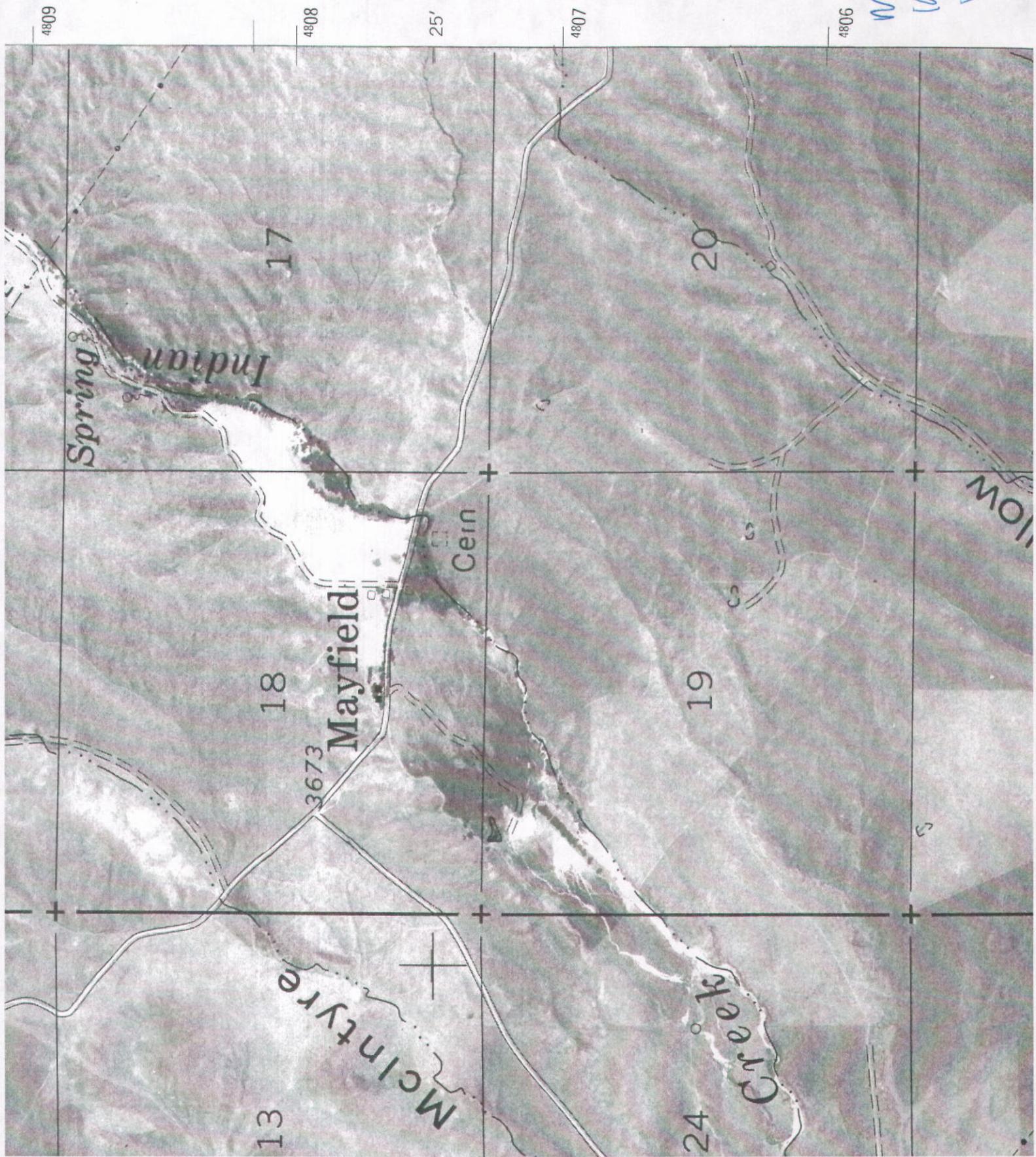


USGS topo Y-11  
Mayfield, ID 1990



63  
61



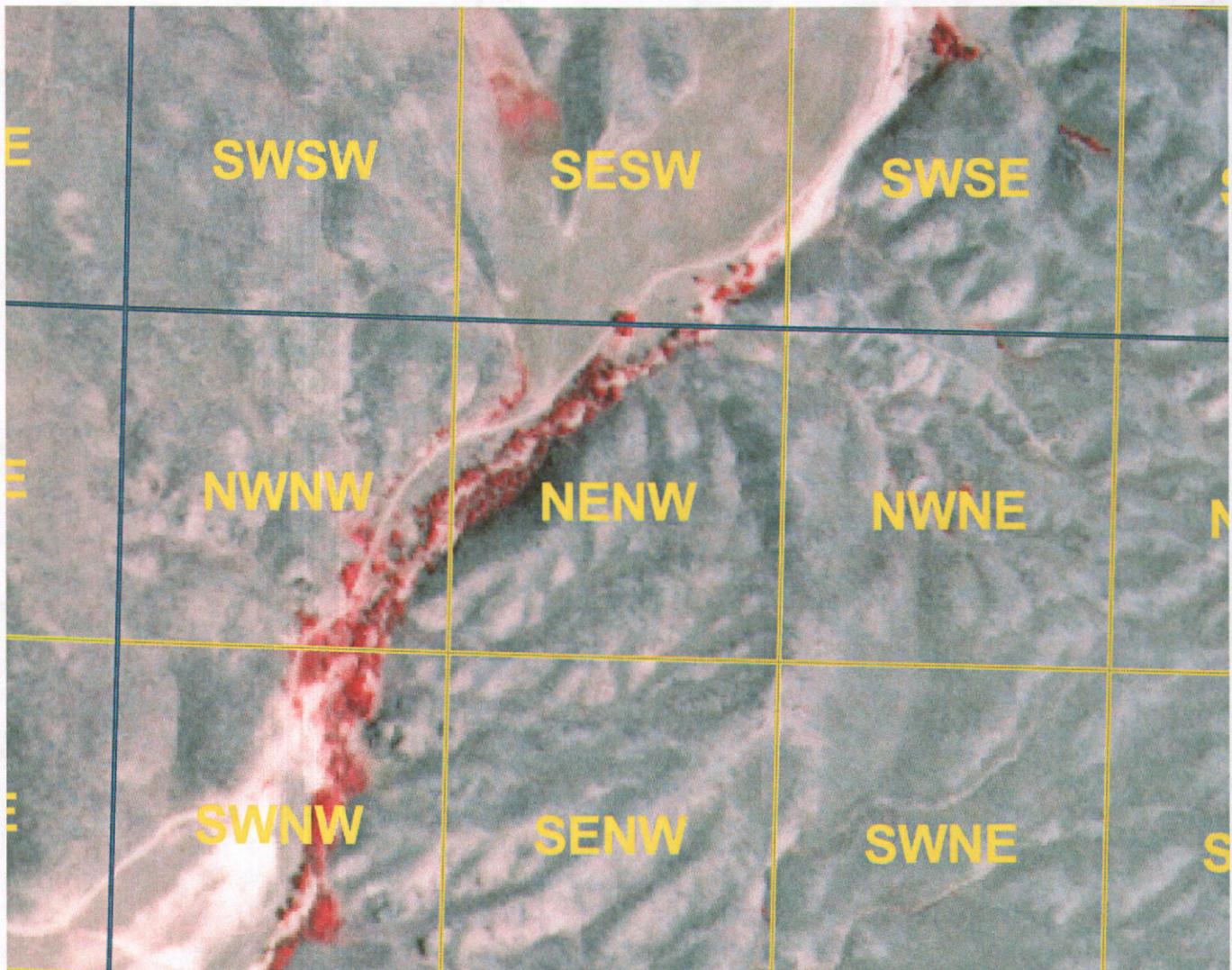


Mayfield NW  
land  
Y11



State of Idaho  
Idaho Department of Water Resources  
Western Region

T1N R5E SECTION 17  
Water Right (s): 63-2100



1987 aerial - no evidence of irrigation at all



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration  
1987 NAPP Photography  
Prepared By: Vicky Music  
Date: July 2006



mayfield NW  
1979  
Y11

MAYFIELD NE  
(F.S. NO. 170-11)  
4810

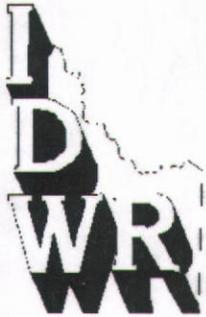
4809

4808

25'

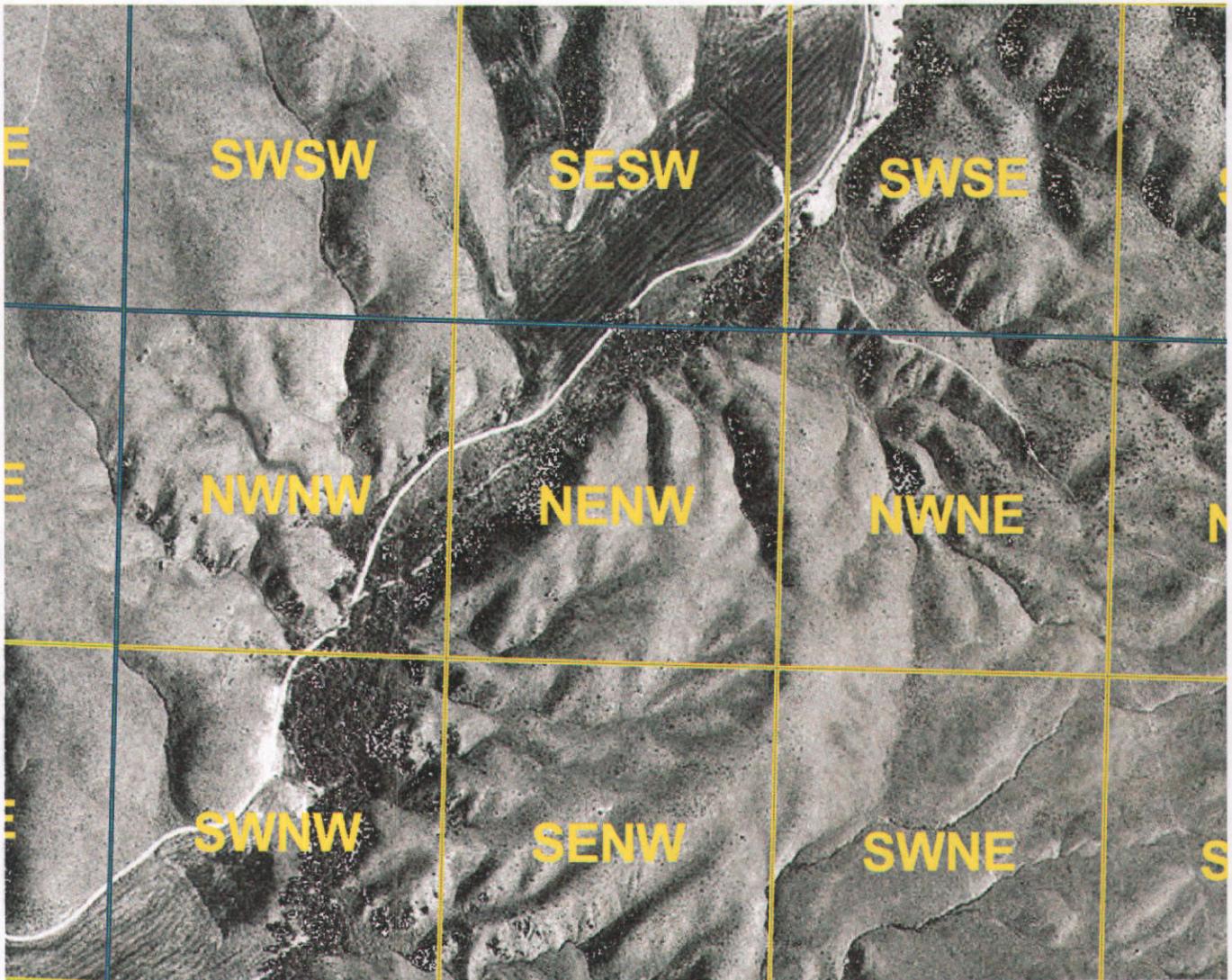
4807

4806



State of Idaho  
 Idaho Department of Water Resources  
 Western Region

T1N R5E SECTION 17  
 Water Right (s): 63-2100

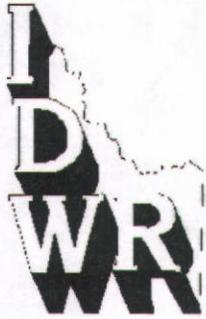


1998 aerial - no evidence of irrigation at all



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration  
 1998 Aerial Photography  
 Prepared By: Vicky Music  
 Date: July 2006



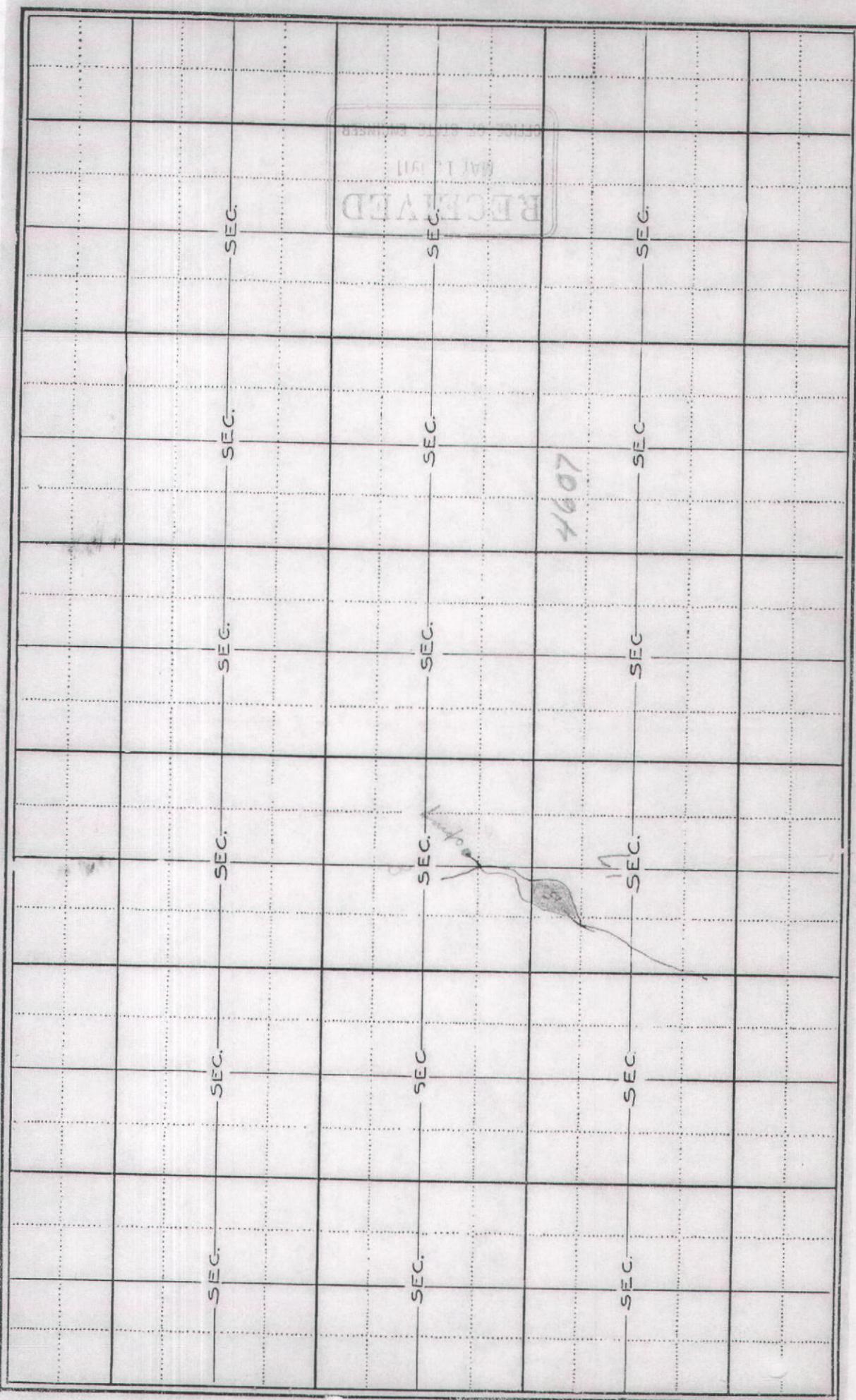
State of Idaho  
Idaho Department of Water Resources  
Western Region

T1N R5E SECTION 17  
Water Right (s): 63-2100



- Point of Diversion
- ▭ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

GIS Place of Use Illustration  
USGS topo  
Prepared By: Vicky Music  
Date: July 2006



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

Printed and for sale by the Statesman Printing Co., Boise, Idaho

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-2100  
Date Received: 6/29/2006  
Receipt No: W034395  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ARK PROPERTIES LLC Phone: (208)366-7931  
11204 N BAR 21 DR  
GLENNS FERRY ID USA 83623-5033

2. Date of Priority: 05/04/1909

3. Source: SPRING Trib. to: INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
01N	05E	8	NW	SE	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.3	
DOMESTIC	01/01	12/31		

7. Total Quantity Appropriated is:  
0.3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	05E	17	NE	NW	IRRIGATION	15
					Section Acres	15
					Total Acres	15

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 63-2100  
Date Received:  
Receipt No: W034395  
Received By:

RECEIVED  
JUN 29 2006  
WATER RESOURCES  
WESTERN REGION

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ARC PROPERTIES LLC

Phone: (208) 366-7931

11204 N BAR 21 DR  
GLENN'S FERRY, ID 83623

2. Date of Priority: May 4, 1909

3. Source: Spring Trib. to: Indian Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
1N	5E	8	NW SE	Elmore	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Irrigation	3/15	11/15	0.3	
Domestic	1/1	12/31		

7. Total Quantity Appropriated is:

0.3 cfs

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				total s	
			NE¼	NW¼	SW¼	SE¼	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
IN	5E	17					15													15

Total number of acres irrigated 15

11. Place of use in counties: **Elmore**

12. Do you own the property listed above as place of use? **Yes**

13. Other Water Rights Used:

**63-2046**

14. Remarks:

15. Basis of Claim: **License**



IN THE DISTRICT COURT OF FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
)

Case No. 39576 )  
\_\_\_\_\_ )

A. Subcase 63-02100  
(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: John McCallum /Ark Properties LLC

Address: 11204 N. Bar 21 Drive

Glenns Ferry, ID 83623-5033

Daytime Phone: (208) 366-7931

Name & Address of Attorney, if any:

Bruce M. Smith

Moore Smith Buxton & Turcke Chtd

950 W. Bannock Street, Suite 520

Boise, ID 83702

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Ark Properties LLC

Address: 11204 N. Bar 21 Drive

Glenns Ferry, ID 83623-5033

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).

1.  **Name and Address**  
Should be: \_\_\_\_\_
2.  **Source**  
Should be: \_\_\_\_\_
3.  **Quantity**  
Should be: \_\_\_\_\_
4.  **Priority Date**  
Should be: \_\_\_\_\_
5.  **Point of Diversion**  
Should be: \_\_\_\_\_
6.  **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7.  **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8.  **Period of Year**  
Should be: \_\_\_\_\_
9.  **Place of Use**  
Should be: \_\_\_\_\_
10.  **I object because:**
  - This water right Should not exist.
  - This water right was not recommended, but Should be recommended with The elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** IDWR recommended this claim  
but included conditions P14 and P04 indicating right was forfeited or abandoned. This objection  
was filed as a precaution in that the remarks are inconsistent with the recommendation.

F.

VERIFICATION (must be completed)

State of Idaho )  
County of Ada ) ss.

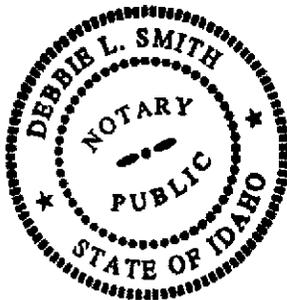
Bruce M. Smith, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Handwritten Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 19, 2007



Debbie L. Smith  
Notary Public for Idaho  
Residing at: Boise, ID  
My Commission Expires: 6/8/2013

## INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the court. **FAX filings will not be accepted.**  
You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: John McCallum / Ark Properties

Address: 11204 N. Bar 21 Drive

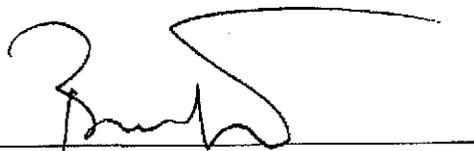
Glenns Ferry, ID 83623

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W. Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise, ID 83711-4449



Signature of objector or attorney  
mailing on Objector's behalf

# MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AND COUNSELORS AT LAW  
950 W. BANNOCK STREET, SUITE 520; BOISE, ID 83702  
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202 www.msbtlaw.com

STEPHANIE J. BONNEY  
SUSAN E. BUXTON\*  
PAUL J. FITZER  
MICHAEL C. MOORE†  
BRUCE M. SMITH  
PAUL A. TURCKE‡  
CARL J. WITHROE‡\*  
TAMMY A. ZOKAN\*

JOHN J. MCFADDEN\*†  
*of Counsel*  
‡ Also admitted in California  
\* Also admitted in New Mexico  
\* Also admitted in Oregon  
‡ Also admitted in South Dakota  
† Also admitted in Washington

**RECEIVED**

**JUN 21 2007**

**DEPARTMENT OF  
WATER RESOURCES**

June 19, 2007

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
Twin Falls, ID 83303

RE: SRBA Case No. 39576  
Subcase No.'s 63-02100; 63-02143; 63-02654; 63-02690

To Whom It May Concern:

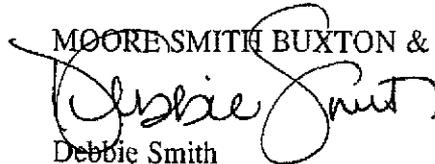
Enclosed please find the original and one copies of the Standard Form Objection being filed on behalf of our client in the above referenced matter.

Please file the original, and return one of the conformed copies to our office in the enclosed self-addressed, stamped envelope.

If you should have any questions or require any additional information, please don't hesitate to contact our office.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHTD.



Debbie Smith  
Legal Assistant to Bruce M. Smith

/dls

Enclosures

cc: IDWR Document Depository

US Dept of Justice - Environmental & Natl Resources Div  
Chief, Natural Resources Div - Office of the Attorney General  
Client



**Music, Vicky**

---

**From:** Bruce M. Smith [BMS@msbtlaw.com]  
**Sent:** Friday, September 01, 2006 3:06 PM  
**To:** Music, Vicky  
**Cc:** Scott King (E-mail)  
**Subject:** RE: ARK Properties claims

Thanks for the reminder Vicky—On 3616 and 3617, I found out the numbers are 600-900 depending on the type of cattle they have—cow/calf or yearlings. I suspect using the higher number would be better for my client in that it is still below the additional information number. On the other info, I have my request for info in but have not heard back. I will follow up to see where they are in terms of gathering the data. Thanks Bruce

-----Original Message-----

**From:** Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]  
**Sent:** Friday, September 01, 2006 3:00 PM  
**To:** Bruce M. Smith  
**Cc:** Scott King (E-mail)  
**Subject:** RE: ARK Properties claims

Bruce and Scott -

It has been nearly 2 weeks since your 8/20/2006 e-mail, Bruce, in which you stated you needed a couple more days to provide the information I requested. I have an in-house deadline to have all of my recommendation prepared for the Preliminary Directors' Report. That deadline is 9/22/2006, and if I do not have all of the information I need regarding the Ark Properties claims at least a week before that, I will disallow them. The Notice of Error procedure will hopefully provide the time you need to gather the info.

Vicky Music

-----Original Message-----

**From:** Bruce M. Smith [mailto:BMS@msbtlaw.com]  
**Sent:** Sunday, August 20, 2006 1:44 PM  
**To:** Music, Vicky; Scott King (E-mail); Bruce M. Smith  
**Subject:** RE: ARK Properties claims

Vicky—Scott and I are trying to get this to you by tomorrow but a couple extra days would help us if that's ok. We're doing as much as we can to get the info. Some of it may not be available at this time. Bruce

-----Original Message-----

**From:** Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]  
**Sent:** Wednesday, August 02, 2006 11:07 AM  
**To:** Scott King (E-mail); Bruce M. Smith  
**Subject:** ARK Properties claims

Good morning Bruce and Scott -

I have begun my review of 63-2100, 63-2143, 63-2654, 63-3616, 63-3617, and 63-2690. These are all for licenses with priority dates ranging from 1909 to 1948. I need additional information before I can recommend these claims. For instance, item 5 "Description of diverting works" of the irrigation claims were incomplete. Also, none of the claims included maps of the places of use and points of diversion. Given that these licenses range from 58 to 97 years old and that the maps in the licenses files are not sufficiently detailed to allow

me to determine specific acres irrigated, I need maps of the claimed irrigated acres and the points of diversion. I have listed the information specifically needed for each claim below.

63-2100

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 15 acres claimed and point of diversion

63-2143

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 15 acres claimed and location of points of diversion
- 4 - a 5th point of diversion was claimed. When was this pod added?

63-2654

- 1- narrative description or map of diversion and delivery works
- 2 - pou map of 100 acres claimed and location of point of diversion
- 3 - the claim indicates that an accomplished transfer in place of use occurred. I need a description and date of this claimed change.

63-2690

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 25 acres claimed and location of point of diversion

63-3616

- 1- narrative description or map of diversion and delivery works - same earthen dam as originally licensed?
- 2 - number and type of stock

63-3617

- 1- narrative description or map of diversion and delivery works - same earthen dam as originally licensed?
- 2 - number and type of stock

The preliminary directors report is tentatively scheduled to go out in about 8 weeks so I need this information by August 21, 2006. Thanks.

Vicky L. Music  
Sr. Water Resource Agent  
Adjudication Bureau  
IDWR/Western Region  
2735 Airport Way  
Boise, Idaho 83705-5082  
(208) 334-2190



RECEIVED

JUN 29 2006

WATER RESOURCES  
WESTERN REGION

June 29, 2006

Idaho Department of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-5082

Attention: Jan Shurte

*Subject: Ark Properties LLC Claims*

Dear Jan,

Enclosed on behalf of Ark Properties LLC are six SRBA claims to waters in the Indian Creek area. Please contact Bruce Smith or me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.  
Senior Project Engineer

cc: Bruce Smith  
John McCallum / Ark Properties LLC

File: 310.0060

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2100

WATER RIGHT NUMBER: 63-2100

Owner Type Name and Address  
Current Owner JESSIE MAYNE  
MAYFIELD STAGE, ID

Priority Date: 05/04/1909

Basis: License

Status: Active

Source Tributary  
SPRING

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	3/15	11/15	0.300 CFS	not 11C
DOMESTIC	1/1	12/31	.02	
<u>Total Diversion:</u>			0.300 CFS	

Location of Point(s) of Diversion

SPRING NW1/4SE1/4 Sec. 8, Twp 01N, Rge 05E, B.M.  
ELMORE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	05E	17					15.0												15.0

Total Acres: 15

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

Q for dam not a cleft of this b/c  
P06 - for letters for purchase from 1979-1987  
P16

---

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**MEMORANDUM TO CLAIM FILE**

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**TO:** CLAIM FILE NOS. 63-2100, 63-2143, 63-2654 AND 63-2690  
**FROM:** VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION  
**SUBJECT:** BASIS FOR DISALLOWAL  
**DATE:** 9/14/2006  
**CC:**

---

These claims are for rights licensed anywhere from 58 to 97 years ago. The claims were filed 6/29/2006, 3 months before the Preliminary DR for Basin 63, Part 3, was scheduled to be mailed. I need additional information before I can recommend these.

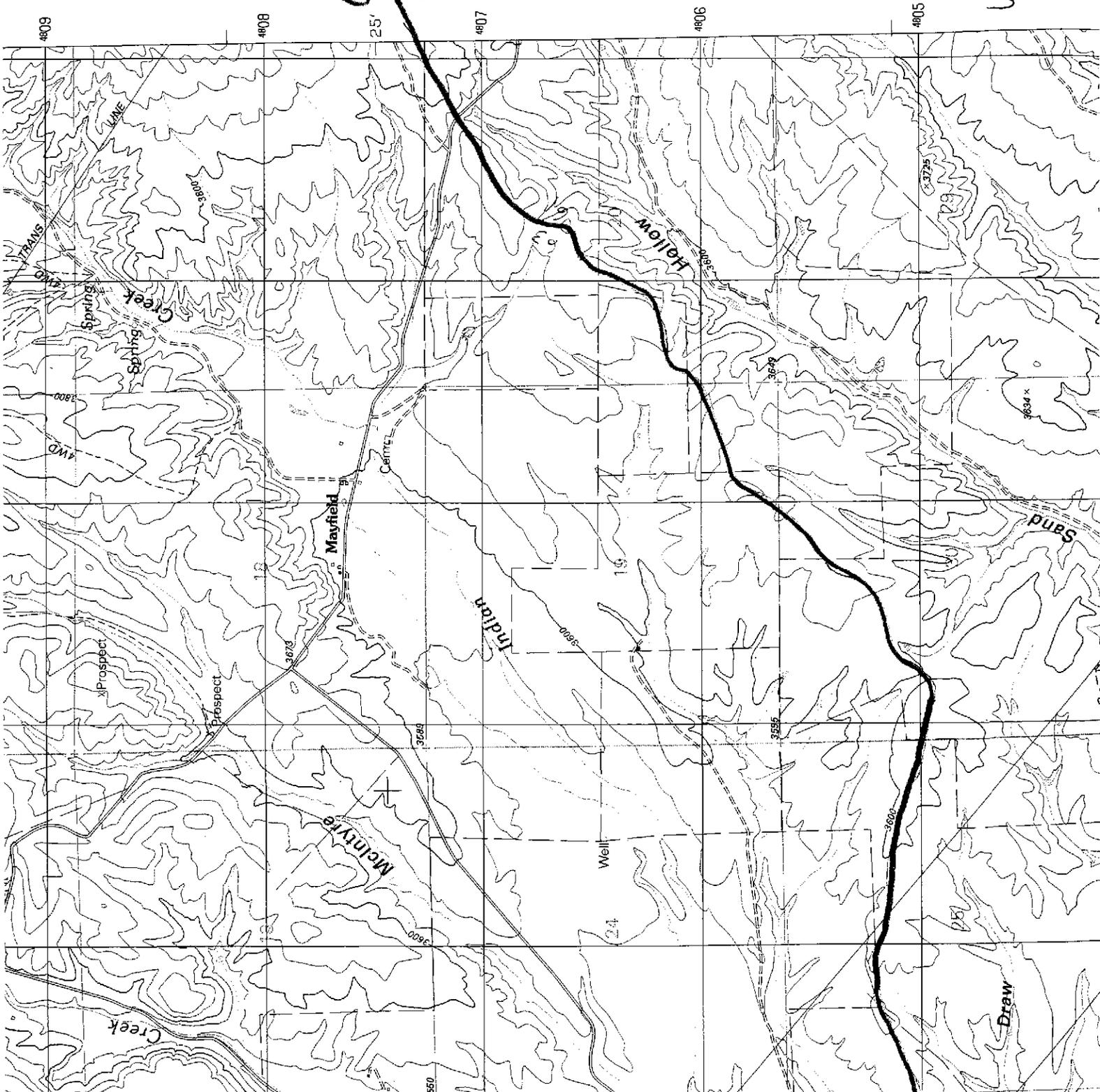
On August 2, 2006, I sent a detailed email to Bruce Smith, claimant's attorney, and Scott King, claimant's consultant, describing the information I needed for each claim. A copy of the email is in the file. Generally, all of the claims were incomplete and no map of the acres irrigated is attached. The maps in the license files are not detailed enough to determine the place of use and it is reasonable to assume that the diversion and delivery systems have been updated sometime in the 58 – 97 years since these licenses were issued. Also, the licensing exams have evolved to be much more detailed in the last 58-97 years. I reviewed available aerials but they do not indicate as much irrigation as claimed.

After receiving the email, Bruce Smith called me to discuss. He didn't understand why we needed the information given these were licensed rights. I explained to him that we do not just automatically "rubber stamp" or recommend a licensed right in the SRBA. They must go through a review, especially given the age of these licenses. I explained that the claims generated by the consultant did not provide information about the delivery systems or the specific location of the acres claimed as irrigated. The claim forms must be complete, and the standard forms issued by IDWR specifically state that a map, topo or aerial of the POU and POD must be attached.

I sent a reminder email to Bruce and Scott on 9/1/06 letting them know about my deadline for recommendations for the Prelim DR. I have not received the requested information by today. Hence, my basis for disallowal is that I cannot conduct a claims review and make a recommendation based on the information in the file.

VLM

63-2100 forfeited for nonuse from  
1979-1987



63  
61

USGS Topo V-11  
11-11 0804 5335N  
MAYFIELD, ID 1990



4806

Mayfield NW  
1079  
Y11

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-2100

07/14/2006

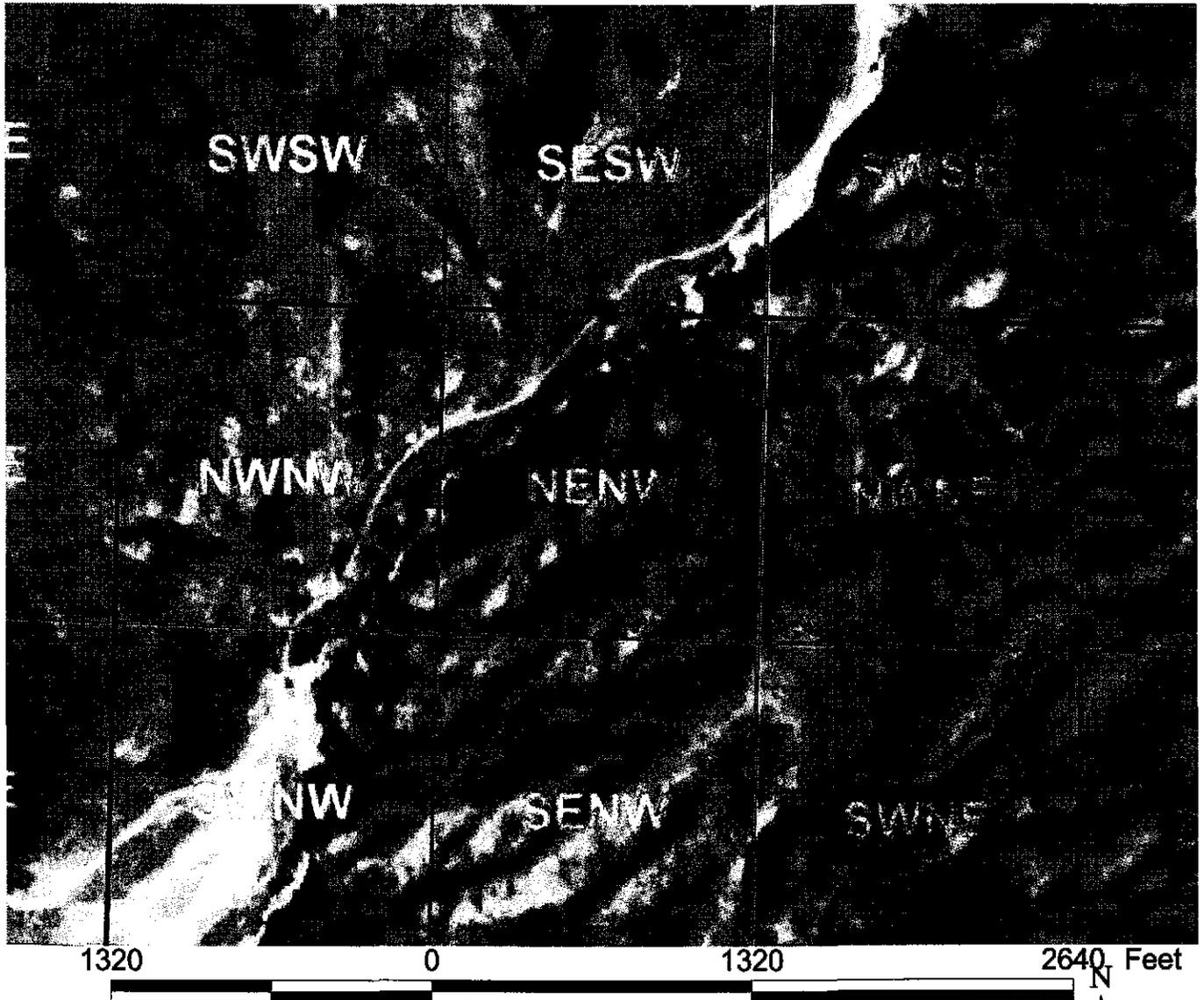
1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2100	Claim	01N	05E	17	NE	NW		IRRIGATION	15/15	ARK PROPERTIES LLC
2100	Water Right	01N	05E	17	NE	NW		IRRIGATION	15/15	JESSIE MAYNE
29423	Water Right	01N	05E	17	NE	NW		STOCKWATER		SAND SPRINGS RANCH & CO



**State of Idaho  
Idaho Department of Water Resources  
Western Region**

**T1N R5E SECTION 17  
Water Right (s): 63-2100**



**1987 aerial - no evidence of irrigation at all**



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

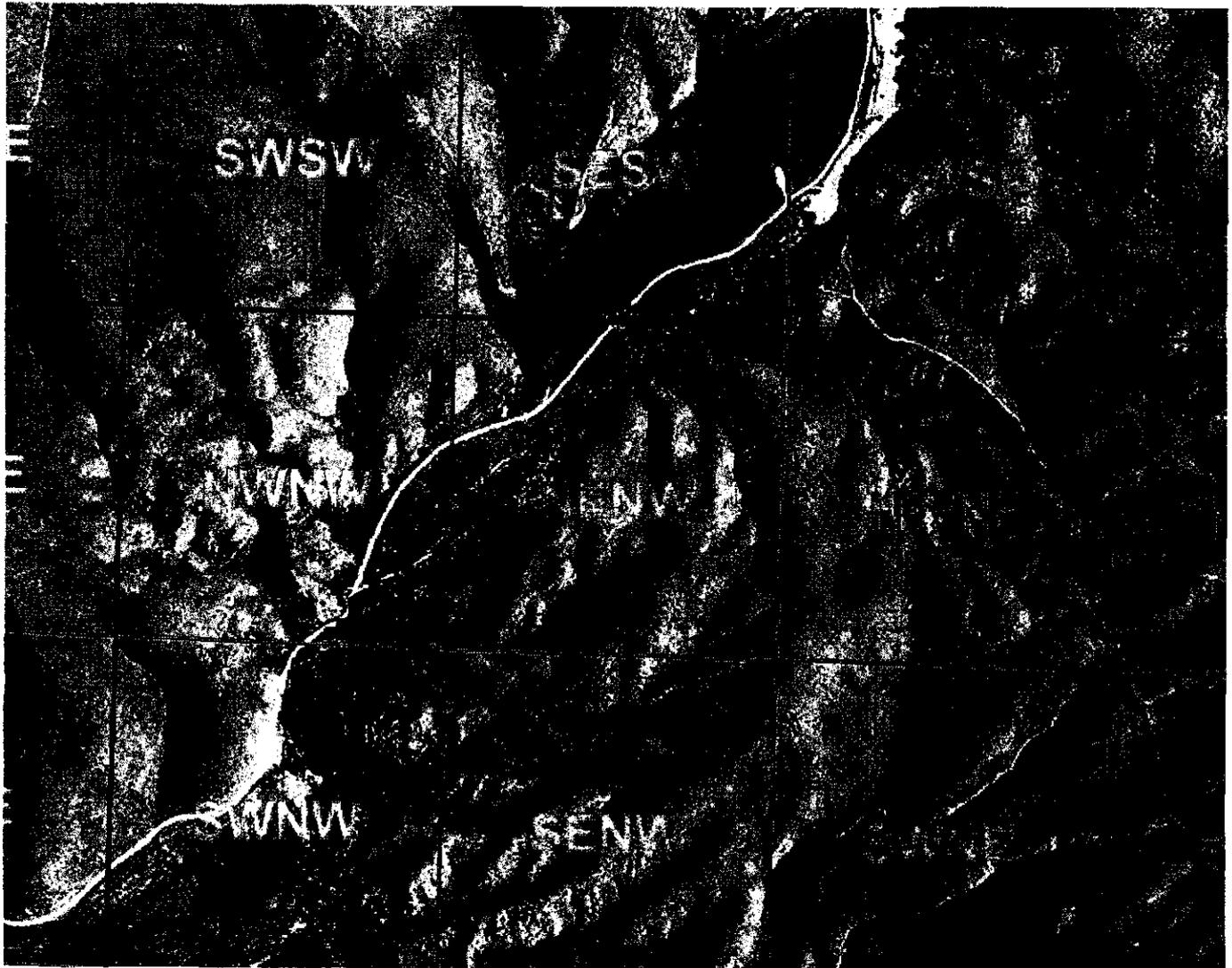
**GIS Place of Use Illustration  
1987 NAPP Photography  
Prepared By: Vicky Music  
Date: July 2006**





State of Idaho  
Idaho Department of Water Resources  
Western Region

T1N R5E SECTION 17  
Water Right (s): 63-2100



1320 0 1320 2640 Feet

1998 aerial - no evidence of irrigation at all



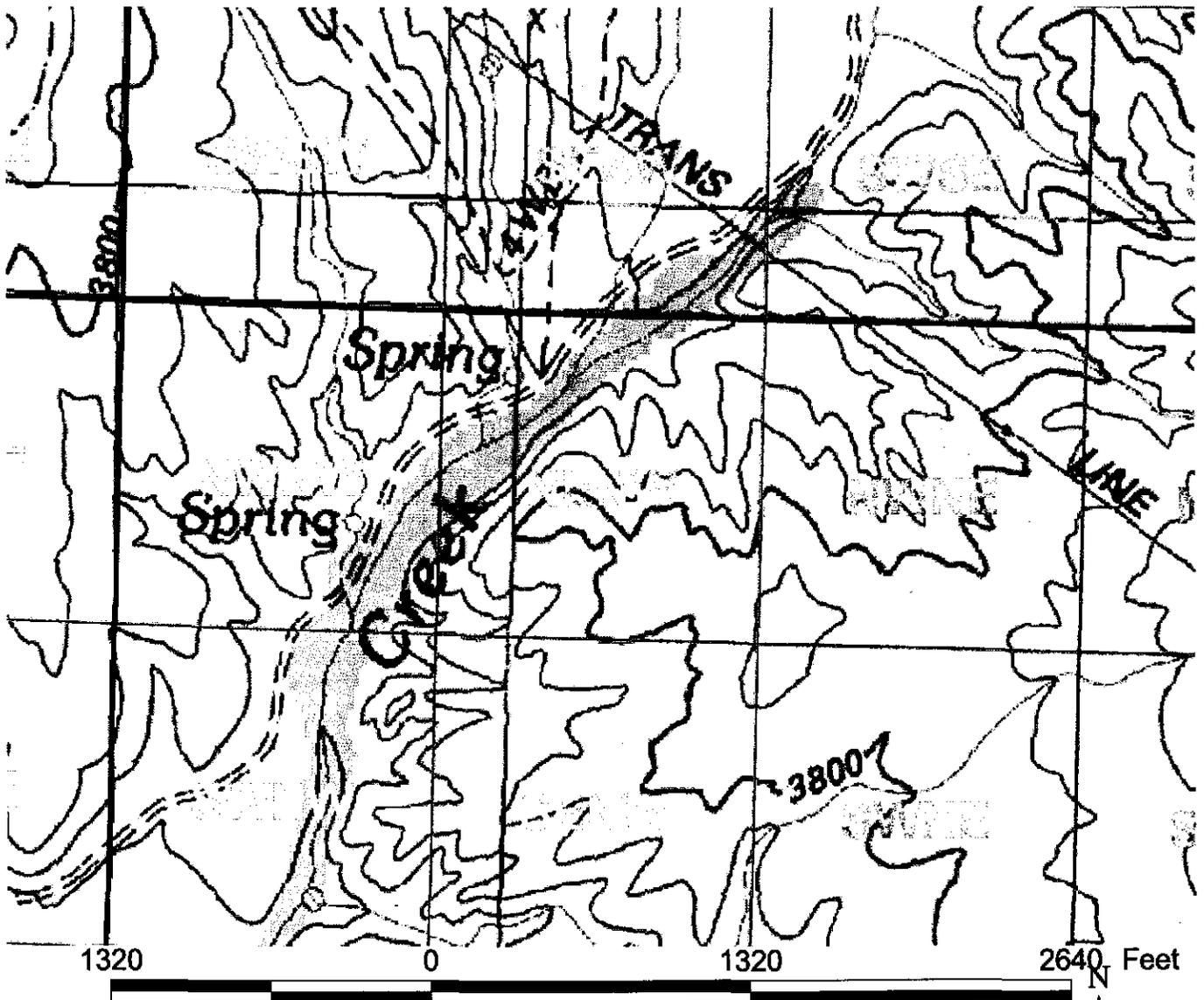
- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration  
1998 Aerial Photography  
Prepared By: Vicky Music  
Date: July 2006



State of Idaho  
Idaho Department of Water Resources  
Western Region

T1N R5E SECTION 17  
Water Right (s): 63-2100



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

GIS Place of Use Illustration  
USGS topo  
Prepared By: Vicky Music  
Date: July 2006

\*\*\*\*\*  
 Elmore County \*  
 Waters of a Spring \*  
 .3 of one cubic foot per second \*  
 Irrigation and Domestic Use \*  
 Priority 5-4-09 \*  
 \*\*\*\*\*

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

Water License No. 4607

WHEREAS, On the 4th day of May, A. D. 1909, MRS. JESSIE MAYNE, of Mayfield, County of Elmore, State of Idaho, duly made application (No. 6611) to me for a permit to use four-tenths (.4) of one cubic foot per second of the waters of a SPRING, County of ELMORE, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 4th day of May, A. D. 1909, Permit No. 4607, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of May, A. D. 1911, and for the application to beneficial use of said water on or before the 4th day of May, A. D. 1911, and,

WHEREAS, On the 3rd day of September, A. D. 1909, MRS. JESSIE MAYNE, the holder of said permit, duly made proof of the completion of adequate works for the diversion of four-tenths (.4) cubic feet per second of said waters, as evidenced by my Certificate No. 4607, dated May 24, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use four-tenths (.4) of one cubic foot of water, with date of priority of May 4, 1909, and,

WHEREAS, On the 3rd day of September, A. D. 1909, MRS. JESSIE MAYNE, the holder of said permit, duly made proof of the application to beneficial use of .3 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virute of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to MRS. JESSIE MAYNE, of Mayfield, County of Elmore, State of Idaho, the holder and owner of said Permit No. 4607, a perpetual right, dating from May 4, 1909, to the use of three-tenths (.3) of one cubic foot per second of the waters of a SPRING, in the County of Elmore and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northwest quarter of the Southeast quarter (NW4 SE4) of section 8, township 1 North of range 5 East of Boise Meridian, and conducted to and upon about 15 acres in the Northeast quarter of the Northwest quarter (NE4 NW4) of section 17, township 1 North of range 5 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of May, A. D. Nineteen hundred and eleven.

(SEAL)

A. E. Robinson

63 2100

Recorded May 24th, 1911.

State Engineer.

*Copy*

# Report of Engineer

1. State name of applicant and number of permit: Mrs. Jessie Hayne - Permit 4607

2. State source of water supply: Springs

3. Location of point of diversion: NW 1/4 Sec. 8, T. 1 N., R. 5 E. B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: \_\_\_\_\_

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: 1 ft

(b) Width at water line: 1 1/2 ft

(c) Depth of water: 6 in

(d) Grade per mile: 10 to 15 ft.

6. State whether or not water has been turned into works of diversion and if so, to what extent: \_\_\_\_\_

yes full head

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: About 15 acres on NE 1/4 of NW 1/4 sec 17

T. 1 N. R. 5 E. B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: \_\_\_\_\_

John McGeary  
Water Commissioner  
Dist # 3

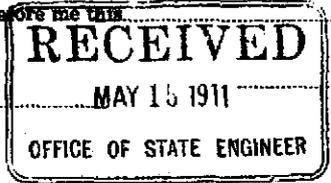
STATE OF IDAHO, }  
County of \_\_\_\_\_ } ss.

\_\_\_\_\_, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_

My Commission Expires \_\_\_\_\_

Notary Public.



4607

Notice of proof of completion of works and beneficial use of water received, fixing August 28, 1909, as data and Boise as place of proof.

Publication notice mailed the Mountain Home Republican July 17, 1909.

J. H. Lowell, water commissioner 3rd division, notified July 17, 1909, to make examination or works.

Depositions and fee received September 3, 1909.

Affidavit of publication received September 11, 1909.

J. H. Lowell again notified in regard to examination of works on November 12, 1909 but no report filed.

The examination made by the present water commissioner, John W. Cage and his report received May 15, 1911.

Certificate and License issued May 24, 1911.

PERMIT NO. 4607

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that MRS. JESSIE MAYNE, of Mayfield, County of Elmore, and State of Idaho, the holder of Permit No. 4607, issued upon Application No. 6611, bearing date of priority of May 4, 1909, authorizing the diversion of four-tenths (.4) second foot of the waters of a SPRING, County of Elmore, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use four-tenths (.4) second-foot of the waters of a SPRING, that the point of diversion of said waters is at a point in the Northwest quarter of Southeast quarter (NW4 SE4) of section 8, township 1 North of range 5 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast quarter of the Northwest quarter (NE4 NW4) of Section 17, Township 1 North of Range 5 East of Boise Meridian.

Witness my hand this 24th day of May, A. D. 1911.

A. E. Robinson.

State Engineer of the State of Idaho.

License issued for <sup>3/10</sup> second fee

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## APPROVAL OF STATE ENGINEER.

The number of this permit is 4607.

Date of first receipt of application: 9.00 a.m. May 4, 1909

Recorded in Book 13. Page 4607. Approved May 4, 1909

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before July 3, 1909, and to continue diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 4, 1910.

The whole of said work to be completed on or before May 4, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to May 4, 1912.

Witness my hand this fourth day of May, 1909

Jas. Stephenson, Jr.

State Engineer.

No. 6611

63-2100

## APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: Mrs. Jessie Wayne

Postoffice address: Mayfield

County: Elmore

State: Idaho

2. The quantity of water claimed is .4 cubic feet per second.

3. Source of water supply: Spring in SE $\frac{1}{4}$  Sec. 8, T. 1 N.R. 5 E.B.M.

County of Elmore

4. Location of point of diversion: NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 8, T. 1 N.R. 5 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 40 acres.

(b) In the following legal subdivisions: NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 17, T. 1 N.R. 5 E.B.M.

6. Estimated cost of works: \$50.00

7. Description of works for diversion:

I. Kind of works: Ditch from spring to land to be irrigated.

II. Dimensions of works:

(2) Conduit ditch, width at bottom 1 foot, width at water line 1 $\frac{1}{2}$  feet, depth of water  $\frac{1}{2}$  foot. Length of conduit is  $\frac{1}{2}$  mile, and it crosses the following quarter sections: SE $\frac{1}{4}$  and SW $\frac{1}{4}$  Sec. 8, T. 1 N.R. 5 E.B.M., to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is 1 additional year.

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

Mrs. Jessie Wayne,

Applicant.

By. E.E. Garrett...Agent.

