

Transfer No. 2913

Water Right No. 45-2548

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Wade &/or Afton Baker Phone 678-7040
Post Office address Route #2 Box 2400, Burley, ID 83318

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. 45-2548 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Purchase

3. Source of water Groundwater tributary to _____

4. Date of priority Apr 17, 1957

5. Water is used for the following purposes:
amount 2.8 cfs for Irrigation purposes from Mar 15 to Nov 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.8 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW ¼ of SE ¼ of Section 3
Township 12S Range 22E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	22E	3		40		40									40	40	40	40	240

Total number of acres to be irrigated 240

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

[illegible]

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 2.8 c.f.s. &/or _____ acre feet
- b. Description of diverting works Two wells & pumps, connecting mainline,
sprinklers
- c. Describe the reasons for the proposed changes Allow both wells to be used for better
water management.

2. Change in point of diversion

Point of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3 Township 12S
Range 22E, B.M., Cassia County
Additional points SW $\frac{1}{2}$ NE $\frac{1}{2}$ Sec. 10 T. 12S R. 22E

- | | | | |
|----|------------------------|----|--------|
| 3. | Change in place of use | No | Change |
|----|------------------------|----|--------|

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____. No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Wade Baker
(Signature of Applicant)

Subscribed and sworn to before me this 11 day of May, 19 83.

Loren O Halmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2548B and said application is hereby APPROVED, subject to the following iimitations and conditions:

Witness my hand this 21st day of November, 19 83.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

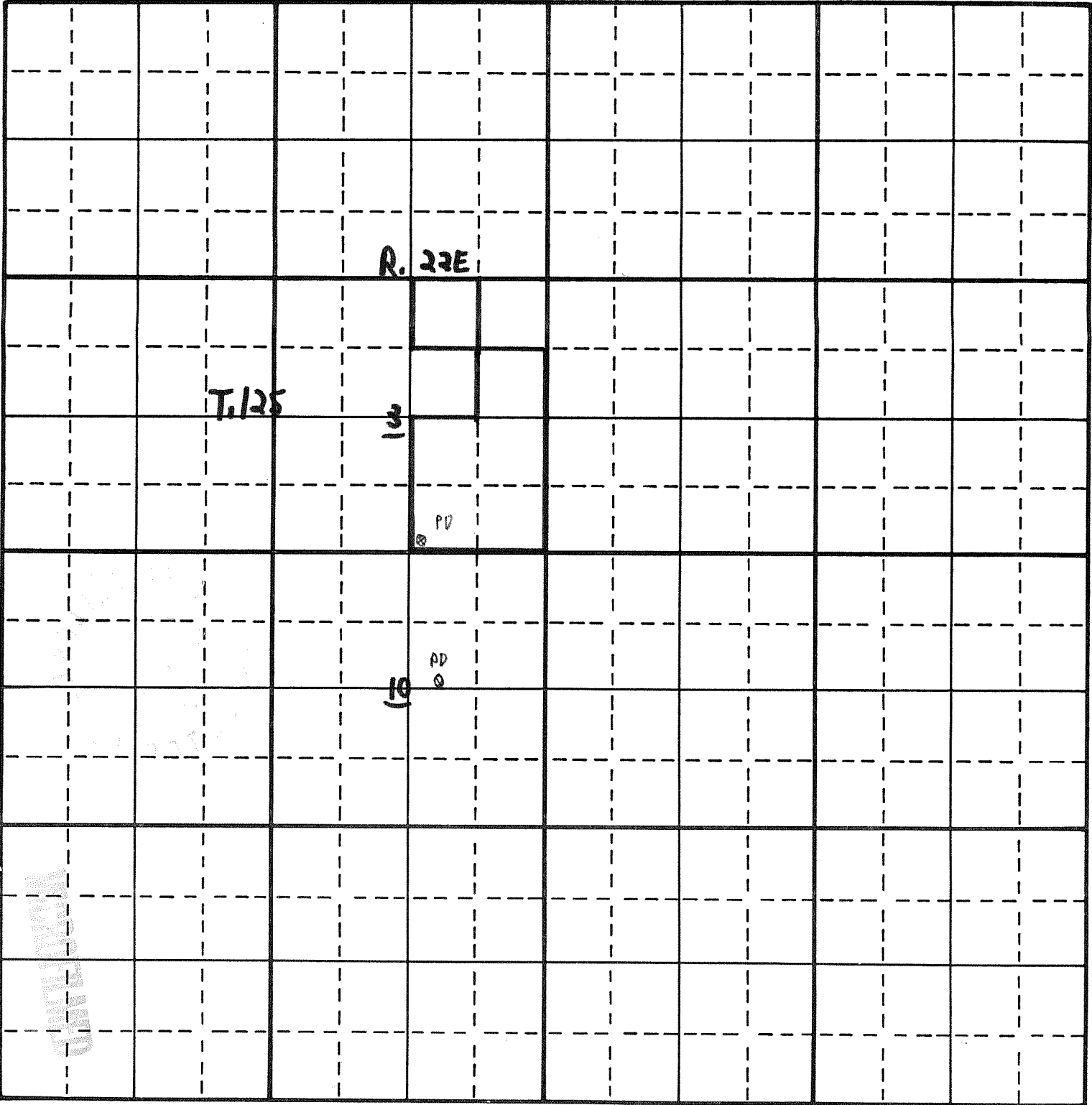
Received by <u>js</u>	Date <u>5-11-83</u>	Protest filed by <u>None</u>
Prelim. check by <u>Adm</u>	Fee <u>\$50.00</u>	
Receipted by <u>js</u>	Date <u>5-11-83</u> # <u>27332</u>	
Published in <u>South Idaho Press</u>	Copies of protest forwarded by _____	
Pub. dates <u>June 23 and June 30, 1983</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>N/A</u>	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>Adm Jim DRT</u>	

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
none
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Summers being first
duly sworn, deposes and says that she is the

Editor of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for three
consecutive weeks, commencing with the issue
dated June 23 1983, and ending
with the issue dated June 30, 1983

Mary Summers
Subscribed and sworn to before me
this 7th day of July
1983.

Kevin M. M. Notary Public
Cost of Publication 59.15
Notary Fee _____
Total Cost 59.15

83-155

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
NO. 45-2398

Notice is hereby given that Wade &/or Afton
Baker of Burley, Idaho, have applied to the
Department of Water Resources to add diversion
point of a right from a groundwater source. The
right sought to be changed is evidenced by License
No. 45-2398 and is recorded as follows:

Amount: 2.6 cfs

Priority: September 4, 1951

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T12S, R22E,
B.M., Cassia County

The water is used for irrigation of 130 acres
from March 15 to November 15 within the SW $\frac{1}{4}$,
Sec. 2, T12S, R22E

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 10, T12S, R22E, B.M., Cassia County

Place of Use: No change

Any protest against the approval of the above
proposed change of the right described above must
be filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin
Falls, Idaho, 83301, on or before July 11, 1983.

/s/A. Ken Dunn

A. KEN DUNN

Director

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
NO. 45-2548

Notice is hereby given that Wade &/or Afton
Baker of Burley, Idaho have applied to the
Department of Water Resources to add a diversion
point of a right from a groundwater source. The
right sought to be changed is evidenced by License
No. 45-2548 and is recorded as follows:

Amount: 2.8 cfs

Priority: April 17, 1957

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T12S, R22E,
B.M., Cassia County

The water is used for irrigation of 240 acres from
March 15 to November 15 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3, T12S, R22E

TO BE CHANGE AS FOLLOWS:

Amount: Same

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 10, T12S, R22E, B.M., Cassia County

Place of Use: No change

Any protest against the approval of the above
proposed change of the right described above must
be filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin
Falls, Idaho 83301, on or before July 11, 1983.

/s/A Ken Dunn

A. KEN DUNN,

Director

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
NO. 45-2554

Notice is hereby given that Wade Baker &/or
Afton Baker of Burley, Idaho have applied to the
Department of Water Resources to add diversion
point of the water from a groundwater source. The
right sought to be changed is evidenced by License
No. 45-2554 and is recorded as follows:

Amount: 4.12 cfs

Priority: August 14, 1957

Point of Diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T12S,
R22E, B.M., Cassia County

The water is used for irrigation of 240 acres from
March 15 to November 15 within the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3; NE $\frac{1}{4}$, Sec. 10, T12S, R22E

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10;
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T12S, R22E, B.M., Cassia
County

Place of Use: No change

Any protest against the approval of the above
proposed change of the right described above must
be filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin
Falls, Idaho 83301, on or before July 11, 1983.

/s/A. Ken Dunn

A. KEN DUNN,

Director

Published in the South Idaho Press on June 23
and June 30, 1983.

State of Idaho
License and Certificate of Water Right

Water License No. G-26860 Amount 2.8 c.f.s.
Water District No. Priority April 17, 1957

THIS IS TO CERTIFY that ROSS T. NIELSON
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 17, 1957, 19 57; that Permit No. G-26860
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.8 second feet, was issued thereunder on October 8, 19 59, showing that said works
were completed on the 12 day of June, 19 59; and that on the 12
day of June, 19 59, ROSS T. NIELSON

of Oakley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-26860 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 6779, on the 8 day of October, 19 59;
The right hereby confirmed dates from April 17, 19 57;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 3, Tp. 12 S, R. 22 E, B. M. Cassia 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 2.8 cubic feet per second.

Description and location of use:

Table with 6 columns: Twp., Range, Sec., Forty-acre Tract, No. Acres Described in Permit, No. Acres Actually Irrigated. It details land tracts in Twp. 12 S, Range 22 E, Sec. 3, totaling 240 acres for irrigation.

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
8 day of October, 19 59.

State of Idaho
License and Certificate of Water Right

Water License No. G-23695 Amount 4.88 c.f.s.
Water District No. Priority February 6, 1953

THIS IS TO CERTIFY that JOSEPH P. MARSHALL
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 6, 1953; that Permit No. G-23695
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.88 second feet, was issued thereunder on October 8, 1959, showing that said works
were completed on the 17 day of January, 1959; and that on the 17
day of January, 1959, JOSEPH P. MARSHALL

of Twin Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-23695 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 6780, on the 8 day of October, 1959;
The right hereby confirmed dates from February 6, 1953;
The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 23, Tp. 8 S., R. 17 E., B. M. Jerome County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 4.88 cubic feet per second.

Description and location of use:

Table with 6 columns: Twp., Range, Sec., Forty-acre Tract, No. Acres Described in Permit, No. Acres Actually Irrigated. It lists land tracts in Sec. 23 and 26, R. 17 E., T. 8 S., with acreage details and a total of 316 acres to be irrigated.

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
8 day of October, 1959.

45-2548
G-26860

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34770
Permit No. G- 26860
District No.

Mr. Herman E. Bedke
Attorney at Law
Box 204
Burley, Idaho

1. Name of Applicant: ROSS T. NIELSON
Postoffice address: Oakley County: Cassia State: Idaho
2. Quantity of water claimed: 4 second feet
(a) Rate of withdrawal in cubic feet per second. or Idaho
Miners' inches or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the SW 1/4 of the SE 1/4 of Section 3
Twp. 12S, Rge. 22E, B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section, Twp.
Rge., B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section, Twp., Rge., B.M.
7. Kind of works: Well, pump, ditches
8. Estimated cost of works: \$ 12,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 160 miners inches have heretofore been applied for under Permit # G-22356 covering the Southwest Quarter of Section 2.
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
12 S	22 E	2										40	40	40	40					160
12 S	22 E	3														40	40	40	40	280
																				440
Permit No. G-26860 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that ROSS T. NIELSON of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. G-26860, issued upon Application No. G-34770 bearing date of priority of April 17, 1957, authorizing the diversion of 4.0 second feet of the waters of a well County of Cassia, 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 2.8 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW¼SE¼, Sec. 3, T. 12 S., R. 22 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows: to-wit: 240 acres in NW¼NE¼, SE¼NE¼, SE¼, Sec. 3, T. 12 S., R. 22 E., B.M. Witness my hand this 8 day of October, A.D. 1959 /s/ GEO. N. CARTER State Reclamation Engineer Proof of Completion of Works Made: June 12, 1959 Certificate of Completion of Works Issued: October 8, 1959 LICENSE ISSUED FOR 2.8 SEC. FT. Page 6779																				

**NOTICE OF PROOF OF
COMPLETION OF WORKS
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 2:00 P.M., on the 12th day of June, 1959, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26860 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ross T. Nielson, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.8 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; Twp. 12 S., Rge. 22 East, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$; all in Sec. 3; Twp. 12 S., Rge. 22 E.B.M.

6. The date of priority which said user is prepared to establish is April 17, 1957.

GEO. N. CARTER
State Reclamation Engineer
First publication April 23, 1959,
Fourth publication May 14, 1959

**NOTICE OF PROOF OF
COMPLETION OF WORKS
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 2:00 P.M., on the 12th day of June, 1959, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26860 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ross T. Nielson, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.8 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; Twp. 12 S., Rge. 22 East, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$; all in Sec. 3; Twp. 12 S., Rge. 22 E.B.M.

6. The date of priority which said user is prepared to establish is April 17, 1957.

GEO. N. CARTER
State Reclamation Engineer
First publication April 23, 1959,
Fourth publication May 14, 1959

MEMORANDUM

TO: FILE 45-02548

FROM: PAM SKAGGS

RE: TRANSFER # 5365

DATE: 1-6-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 45-02376.

MICROFILMED

FEB 10 2001

November 22, 1983

RE: Transfer of Water Right No. 45-2548B

Wade &/or Afton Baker
Route #2, Box 2400
Burley, ID 83318

Dear Mr. and Mrs. Baker:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2913). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2548

Notice is hereby given that Wade &/or Afton Baker of Burley, Idaho have applied to the Department of Water Resources to add a diversion point of a right from a groundwater source. The right sought to be changed is evidenced by License No. 45-2548 and is recorded as follows:

Amount: 2.8 cfs

Priority: April 17, 1957

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T12S, R22E, B.M., Cassia County

The water is used for irrigation of 240 acres from March 15 to November 15 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3, T12S, R22E

TO BE CHANGE AS FOLLOWS:

Amount: Same

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T12S, R22E, B.M., Cassia County

Place of Use: No change

Any protest against the approval of the above propros change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before July 11, 1983.

A. KEN DUNN, Director

Published in South Idaho Press June 23 and June 30, 1983.

RECORDED

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
NO. 45-2548**

Notice is hereby given that Wade &/or Afton Baker of Burley, Idaho have applied to the Department of Water Resources to add a diversion point of a right from a groundwater source. The right sought to be changed is evidenced by License No. 45-2548 and is recorded as follows:

Amount: 2.8 cfs

Priority: April 17, 1957

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T12S, R22E, B.M., Cassia County

The water is used for irrigation of 240 acres from March 15 to November 15 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3, T12S, R22E

TO BE CHANGE AS FOLLOWS:

Amount: Same

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T12S, R22E, B.M., Cassia County

Place of Use: No change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before July 11, 1983.

/s/ A Ken Dunn

A. KEN DUNN,

Director

ad
maye
6/21/83

RECORDED

June 17, 1983

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right No. 45-2398 and
45-2543 and
45-2554 and
Notice of Amended Claim to a Water Right No. 43-4145

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Newby
Sec/Office Corrd

Encl:

Bill submitted: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADN

1. Right number 45-2548 Applicant BAKER, Wade &/or Afton
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use *Not listed on original Lic*
 - ☒ ☐ Description of original point of diversion.
 - ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - ☒ Check description of point(s) of diversion.
 - ☒ Check description of place of use.
 - ☒ Check map (shows p.d. and p.u. after transfer).
 - ☒ Check for correct signature, notarization, and fee.
 - ☒ Check proof of ownership of right &/or land from which water is transferred. N/A
 - ☒ Check for expansion in use of right. Comments None

☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A

☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

NAL PROCESSING REVIEW BY: ADN

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
- ☒ Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

☒ Approve

2. ☐ Deny

3. Conditions* OK Transfer of rights limited to scope of works.

4. By ADN Date 7/22/83

11-15-83
If uses within Watermaster Districts require special conditions.

RECEIVED
AUG 24 1983
Department of Water Resources

X

Copy

Address all communications to:

(Form No. 3)

Herman E. Bedke

P. O. Box 204, Burley, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G

Permit No. G

District No.

1. Name of applicant: Ross T. Nielson
- Post office address Oakley County Cassia State Idaho
2. Quantity of water claimed: 4 second feet
- (a) Rate of withdrawal in cubic feet per second or Idaho Miner's inches or gallons per minute
- (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Well
4. Location of point of diversion or well is in the SW ¼ of the SE ¼ of Section 3, Twp. 12 S., Rge. 22 E., B. M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes give:
- (a) Point of use of water is in the ¼ of the ¼ of Section, Twp., Rge., B. M.
- (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section, Twp., Rge., B. M.
7. Kind of Works: Well, pump, ditches
8. Estimated cost of works: \$ 12,000.00
9. (a) Is reservoir to be used? No.
- (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

26860

26860

Remarks: ~~This application made for a well whose point of diversion~~
~~is in the same place and is in fact the same well as contained~~
~~in permit no. G-22356 as it is now constituted with the change~~
~~of the point of diversion being approved by the State Reclamation~~
~~Engineer.~~

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.

Reed Nielson

Applicant

By _____, Agent

26860

Approval of State Reclamation Engineer

The number of this permit is G_____.

Recorded in Book_____ Page_____ Approved _____

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 before_____

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

One-fifth of the work above specified to be completed on or before _____
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on
or before _____

Witness my hand this_____ day of_____, 195_____.

State Reclamation Engineer

IN TESTIMONY WHEREOF, We_____, Governor of the State of Idaho,
and_____, Secretary of State of the State of Idaho, have caused this instru-
ment 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_____ day of_____, 195_____.

Countersigned: STATE OF IDAHO

By _____ By _____
Secretary of State Governor.

No. G_____

PERMIT

Date of first receipt at office of State Reclamation Engineer

Returned to applicant for correction

Corrected application received

Fees, \$_____

FILING FEES FOR USE PERMIT:

For the first Sec. Ft._____ \$5.00

For each additional Sec. Ft. or Fraction

Thereof _____ .25

26860

October 8, 1959

Re: Permit No. G-22356 - Laura Ann Nielson
No. G-26860 - Ross T. Nielson

Mr. Ross T. Nielson
Box 281
Oakley, Idaho

Dear Mr. Nielson:

We enclose Certificates of Completion of Works and Licenses and Certificates of Water Right issued on Permit No. G-22356 in the name of Laura Ann Nielson, and Permit No. G-26860 in your name.

We also enclose departmental receipt No. G-4346 in the amount of \$30.00 covering the fees.

Very truly yours,

Geo. E. CARPER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. certificate
license
receipt

26860

September 22, 1959

Re: Permit No. G-26860

Mr. Ross T. Nielson
Box 281
Oakley, Idaho

Dear Mr. Nielson:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26860 shows the well is capable of conveying 140 miner's inches (2.80 c.f.s.) of water for the irrigation of 240 acres.

Upon receipt of the statutory fees, totaling \$17.00, we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$12.00 - based at the rate of \$2.00 for each 40-acre subdivision) confirming the right with priority of April 17, 1957, to the use of 2.8 second feet of subterranean water, with the point of diversion in the SW 1/4, Sec. 3, for the irrigation of NW 1/4, Sec. 3, T. 12 S., R. 22 E., S. M.

Very truly yours,

GEO. N. CAMPLING
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

ENR:ew

26860

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

Permit No. G-26860

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Ross T. Nielson
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3
T. 12 S. R. 22 E. B. M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: _____

See report in G-22356

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: _____
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):
SW $\frac{1}{4}$ of Sec. 2., NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 3., all in Twp. 12 S., Rge. 22 E. B. M.

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

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

This examination was made on the 11 day of Aug., 19 59
(Signed) E. H. Humphrey Examiner.
56860

312X70X366
- 870"
359' X 62 1/2'

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 2 1959
Department of Reclamation

Ross T. Nielson
Box 281
Oakley, Idaho
Permit No. G-26860

Examination for Completion of Works & Beneficial Use 12" X 480'

County Cassia

3-125-22E

S. Well

P.D. 25W. 36, Sec. 3, T. 12S. - R. 22E

20" X 581' 1" = 355'

20' X 500" 48" = 380' 4 1/2'

160' under C-27256

Filed Apr. 17, 1959

line 2 May 1, 1962

Demand = 325 X 80

312 by -

3-27256 for 160' for SW 1/4, Sec. 2,
12S - 22E

581' X 16" h = 355'
p = 349'

Storage 12"
340 by 24S 1108406

Large B. Turb.

2700 gpm @ 370'

1770 gpm @ 23964

14 R.H.

86 to Ponds
on west in house

Screened house system

can have

12" del. to East 8" into
can. pit to fields by
gravity.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26860

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ross T. Nielson, Box 281, Oakley, Idaho .

26860

26860

July 2, 1959

RE: Permit No. G-26860

Mr. Ross T. Nielson
P. O. Box 281
Oakley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Oakley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-26860.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR

cc: Nielson & Nielson
P. O. Box 367
Burley, Idaho
ATT: A. H. Nielson

26860

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 22 1959

Permit No. G-26860

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. Ross T. Nielson, Oakley, Idaho, Accountant-Farmer, Box 281
Oakley, 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. None

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

Ans. May 1, 1957, G 26860, Priority Date of Apr. 17, 1957

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

Ans. Underground water from well, located in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section
3, Twp. 12 S., R. 22 EBM, Cassia County, Idaho

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well drilled to depth of 581'. Casing installed--20' of 22" x $\frac{1}{4}$ "
water well casing, and 246' of 16" x $\frac{1}{4}$ " water well casing (I.D)
SWL is 355 feet. Pump is equipped with 300 hp. US Motor, installed
with 380 feet pump column 12" standard pipe, with 5 stage bowls,
and 10' 12" Std. Suction pipe. It has been estimated that this
pump discharges between 280 and 300 miners' inches of water, of
which 160 miners' inches applies to SW $\frac{1}{4}$ Section 2 under permit
G= 22356.

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. Irrigation. Applied to SW $\frac{1}{4}$ Sec. 2, Twp 12 So, R 22 EBM, Approximately
160 miners' inches. Balance of the water is used on the East one half
Section 3, Township 12 S. R 22 EBM, except the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3,
T. 12 S. R. 22 EBM, which is not owned by applicant. Water is
conveyed to point of use by a concrete head ditch, and sufficient
laterals, drains and culverts. Property under this well has
produced a satisfactory crop of potatoes during the years 1957
and 1958, and is currently planted to Potatoes, and beans.
Improvements included clearing of brush, levelling of land, building
of ditches and drains, installation of necessary culverts, etc.
as required.

26860

JD

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

Ans. Not applicable

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

Ans. 120-140 inches. Additional water to be applied to area in Section 3 has been applied for under Permit #G27051, dated 2/26/57

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. Not applicable

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

Ans. 1957-160 miners' inches was used on approximately 120 acres potatoes grown in SW $\frac{1}{4}$ Section 2.

1958-140 miners' inches was used on approximately 200 acres of potatoes grown in the E $\frac{1}{2}$ Section 3, plus 160 miners' inches used on approximately 135 acres potatoes in the SW $\frac{1}{4}$ Section 2.

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. During 1957 there was excess water available from the pump which was sold to Kenyon Farms, Inc. and used in Section 34, Twp 11 S. Range 22 EBM. During 1958, all of the water from the well was used on lands owned by applicant in the E $\frac{1}{2}$ Section 3, and the SW $\frac{1}{4}$ Section 2, Twp 12 S R 22 EBM.

(Sign)

Ross Nelson

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 Burley, County of Cassia,

State of Idaho, on this 12th day of June, A. D. 19 59,

My commission expires

Feb 20, 1962

A. J. Nelson
Notary Public

26860

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
JUN 22 1959
Department of Reclamation

Permit No. G 26860

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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. Albert Anderson, 50, Oakley, Idaho, Farmer, Livestock raiser,
Oakley, Idaho

Ques. 2. Are you acquainted with Ross T. Nielson, the holder of Permit No. G 26860? How long have you known him and where does he reside?

Ans. Yes. I have known Mr. Nielson for over 10 years.
He resides at Oakley, Idaho

Ques. 3. Have you read or heard read said Permit No. G 26860, 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. Underground water from a well located in the SW Cor SW 1/4 SE 1/4
Section 3, Twp 12 So, R 22 EBM. Water is conveyed to place of
use by means of a concrete head ditch of adequate capacity, and
through the use of main ditches and laterals and cross ditches
as required.

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. six second feet. I have seen an estimated six second feet
being so conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I estimate that the pump will deliver at least 300 miners'
inches of water.

26860

Ques. 7. 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 purposes. Water is applied to acerages in the East one-half Section 3 in the approximate amount of 140 miners' inches. This is in addition to the 160 miners inches supplied to the SW $\frac{1}{4}$ Section 2. Adequate ditches have been constructed, brush has been cleared, and the ground has been leveled for gravity irrigation purposes.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used for irrigation purposes only.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land is good quality lava-ash sandy loam soil, of considerable depth. It is estimated that with proper rotation of crops that 5/8" to 1" per acre should be adequate.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the works, water, or lands.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have witnessed the pump in operation during the seasons of 1957 and 1958.

(Signed) Albert Anderson

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 Burley, County of Cassia, State of Idaho, on this 12th day of June, A. D. 1959.

Notary Public.

My commission expires Feb. 28, 1962

26860

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 22 1959
Department of Reclamation

Permit No. G-26860

Proof of Application of Water to Beneficial Use

Deposition of Witness *and Completion of Works*

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. Ray Anderson, 48 Oakley, Idaho, Farmer-Produce Dealer,
Oakley, Idaho

Ques. 2. Are you acquainted with Ross T. Nielson, the holder of Permit No. G-26860? How long have you known him and where does he reside?

Ans. Yes. I have known Ross T. Nielson for approximately 10
years. He x resides at Oakley, Idaho

Ques. 3. Have you read or heard read said Permit No. G-26860, 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. Underground water from a well located in the SW Cor SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3, Twp 12 So, R 22 EBM. Water is conveyed to place of
use by means of a concrete head ditch of adequate capacity, and
through use of main ditches, laterals, and cross ditches as
required.

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. Six second feet. I have seen an est. 6 second feet so conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I estimate that the pump will deliver approximately 300
miners' inches of water.

26860

Ques. 7. 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 purposes. Water is supplied to acerages in the E $\frac{1}{2}$ Section 3, Twp. 12 S., R. 22 EBM in the approximate amount of 140 miners' inches. This is in addition to the estimated 160 miners' inches which is supplied and delivered to the SW $\frac{1}{4}$ Section 2. Adequate ditches have been constructed, brush has been cleared, and the ground has been adequately leveled for gravity irrigation.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used for irrigation purposes.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land is good quality sandy-loam lava-ash soil, of considerable depth. It is estimated that with proper rotation of crops that from $\frac{5}{8}$ " to 1" of water per acre should be adequate.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the works, water, or lands.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have witnessed the pump in operation during the seasons of 1957 and 1958.

(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of ~~Ida~~ Cassia, State of Idaho, on this 12th day of June, A. D. 1959.

Notary Public.

My commission expires Feb. 21, 1962

26860

RECEIVED
JUN 22 1959
Department of Reclamation

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the Notice

herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on

April 23 and 30, May 7 and 14, 1959.

19

Charles Brown.

Subscribed and sworn to before me this 10th

day of, June, 1959.

L. W. Elliott.

Notary Public.

Com. Exp. 5-20-61.

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M., on the 12th day of June, 1959, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26860 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ross T. Nielson, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.8 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; Twp. 12 S., Rge. 22 East, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$; all in Sec. 3; Twp. 12 S., Rge. 22 E.B.M.

6. The date of priority which said user is prepared to establish is April 17, 1957.

GEO. N. CARTER
State Reclamation Engineer
First publication April 23, 1959,
Fourth publication May 14, 1959

26800

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

June 19, 1959

RECEIVED
JUN 22 1959
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit G-22356
Laura Ann Nielson
Permit G-26860
Ross T. Nielson

Gentlemen:-

In the above matter we are sending the deposition and the deposition of the witnesses to both permits, together with the affidavit of the publisher of the Oakley Herald as to the publication.

We believe you will find these in order. If they are not, would you notify me?

Very truly yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN:zm
encls.

26860

April 10, 1959

RE: Permit No. G-26860

Mr. Ross T. Nielson
Oakley, Idaho

Dear Mr. Nielson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26860. The proofs are to be made at 2:00 P. M. on the 12th day of June, before A. H. Nielson, Notary Public.

As of this date we have mailed the Notice to the Oakley Herald with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR
Encls.-3

cc: A. H. Nielson, Notary Public
Burley, Idaho

26860

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: April 10, 1959

RE: Permit No. G-26860
Ross T. Nielson

Oakley Herald
Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to June 12, 1959 the date set for proof; the expense of the publication is to be paid by the applicant

Ross T. Nielson

of

Oakley, Idaho

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By
Chief Clerk

** 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.

EPR

26860

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M., on the 12th day of June, 1959, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at (address) Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26860 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ross T. Nielson, Oakley, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.8 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; Twp. 12 S; Rge. 22 E. B. M.

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ all in Sec. 3; Twp. 12 S; Rge. 22 E. B. M.

6. The date of priority which said user is prepared to establish is April 17, 1957.

Geo. N. Carter
State Reclamation Engineer

26860

RECEIVED
APR 9 1959

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 2:00 PM M., on the 12th
day of June, 19 59, at Burley, County of
Cassia, State of Idaho, before A. H. Nielson,
Notary Public, proof will be submitted of the completion of
works for the diversion of ~~2.8~~ 4.0 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G 26860 heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said
permit are Ross T. Nielson, Oakley, Idaho

2. Said works of diversion will be fully completed on the date set for such
completion, and the amount of water which said works are capable of conveying to
the place of use is 2.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation
purposes, and the amount applied to beneficial use is
2.8 cubic feet per second.

4. The point of diversion of said water is SW Corner SE $\frac{1}{4}$ Section 3, T. 12 S.
R 22 E2M (SW $\frac{1}{4}$ Sec. 3, T. 12 S. R 22 E2M)

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$
and W $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 3, T. 12 S. R 22 E2M.

6. The date of priority which said user is prepared to establish is

April 17,
May 1, 1957.

State Reclamation Engineer

26860

RECEIVED
APR 9 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 7, 1959

Oakley, Idaho

Address

City

State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Carria Co.

By

Ross T. Nielson

Ross T. Nielson

(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

26860

August 7, 1957

Re: Permit No. G-22356
Permit No. G-26860

Mr. Ross T. Nielson
Certified Public Accountant
Oakley, Idaho

Dear Mr. Nielson:

In answer to your letter of July 30, 1957 in which you state that you wish to make final proof on the above captioned permits and you wish to be advised as to procedure.

Our records disclose that G-22356 proofs are due June 21, 1959. Permit No. G-26860 proofs are due May 1, 1962.

Since you state that the pump has only been in operation only 45 days, when making said proofs it will be necessary to show that all the land designated in the permit has been irrigated and water put to beneficial use in order to get the full amount of water applied for.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in the County newspaper. For this required information, we have enclosed Form 36, in duplicate, which you are to complete and return. In filling out this form be sure to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the place where the depositions will be taken, and, the name of the notary public before whom you will appear to make the depositions of proof (any place convenient for you and your two witnesses), the quantity of water filled on, for what purpose it is used, the point or points of diversion and the lands which are irrigated--by legal land description.

See letter in file 22356

26860

Mr. Ross T. Nielson

-2-

August 7, 1957

Also enclosed is Form 11, which is the authorization for use to have the notice of proof published in the designated county newspaper, at your expense. This is to be returned with Forms 36.

At the time we send the notice to the newspaper, we will also send to you the forms for the depositions of holder and two disinterested witnesses, which are to be executed at the time, on the date set, at the place and before the notary public, as was advertised in the publication of notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls.

26860

May 14, 1957

RE: Permit No. G-26860
Ross T. Nielson

Mr. Herman E. Bedke
Attorney at law
Box 204
Burley, Idaho

Dear Mr. Bedke:

We enclose Permit No. G-26860, for Ross T. Nielson, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental receipt No. G-2557 was issued covering the payment in the amount of \$5.75 for filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw
Enclosure

26860

NAME OF APPLICANT Ross T. Nielson

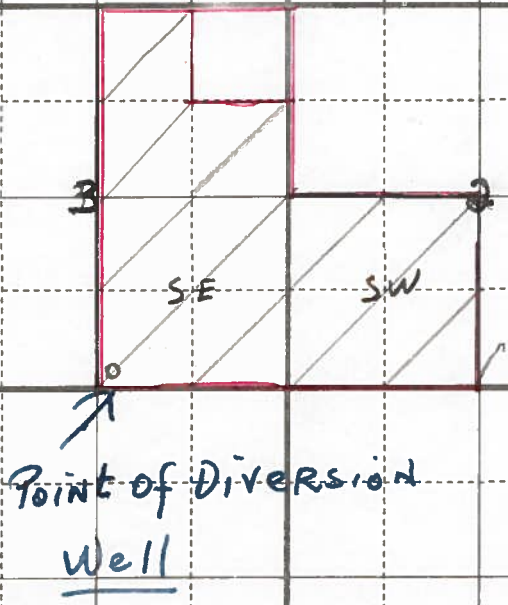
Form No. 0

TWP 12 South, Range 22 EBM



Point of Diversion
Well

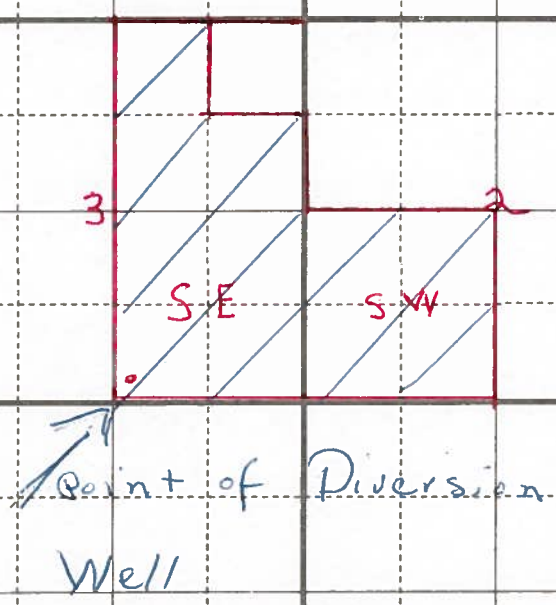
Twp. 12 South Range 22 EBM



NAME OF APPLICANT Ross T. NELSON

Form No. 0

TWP 12 So. Rge 22 E 13M



Permit Map No. 9-26860
As Approved
MARK R. KULF
State Reclamation Engineer
MAY 1 1957

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

26860

Certified Mail

Ross T. Nielson

CERTIFIED PUBLIC ACCOUNTANT

Oakley, Idaho

April 15, 1957

RECEIVED
APR 17 1957
Department of Reclamation

State of Idaho
Department of Reclamation
State House
Boise, Idaho

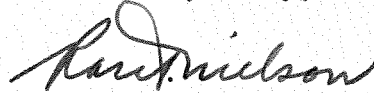
Gentlemen:

I am enclosing two copies of form #3 (application for permit) covering the diversion of subterranean waters of the State of Idaho from a point located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 3 Township 12 South, Range 22 EBM.

I am also enclosing my check in the amount of \$5.75 as filing fees on this application.

When this application is approved, will you please certify the duplicate copy thereof and forward same to me.

Yours very truly,



Ross T. Nielson

Encl: as listed.

RTN/lh

26860