29, 1945

THIS IS TO CERTIFY that

VERN HINCKLEY

of Preston, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated June 29, 1945; that Permit No. 19663 was issued under said application; that Certificate of Completion of works, with a carrying capacity of

2.0 second feet, was issued thereunder on December 23, 1946, showing that said works were completed on the 21 day of December, 1946; and that on the 1 day of February, 1947,

VERN HINCKLEY

of Preston, State of

Idaho, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of private

drains, a tributary of

, for the purpose of irrigation

, under Use Permit No. 19663

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

11 of Licenses at page 6878, on the 14 day of March, 1960;

The right hereby confirmed dates from June 29, 1945;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 15, Tp. 16S, R. 39E., 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 .6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S	39 E	23	SW 1/4 NW 1/4	40	30
			Total number of acres to be irrigated:		30

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

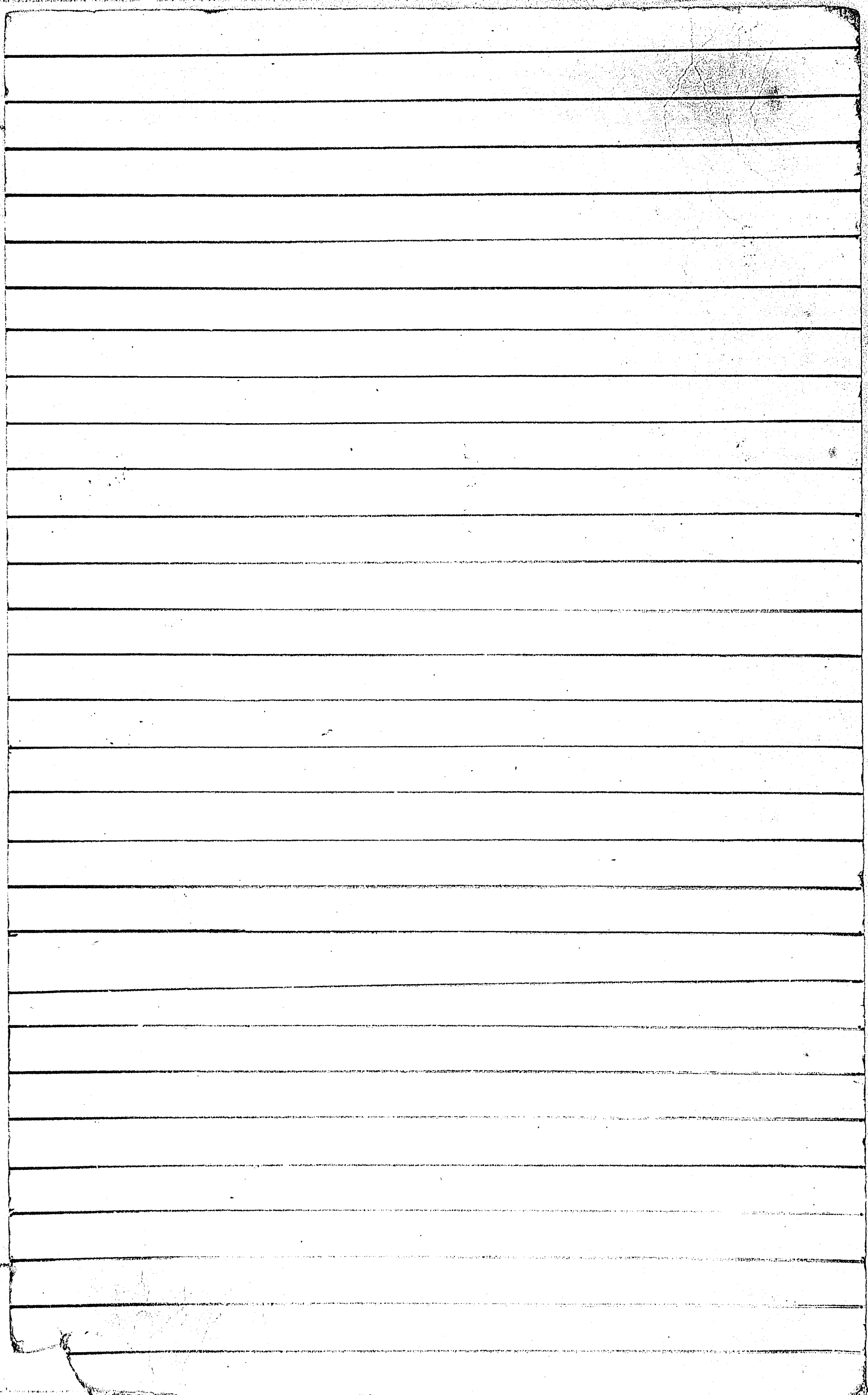
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

14 day of March, 1960.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)



13-2150

39

PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

SOURCE: Fairview Drain & Tributaries

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT	REMARKS
				From	To						
13-2140	FAIRVIEW CEMETARY Maintenance District Rt. #1 Preston, Idaho	5-18-1938	Irrigation	4-1	11-1	35.0	0.2	SW $\frac{1}{4}$ NW $\frac{1}{4}$, S.23 T16S, R39E	Sec. 23 SE $\frac{1}{4}$ NW $\frac{1}{4}$ T16S, R39E	10.0 10.0	License Unnamed Stream
13-2150	HINCKLEY, Vern Rt. #1 Preston, Idaho	6-29-1945	Irrigation	4-1	11-1	105.0	0.6	NW $\frac{1}{4}$ NW $\frac{1}{4}$, S.23 T16S, R39E	Sec. 23 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ T16S, R39E	40.0 30.0 30.0 30.0 130.0	License Unnamed Stream
13-0297	HINCKLEY, Vern Rt. #1 Preston, Idaho	6-15-1953	Irrigation	4-1	11-1	145.0	0.34	NW $\frac{1}{4}$ NW $\frac{1}{4}$, S.23 T16S, R39E	Sec. 23 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ T16S, R39E	40.0 30.0 30.0 30.0 130.0	License Unnamed Stream
13-0263	GILBERT, Hazen A. Rt. #1 Preston, Idaho	5-21-1957	Irrigation	4-1	11-1	280.0	1.60	Sec. 23 NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ T16S, R39E	Sec. 23 NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ T16S, R39E	29.0 32.0 19.0 80.0	Beneficial Use Fairview Drain

amended by final decree

The amount of water diverted using this right, 13-2150, 13-2300, and 13-2266 shall not exceed 2.60 c.f.s. or 455 af/yr.