

34 E

3N

well

36

SEE PHOTO

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.

35, 2017

26 25
35

ARMO

17 MILES

① 85A
PASTURE LAND

desilting basin

② 91A
PASTURE LAND

CHANNING

corn

other dikes level

③ 92A
WILD LIFE LAND

36	31	R35E
1	6	T3N
		T2N

R34E

04896-1

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN - OOLSE

other dikes Level

corn

③ 92A
WILD LIFE LAND

36	31	R35E
1	6	T3N
		T2N

R34E

04896-1

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN OOLSE

other dikes Level

corn

④ 194A
WILD LIFE LAND

36 31
1 6

R35E
T3N
T2N
R34E

04896-1

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN OOLSE

other dikes Level

corn

④ 194A
WILD LIFE LAND

36 31
1 6

R35E
T3N
T2N
R34E

04896-1

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN OOLSE

other dikes Level

corn

④ 194A
WILD LIFE LAND

36 31
1 6

R35E
T3N
T2N
R34E

04896-1

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN OOLSE

other dikes Level

corn

④ 194A
WILD LIFE LAND

36 31
1 6

R35E
T3N
T2N
R34E

04896-1

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN OOLSE

other dikes Level

corn

④ 194A
WILD LIFE LAND

36 31
1 6

R35E
T3N
T2N
R34E

04896-1

709530

26 25
35

ARMO

PAHO PAUL 17 MILES

① 85A
PASTURE LAND

desilting
basin

② 91A
PASTURE LAND

CHANN OOLSE

other dikes Level

corn

④ 194A
WILD LIFE LAND

36 31
1 6

R35E
T3N
T2N
R34E

04896-1

35-7012



Proof of Publication
The Post-Register

RECEIVED

APR 15 1968

Department of Reclamation

State of Idaho,
County of Bonneville } ss.

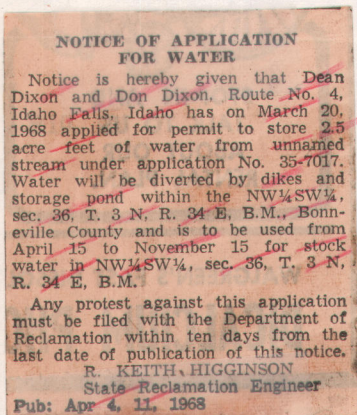
I, E. F. McDermott, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 4th day of April, 19 68, last publication
having been made on the 11th day of April, 19 68, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

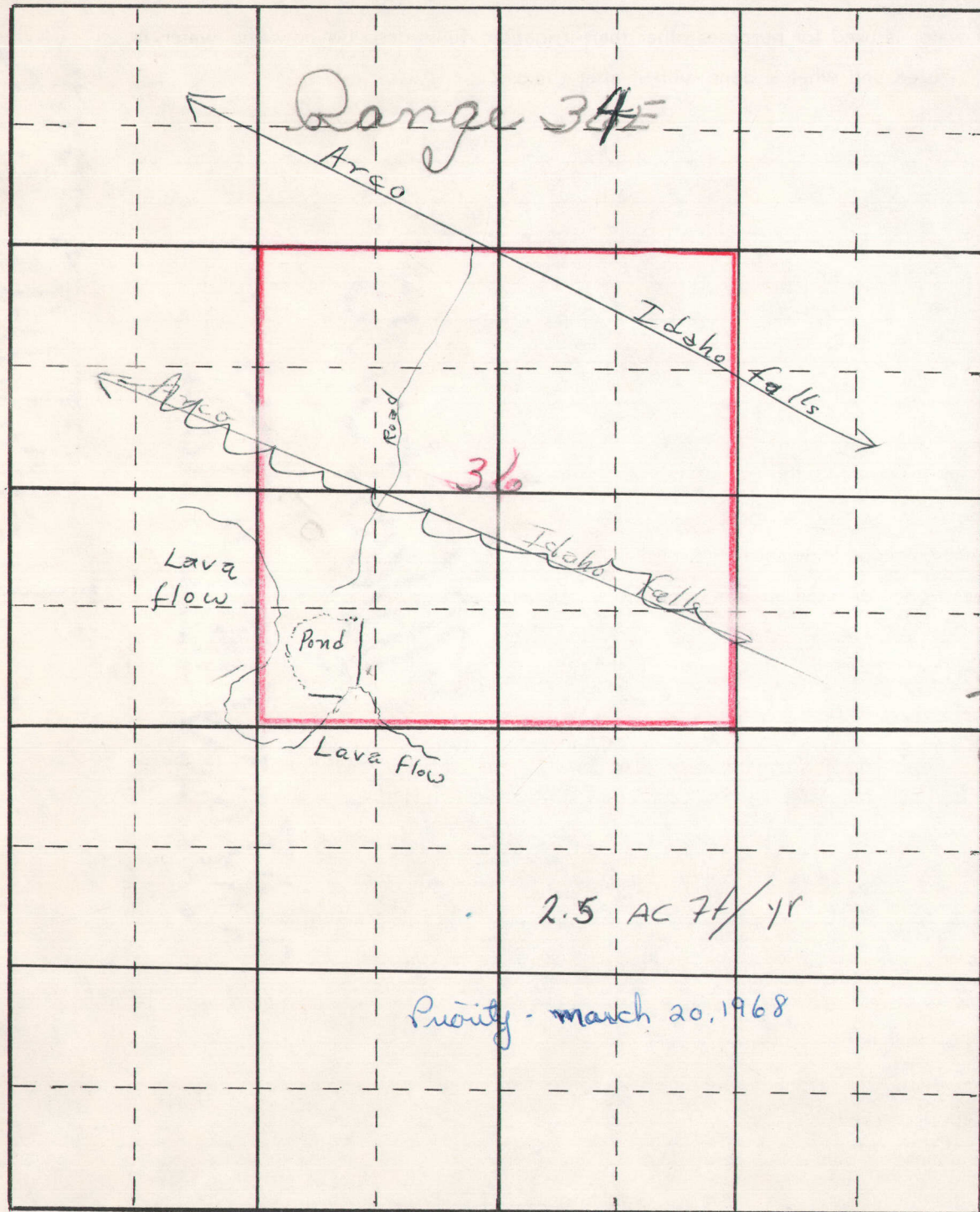
Subscribed and sworn to before me, this 12th day of April, 19 68

Karl S. Dale
Notary Public

My commission expires April 5th, 19 71



35-7017



Permit No. 35-7017

Name of Applicant Dean and Don Dixon, Route #4, Idaho Falls, Idaho

Source of Water unnamed stream

a tributary of Idaho Falls

Location of P.D. NW 1/4 SW 1/4, Sec. 36, T. 3N, R. 36E.B.M., Bonneville

County Idaho

Proof form indicates the dams to be located in the SW 1/4 SW 1/4, Sec. 36, T. 3 N, R. 36 E, B. M.

Water is used for Stock water

Quantity of water claim d: Permit 2.5 ac.ft. Depositions 12.5 ac. ft.

Type of measuring device installed or method of measurement and general description of diversion works. dikes, storage

pond measuring device is required, it was not installed at the time proof was made

Land to be irrigated or place of use:

TWP. RGE. SEC. Description

Filed: March 20, 1968

Total acreage 12.5
Due: June 1, 1969

Made: June 2, 1969 no priority reduction
- because the 1st was a Sunday

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None

35-7017

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 35-7017 Priority 3-20-68 Amount 2.5 acre feet

THIS IS TO CERTIFY, that DEAN DIXON AND DON DIXON
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7017 issued pursuant to Application for Permit dated 3-20-68,
and has submitted proof to the Department of Water Administration on 6-2-69,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.5 acre feet, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed stream
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.5 acre ft. for Stockwater from April 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.5 acre feet of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 3 N., R. 34 E., B.M.

in the county of Bonneville; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2.5 acre feet per year or _____
_____ acre feet per acre.

Description and location of place of use:

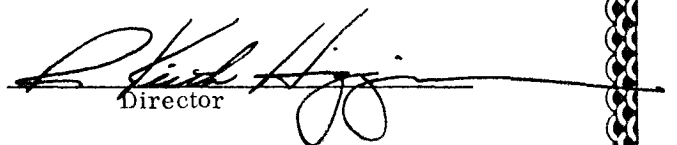
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1st day of

October, 19 70.


Director

35-7017

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 35-7017) ORDER
IN THE NAME OF DEAN DIXON AND DON DIXON)

WHEREAS, on March 20, 1968, Dean Dixon and Don Dixon applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 2.5 cubic feet per second of water from an unnamed stream to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 36, T. 3N, R. 34E, B.M., Bonneville County, to be used for stock water purposes; and,

WHEREAS, on May 13, 1968, the Department approved said application and issued Permit No. 35-7017 with the requirements that proof of construction of works and application of the water to beneficial use be submitted to the Department on or before June 1, 1969, and the applicant permanently install a measuring device of a type approved by the Department as part of the diverting works; and,

WHEREAS, on June 2, 1969, the Department received the required proof of construction of works and application of the water to beneficial use; and,

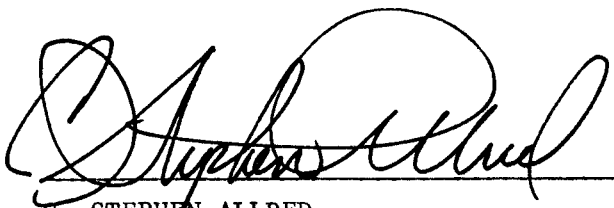
WHEREAS, on August 11, 1970, the Department issued an Order to Show Cause directing the permit holders to show cause on or before September 11, 1970, as to why their permit should not be lapsed for failure to install the required measuring device; and,

WHEREAS, the permit holders responded requesting that the requirement of a measuring device be removed and giving justification to support such request;

IT IS, THEREFORE, HEREBY ORDERED, after it appearing that there being sufficient cause, that the condition of approval that the permit holders shall permanently install a measuring device of a type approved by the Department as part of the diverting works be REMOVED from Permit No. 35-7017; and,

IT IS FURTHER ORDERED that the Order to Show Cause, dated August 11, 1970, be set aside.

Dated this 23rd day of September, 1970.



C. STEPHEN ALLRED
Deputy Director

35-7017

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF LICENSING OF)
PERMIT NO. 35-7017 in the names of)
DEAN DIXON and DON DIXON)

ORDER TO SHOW
CAUSE

WHEREAS, on March 20, 1968, Dean Dixon and Don Dixon filed with the Department of Reclamation an Application for Permit No. 35-7017 calling for the diversion of 2.5 acre-feet per annum of water from an unnamed stream with the point of diversion to be located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 3 N., R. 34 E., B.M., Bonneville County and to be used for the watering of 400 head of range cattle; and,

WHEREAS, that application was approved by the State Reclamation Engineer on May 13, 1968, with the requirements that proof of application of the water to beneficial use be submitted on or before June 1, 1969, and that the permit holders permanently install and maintain a measuring device of a type approved by the department as part of the diverting works; and,

WHEREAS, on June 2, 1969, proof of application of the water to beneficial use was submitted; and,

WHEREAS, a subsequent field examination of the land and works covered by this permit was made on March 12, 1970, indicating that the point of diversion was within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 3 N., R. 34 E., B.M., rather than the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 3 N., R. 34 E., B.M., as listed on the permit; and,

WHEREAS, on May 7, June 2, and July 2, 1970, letters were written to Dean and Don Dixon requesting that they submit an amendment to their point of diversion; and,

WHEREAS, no response has been received from these letters;

NOW, THEREFORE, IT IS HEREBY ORDERED, that Don and Dean Dixon show cause on or before September 11, 1970, if any there be, as to why proof of application of the water to beneficial use should not be rejected and Permit No. 35-7017 be lapsed.

Dated this 11th day of August, 1970.


C. STEPHEN ALLRED, Deputy
Director of the Department of
Water Administration

35-7017

SEP 10 1970

Department of ...

Permit No. 35-7017

_of (address)

, and represents to the State Reclamation

they are

No. 35-7017, and requests that the permit and permit map be changed as follows:

R. 34 E, B.M. Other points of diversion _____

For STOCKWATER purposes from 4/15 ^{mo. - day} to 11/15 ^{mo. - day} (both dates incl.)

For _____ purposes from _____ to _____ (Both dates include)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

[illegible]

35-7017

[illegible]

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

September 19 70
Stephen L. Chae
State Reclamation Engineer

Identification No. 35-7817
Application No. 32483

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Dean Dixon and Don Dixon
post office address Route #4, Idaho Falls, Idaho
2. Source of water supply (unnamed dry washes) ^{unnamed stream} which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 3 N.
Range 34 E. B.M. Bonneville County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. _____ cubic feet per second and/or
✓ b. 2.5 acre feet per annum will be stored.
5. Water will be used for the following purposes:
Stock water purpose from 4-15 to 11-15 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. dikes as per attached aerial photo
with storage pond. Located in the Northwest Quarter of the South-
west Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 36

tapering to 0'
b. Height of storage dam 6 / _____ feet; active reservoir capacity 2.5 acre feet; total reservoir
capacity 2.5 acre feet; materials used in storage dam: dirt fill

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is one years.
b. Estimated construction cost is \$ 1000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered Range cattle to 400 head

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35-7017

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes. None

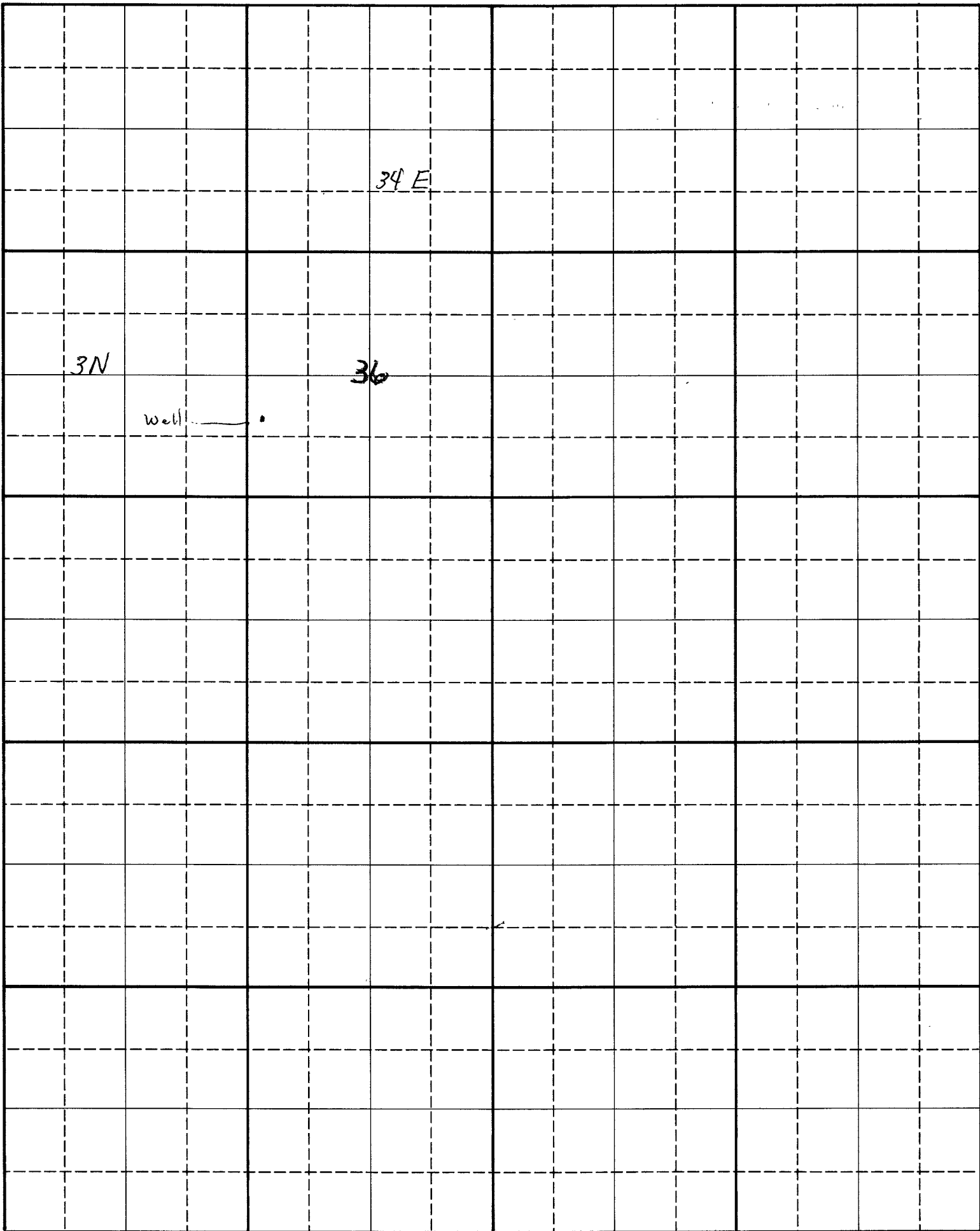
9. a. Who owns the property at the point of diversion Applicants - purchase contract

b. Who owns the land to be irrigated or place of use Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing being purchased by applicants on State Land Contract.

10. Remarks The applicants, working in conjunction with the Soil Conservation Service, U. S. Department of Agriculture, will initiate a system of dikes which will divert spring run-off from some 6000-7000 acres lying North and West of the proposed reservoir. There will be a pit constructed approximately 6 feet deep and 100 x 80 feet in size, with dikes extending laterally from the pit to divert spring run-off into the pit, after which it will be stored and used for stock water. The layout of the dikes are shown on the enclosed aerial photograph prepared by the U. S. Department of Agriculture.

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

Donald Dixon
Dean Dixon
(Applicant)

36-7017

Received by if Date 3-20-68 Time 9:00 am
Preliminary check by DR Fee \$ 10⁰⁰
Receipted by if Date 3-20-68
Publication prepared by JS Date 3-29-68
Published in Post Register
Publication dates 4-4 & 11-68
Publication approved JS Date 7-11
Priority reduced to _____ Reason _____

Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by CA Oliver

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7017, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before JUNE 1, 19 69.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 13 day of May, 19 68.

R. Keith Higgins
State Reclamation Engineer



106-58

Level

04396-1



Dear + Don Dixon

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 4th day of April, 1968, last publication
having been made on the 11th day of April, 1968, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 12th day of April, 1968

Karl Stokke
Notary Public

My commission expires April 5th, 1971

**NOTICE OF APPLICATION
FOR WATER**
Notice is hereby given that Dean
Dixon and Don Dixon, Route No. 4,
Idaho Falls, Idaho has on March 20,
1968 applied for permit to store 10
acre feet of water from unimproved
stream under application No. 35-7017.
Water will be diverted by ditches and
storage pond within the NW1/4SW1/4,
sec. 36, T. 3 N., R. 34 E., B.M. 1,
Bonneville County and is to be used from
April 15 to November 15 for stock
water in NW1/4SW1/4, sec. 36, T. 3 N.,
R. 34 E., B.M. 1.
Any protest against this application
must be filed with the Department of
Reclamation within ten days from the
last date of publication of this notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Pub: Apr 12 1968

35-7017

October 2, 1970

Re: Permit No. 35-7017

Dean & Don Dixon
Route 4
Idaho Falls, Idaho 83401

Gentlemen:

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

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:KH

Enclosure

35-7017

September 24, 1970

Re: Permit No. 35-7017

Dean & Don Dixon
Route 4
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed please find a copy of the APPROVED application for amendment. Also enclosed is an order which relieves the requirement for the installation of a measuring device for your permit 35-7017.

Please be advised that the license for your permit will be issued in the very near future. In the mean time, if we may be of any assistance, please contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:DR

Enc: Copy of amendment
Order

cc: R. Vern Kidwell
Enc: Receipt #5169

35-7017

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM

LAW OFFICES
HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO
IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 129
IDAHO FALLS, IDAHO 83401
TELEPHONE 523-0620
AREA CODE 208

RECEIVED
ARTHUR W. HOLDEN (1877-1967)

SEP 24 1970

Department of Water Administration

September 21, 1970

Mr. Donald W. McEldowney
Appropriation Supervisor
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 35-7017
Dean and Don Dixon

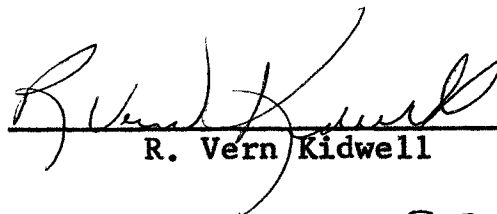
Dear Mr. McEldowney:

We enclose our check in the amount of \$5.00 for the amendment fee.

Please withhold lapsing of the permit pending receipt and approval of the Petition to Amend.

We are also advised that the permit was approved with the condition that a measuring device be permanently installed and maintained at the point of diversion. This installation is used for the purpose of impounding spring run-off water for stock watering during the summer. We are not placing it on any permanent year-around stream, but trap water only for the purpose of accumulating into a reservoir and watering of cattle later on. We would request that the requirement for a measuring device be released from the permit. If any formal type of application is desired please advise. It would appear that during the spring run-off the measurements would be of little significance anyway, since they would occur during general high water levels. We would appreciate your comments.

Very truly yours,


R. Vern Kidwell

jk
Encl.

35-7017

CF 291
Prepared by
R. Vern Kidwell
35-7017
Amendment

September 17, 1970

Re: Permit No. 35-7017

Holden, Holden, Kidwell, Hahn & Crapo
P.O. Box 129
Idaho Falls, Idaho 83401

Attn: R. Vern Kidwell

Dear Mr. Kidwell:

Before we can process the amendment to the above numbered permit, it will be necessary to have a \$5 amendment fee.

You should also be advised that on August 11, 1970, we issued an Order to Show Cause why this permit should not be lapsed. We are enclosing a copy of this order. We will withhold the lapsing of this permit until we are in receipt of the \$5 amendment fee.

This permit was approved with the condition that a measuring device be permanently installed and maintained at the point of diversion. Our examiner found no such device installed. Before this permit can be licensed a measuring device will have to be installed or the requirement removed from the permit. In order to remove the measuring device requirement you must petition this office for that removal.

If you should have any questions, please feel free to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:KH

Enclosure

35-7017

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM

LAW OFFICES
HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO
IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 129
IDAHO FALLS, IDAHO 83401
TELEPHONE 523-0620
AREA CODE 208

RECEIVED

SEP 10 1970
ARTHUR W. HOLDEN (377-1370)

Department of Water Administration

September 9, 1970

Mr. Donald E. McEldowney
Appropriation Supervisor
Department of Reclamation
State House Annex 2
Boise, Idaho 83707

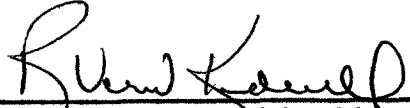
Re: Dean Dixon and Don Dixon
Our File: 4917
Permit No. 35-7017

Dear Mr. McEldowney:

We enclose Application for Amendment executed by Dean Dixon and Donald Dixon. They wanted me to express their regret about not responding sooner to your letter of May 7; however, they have been with cattle in Montana.

We trust that the enclosed Application for Amendment is satisfactory and can be processed. If there is any problem please give us a collect phone call.

Very truly yours,


R. Vern Kidwell

jk
Encl.

35-7017

AND
ADDRESS
SENDER

Dept of Water Administration

Indicate type of mail

☐ INSURED

☐ C. O. D.

☒ CERTIFIED

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

35-7017

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSE- MENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE REMARKS
22086	Dean and Don Nixon, Route 4, Idaho Falls, Idaho	.06	.30			.15			35-7017
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									

TOTAL NUMBER OF
PIECES LISTED
BY SENDER

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

August 11, 1970

Re: Permit No. 35-7017

C
O
Dean and Don Dixon
Route 4
Idaho Falls, Idaho 83401

Dear Sirs:

Enclosed you will find an Order to Show Cause on or before September 11, 1970, as to why
your above numbered permit should not be cancelled.

P
Very truly yours,

Y
C. Stephen Allred
Deputy Director

CSA:kh

Enclosure

Certified Mail No. 22086

35-7017

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

Don Dixon

22086

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Cindy Dixon

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

AUG 13 1978

35-7017

Strom

~~*35-7017*~~

c55-16-71648-10

GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

**POSTMARK OF
DELIVERING OFFICE**

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

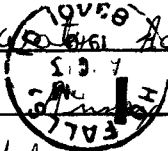
**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Dept. of Interior Administration
State House
Boise, Idaho 83707



055-10-71548-10

Apr. 1967

POD Form 3811

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered

☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO.

22032

INSURED NO.

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

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

JUL 3 1973

SHOW WHERE DELIVERED *(only if requested)*

35-2017 ✓

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

055-10-71548-10

POD Form 3811 Apr. 1967



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

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

NAME AND ADDRESS OF SENDER

Department of Reclamation

Indicate type of mail

☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE
1	22032								
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									

Dean + Jan Dixon, Route 1,
Idaho Falls, Idaho

06 30

15

35-7017

TOTAL NUMBER OF PIECES LISTED BY SENDER

1

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

POD Form 3877-A—July 1958

35-7017

July 2, 1970

Re: Permit No. 35-7017

Dean and Don Dixon
Route 4
Idaho Falls, Idaho 83401

Gentlemen:

This is our third letter to you requesting that you submit an amendment to your above numbered permit. If we are not in receipt of this amendment on or before August 3, 1970, we shall issue an order to show cause why your proof of application of the water to beneficial use should not be rejected and your permit be lapsed.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

Certified No. 22032

Enclosures: 2 previous letters
amendment form

35-7017

June 2, 1970

Re: Permit No. 35-7017

Dean Dixon and Don Dixon
Route 4
Idaho Falls, Idaho 83401

Gentlemen:

We are enclosing a copy of our letter dated May 7, 1970, and another partially completed application for amendment to the point of diversion. We would appreciate your signing and returning this amendment with the proper fees in order that we may finalize your permit. Please take care of this matter as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

Enclosure

35-7017

May 7, 1970

Re: Permit No. 35-7017

C
O
P
Y

Dean and Don Dixon
Route 4
Idaho Falls, Idaho 83401

Gentlemen:

The Department of Reclamation has conducted a field examination of the land and works covered by your above referenced permit and has found that the point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 3 N., R. 34 E., B.M., Bonneville County, not NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 3 N., R. 34 E., B.M., as listed on your permit. Enclosed is a partially completed application for amendment. If you agree with the findings of the department, please sign the amendment and return it with a \$5 fee.

The department is prepared to license Permit No. 35-7017 as soon as we receive the amendment. The permit will be licensed as follows: 2.5 acre feet per year from an unnamed stream for stockwatering purposes with a priority date of March 20, 1968.

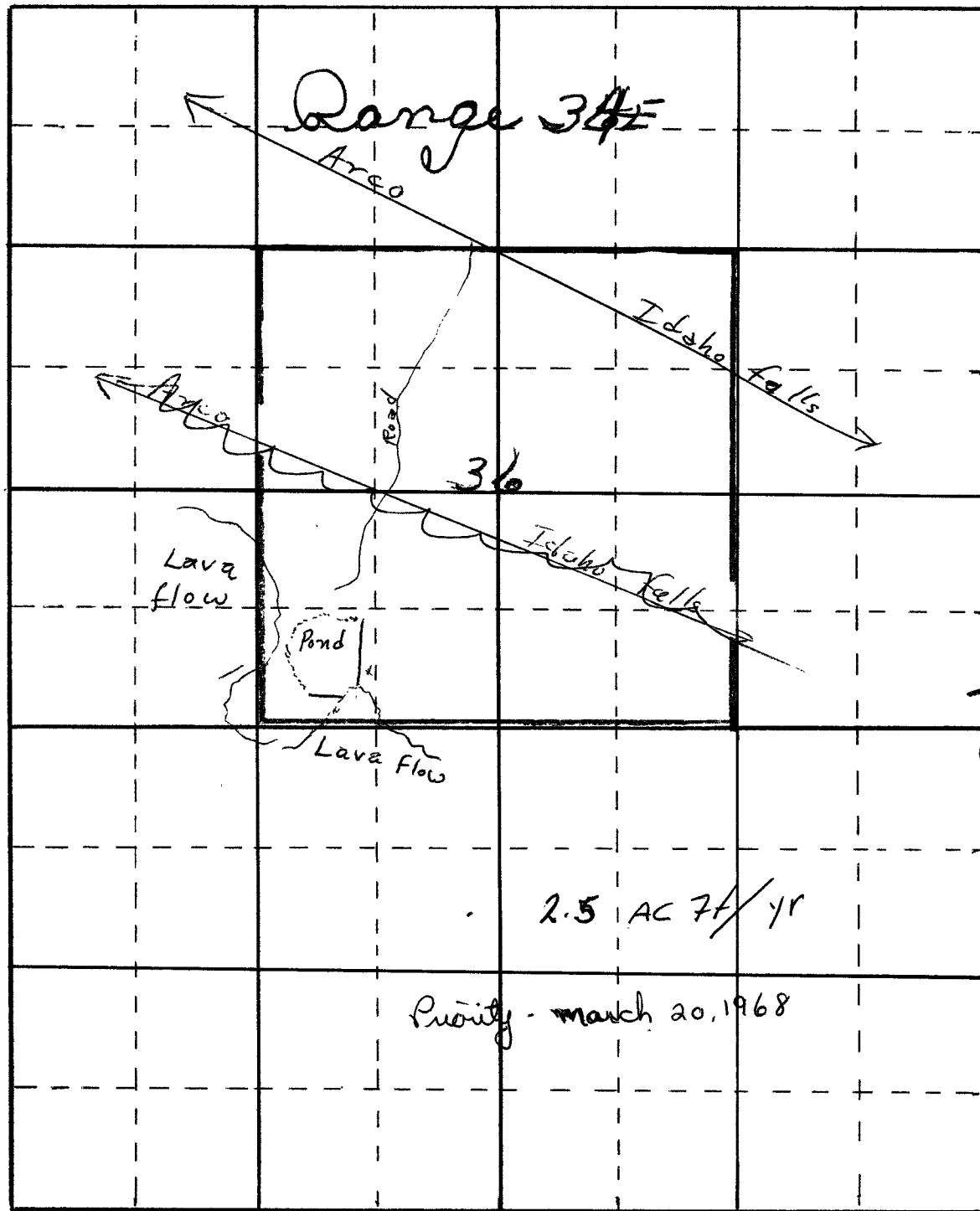
Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

Enclosure

35-7017



Permit No. 35-7017

Name of Applicant Dean and Don Dixon, Route #4, Idaho Falls, Idaho

Source of Water unnamed stream

a tributary of

Location of P.D. NW 1/4 SW 1/4, Sec. 36, T. 3N, R. 36E.B.M., Bonneville

County Proof form indicates the dams to be located in the SW 1/4 SW 1/4, Sec. 36, T. 3 N, R. 36 E, B. M.

Water is used for stock water

Quantity of water claim d: Permit 2.5 ac.ft. Depositions 12.5 ac. ft.

Type of measuring device installed or method of measurement and general description of diversion works: dikes, storage
pond measuring device is required, it was not installed
at the time proof was made

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description

Filed: March 20, 1968

Total acreage
Due: June 1, 1969

Made: June 2, 1969 no priority reduction Priority: March 20, 1968
- because the 1st was a Sunday

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None

35-7017

35

Source of supply Snow Runoff
a tributary of Snake River (20 miles away)
Location of P.D.(s) SW¹/₄ -36; T.3N, R.34E.B.M.

Water is used for Stock

Quantity of water found none

How was the measurement made? not measured

Measurement calculations Dam has failed and no storage was in pond. Hole will be fixed soon but due to low snow condition it is doubtful if pond will catch any water this year. Dam is located within 2 miles of the upper reaches of drainage that extends to Snake River. Water flows from Lava barrier to Lava barrier and except during heavy snow and fast run off it is doubtful if it reaches the river.

Diversion works description and diagram

Dam approximately 300' ^{long} x 5' high on south. 600' ^{long} x 6' high on East. Dirt was removed from pond area making max. depth 8.5 ft. deep Area covers approximately 3 Acres with average depth 3 ft. Dam 10' wide on top with 1/2' 1/2' slope front + rear.

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated None

If water is used for purposes other than irrigation, fully describe how the water is

used and what is done with it after the use.

Pond for Stock water. Will have 200 head for 6 weeks provided grass is good. Spillway is around north end of dam. When ~~dam~~ is filled it backs up and flows down natural drainage. 1 1/2' free board according to water line, freezing may have caused dam failure.

Who represented the permit holder at the examination?

Don Dixon

Recommended allowance for licensing 2.5 A.F. —

Description of required amendments. Comments. I recommend that the measuring device requirement be lifted. When runoff occurs very large quantities of water flow past pond and it will fill in very short time. Inflow into pond can be disregarded as the country is all wet at once and when this happens the river would be very high. When flood water is dropping there is no further flow in this Area for balance of season.

This Pond is in R.34E.B.M. Check permit for Range.

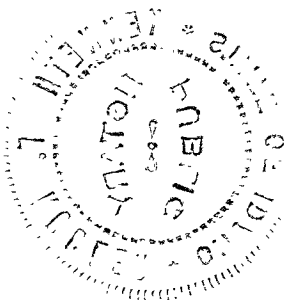
Report checked? _____

Examination date 3-12-70

Signature Robert W. Hamilton

RD
4/27/70

Plot
X.W.



Identification No. _____

Permit No. 35-7017STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

JUN 7 1969

1. a) Name of Permit Holder Dean and Don Dixon Department of Reclamation
b) Post Office Address Route #4, Box 165, Idaho Falls, Idaho2. Permit Number 35-70173. Date of Priority that you are prepared to establish May 15, 1968 - 3-20-684. a) Source from which water was appropriated spring run-offb) Location of the point of diversion: Dams SW 1/4 SW 1/4, Section 36Township 3N, Range 36E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 2.5 Ac. ft./annum for livestock water purposes from April 15 to Nov. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)amount 10 Ac. ft./annum for supplemental irrigation purposes from April 15 to Nov. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)b) Total amount appropriated 12.5 Ac. ft./annum cfs and/or acre feet per annumc) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Uses of water was designed by the Soil Conservation Service

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: series of gulliesb) Describe the agreement or understanding by which you take water from the works: water comes through our place and threw up a series of dikes & pits to make use of water7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Combination of earth dike, diversions, and storage pits.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

No measuring device contemplatedc) Give well drillers name and address and date the well was completed NONEthe 1st was a
Sunday. so
no priority
reduction

35-7017

excessive amt

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use STOCK WATER

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: SCS DESIGNED A WATER SPREADING PRACTICE TO BE USED DEPENDING ON AMOUNT OF RUN-OFF.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

10. Remarks: WE are asking for an additional 10 acre feet of water that we could use for the designed water spreading practice.

The above information is a true statement of the extent to which the above numbered permit has been developed.

May 31, 1969 (Date) Sean Sifon (Signature)

State of Idaho)
County of Bonneville ss.

On this 31 day of May, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Kenneth F. Kugler
Notary Public residing at 170 So Floyd Blvd
Idaho Falls Idaho

My commission expires Jan 5 1973

June 5, 1969

Re: Permit No. 35-7017

Dean and Don Dixon
Route 4
Idaho Falls, Idaho

Gentlemen:

This office is in receipt of your affidavit setting forth proof of the application of water to beneficial use under Permit No. 35-7017. You have stated that you have not installed a measuring device as required under your permit. As you may be aware, before we can issue a license, we are required by law to conduct an inspection to determine the amount of beneficial use that has been made under the permit. To accomplish this, we would require the use of the measuring device set forth under the terms of your permit.

In the event we were to make the inspection, and the measuring device was not installed, our probable course would be to deny the proof of application of water to beneficial use and the permit would lapse.

I would appreciate hearing from you as soon as possible as to your intentions regarding the installation of a measuring device. Please indicate what type and when you intend to install that device.

Also noted is that you have requested an additional 10 acre feet per annum on the proof form. If you wish to be able to store this amount, then it will be necessary for you to file another application for permit requesting this amount. We have enclosed forms and instructions along with an informational letter regarding measuring devices for your use in this matter.

If you have any questions, please feel free to contact this office.

Very truly yours,

C. STEPHEN ALLRED, P. E.
Assistant State Reclamation Engineer

CSA:TC
Enc: application w/instructions
information letter

exam typed

35-7017

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

Mr. Alan Sifton

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

APR 1 1946

3

35-2812

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

**POSTMARK OF
DELIVERING OFFICE**



**RETURN
TO**



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

NAME OF SENDER

Department of Reclamation

Annex # 2 Statehouse

STREET AND NO. OR P.O. BOX

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

NAME AND ADDRESS OF SENDER

Dept. of Reclamation

Indicate type of mail

☐ INSURED

☐ C. O. D.

☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

20895

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE
1	20912 Mr. Harry C. (Johnstone) Route #1	.06	.30			.10			37-7016
2	Trump Lake, Bellevue Washington								
3	20913 Mr. Elbert D. Roberts, Ashton,	.06	.30			.10			21-7003
4	Idaho								
5	20914 Independent Meat Co, Boise	.06	.30			.10			47-7026
6	Trump Lake, Idaho								
7	20915 Mr. Harry J. Clement, Route	.06	.30			.10			35-7016
8	4 Blackfoot, Idaho								
9	20916 Boise Chateau Corp, Box 7488,	.06	.30			.10			63-7072
10	Boise, Idaho								
11	20917 Boise Valley Broadcasting	.06	.30			.10			63-7076
12	Inc., Box 2146, Boise, Idaho								
13	20918 Meador & Son, Myron Route #4,	.06	.30			.10			35-7012
14	Idaho Falls, Idaho								
15									
16									
17									
18									
19									
20									



TOTAL NUMBER OF PIECES LISTED BY SENDER

70 (sum)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

9

POSTMASTER, PER (Name of receiving employee)

QR

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

35-7017

April 2, 1969

Re: Permit No. 35-7018

Dean and Don Dixon
Route #4
Idaho Falls, Idaho

Gentlemen:

One of the conditions of the approval of your permit
35-7017 was that proof of application of the water to
beneficial use be submitted to this office on or before June
1, 19 69.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.

R. Keith Higginson
State Reclamation Engineer

RKH:ks
Enclosure: Proof form

May 13, 1968

Re: Permit 35-7017

Dean Dixon & Don Dixon
Route # 4
Idaho Falls, Idaho 83401

Gentlemen:

We enclose a copy of your approved application for permit 35-7017 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Copy of application
Receipt No. 677 for \$10.00

35-7017

Form 4

March 29, 1968

Re: Application No. 35-7017
Dean Dixon and Don Dixon

Post Register
Idaho Falls,
Idaho 83401

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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Dean Dixon and Don Dixon, Route #4, Idaho Falls, Idaho has on March 20, 1968 applied for permit to ~~divert~~ store 2.5 ~~cubic feet per second~~ acre feet of water from unnamed stream under application No. 35-7017. Water will be diverted by dikes and storage pond within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 36, T. 3 N, R. 34 E, B.M., Bonneville County and is to be used from April 15 to November 15 for stock water in NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 36, T. 3 N, R. 34 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Post Register, Idaho Falls, Idaho 83401,
on April 4 and April 11.

35-2017

Lj

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
C. TIMOTHY HOPKINS
OF COUNSEL
ARTHUR W. HOLDEN

LAW OFFICES
HOLDEN, HOLDEN & KIDWELL
IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 129
IDAHO FALLS, IDAHO 83401
TELEPHONE 523-0620
AREA CODE 208

REED A. WILLIAMS (1923-1962)
HOWARD R. STINSON (1905-1957)

March 19, 1968

RECEIVED

MAR 22 1968

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Department of Reclamation

Re: Our File: 4917

Gentlemen:

We enclose our check in the amount of \$10.00, representing a filing fee for an application for a permit to appropriate what has been calculated as 2.5 acre feet of water under the provisions of 42-221 Idaho Code.

The application in duplicate is enclosed, together with an aerial photograph of the land in question. The aerial photograph was prepared by the Soil Conservation Service and in substance may be summarized by showing that the land in question has dry washes that during the Spring will run a considerable amount of water. As shown by the photograph, the project entails the digging of a pit at location A, to be six feet deep and 100 feet by 80 feet in dimension.

The project further involves the extension of low dikes as shown on the aerial photograph to divert drainage coming in from the North into the pit. The pit then will be used as a means of stock water for livestock of the applicants grazing the area. Primarily the grazing will be during early Spring run-off, but will extend the grazing season in this area by an amount limited by the period of time that water is available.

35-2017

RECEIVED

Department of Reclamation
March 19, 1968
Page 2.

Department of Reclamation

The project further involves the planting of grass on the property in question that will withstand the summer drought to permit pretty much summer grazing.

We are hopeful the enclosed aerial photograph can be used in lieu of a map, because it more adequately portrays the location on the ground, the area of access from the Idaho Falls-Arco Highway and allied information. If deemed essential by your department, we could probably make an over-layer or tracing; however, we are hopeful that the aerial photograph would be sufficient.

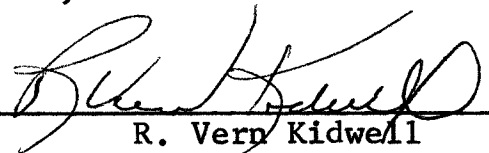
Will you kindly file the application for permit, returning a copy to us.

Because of the fragile nature of the aerial photograph, we have included only one for filing. We retain the other one in the office. If you desire an additional aerial to be submitted, kindly advise.

Very truly yours,

HOLDEN, HOLDEN & KIDWELL

By



R. Vern Kidwell

RVK:jk
Encl.

35-7017