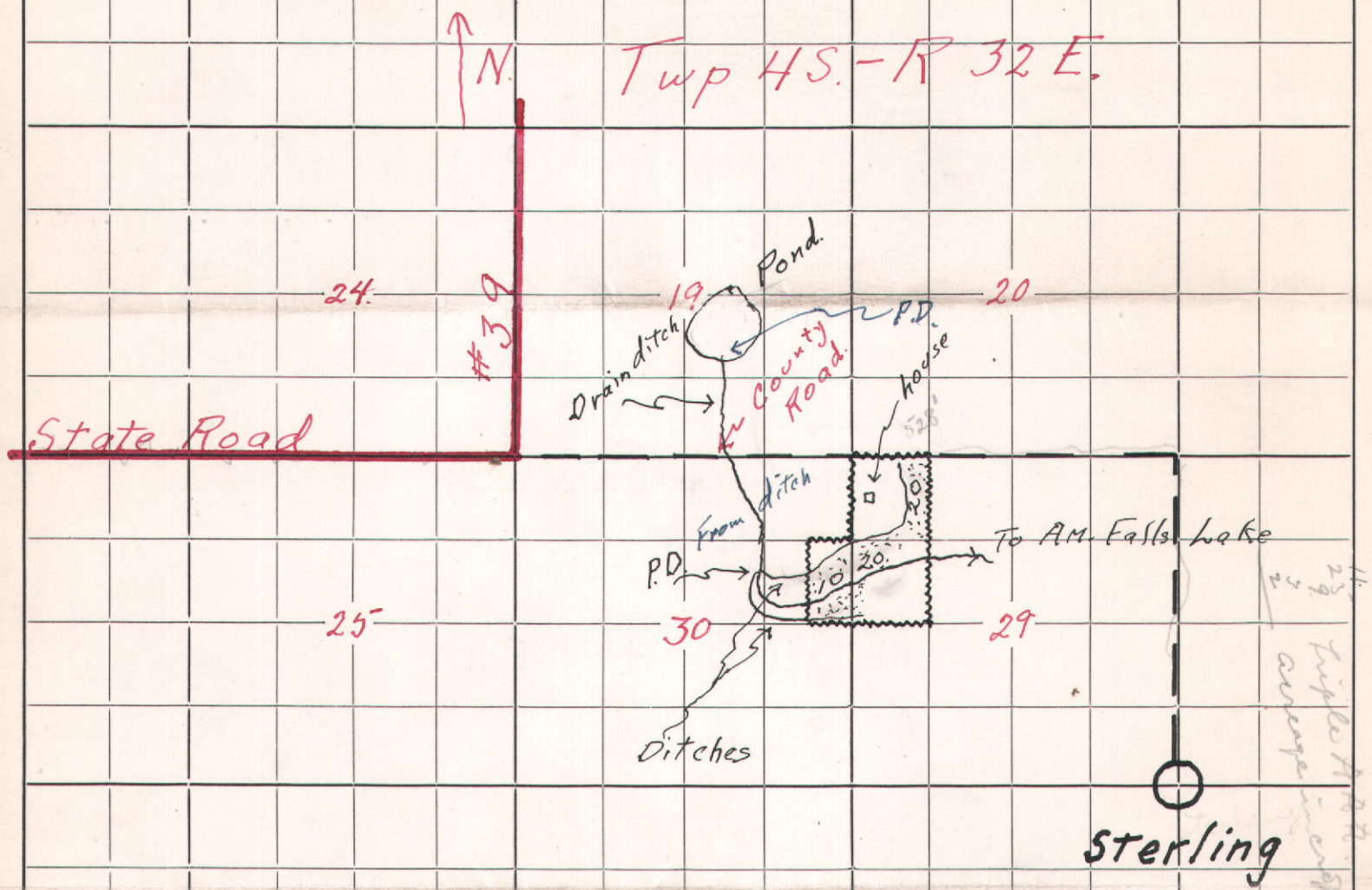


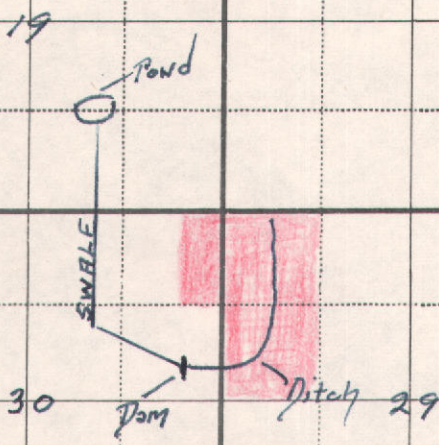


³¹
 (redirection)
 P.D. is practically on the 40 line
 but is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ S. 30.
 15310 yds N. and 250 yds W. of SW Cor.
 of the Farm. or N. center of NE $\frac{1}{4}$ SE $\frac{1}{4}$ S 30.
 Land irrigated is 20 acres
 20 "
 10 "

 Total = 50 Acres

Property in red upon which water shall be used is in the Northeast quarter of Section 30 and the West half of the Northwest quarter of Section 29, Township 4 South of Range 32 East Boise Meridian.

The designated pond is in the Southeast quarter of Section 19, Township 4 South of Range 32 East, Boise Meridian.



21564

Permit Map No. 21564
As Approved
JUL 6 1950
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 21564 Amount 1.0 c.f.s.
 Water District No. _____ Priority July 18, 1950

THIS IS TO CERTIFY that THOMAS L. JONES - Assignee - MERLAND NELSON
 of Sterling, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 29, 19 50; that Permit No. 21564
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on November 10, 19 50, showing that said works
 were completed on the 26 day of August, 19 50; and that on the 25
 day of October, 19 50,

THOMAS L. JONES - Assignee - MERLAND NELSON

of Sterling, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed stream
a tributary of pond or drain, for the purpose of irrigation
under Use Permit No. 21564 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 6684, on the 16 day of July, 19 59;
 The right hereby confirmed dates from July 18, 19 50;

The Point of Diversion is located
 in the NW 1/4 SW 1/4, Sec. 19, Tp. 4 S., R. 32 E., B. M. Bingham 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 1.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>4 S.</u>	<u>32 E.</u>	<u>29</u>	<u>NW 1/4 NW 1/4</u>	<u>40</u>	<u>20</u>
			<u>SW 1/4 NW 1/4</u>	<u>40</u>	<u>20</u>
			<u>E 1/2 SE 1/4 NE 1/4</u>	<u>20</u>	<u>10</u>
		<u>30</u>	Total number of acres to be irrigated:		<u>50</u>

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
16 day of July, 19 59.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

35 2176

N^o 21564
35-2176

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

APPLICATION No. 28451
PERMIT No. 21564
DISTRICT No.

Assigned to

Merle Nelson
Sterling - Idaho

1. Name of Applicant: THOMAS L. JONES

Postoffice address: 727 Jepson Ave., Salt Lake City County: Salt Lake State: Utah

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: Two (2) cubic feet per second.

in pond in Section 19, twp. 4 S., Range 32 E., B.M., and brought down through Sec. 30, and

3. Source of water supply: Drain or waste water accumulated / which is a tributary of entering Sec. 29 through a ditch.

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 19 , T. 4 S. , R. 32 E. , B.M., County of Bingham

5. Water is to be used for Irrigation purposes.

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

(a) Point of use of water: feet distant from corner of Section

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

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$50.00; all work accomplished by applicant.

8. Kind of works: Dam, headgate and ditch.

9. Height of dam 3 feet; length of dam at top 8 feet; length of dam at bottom 8

feet; material used in dam: Rock and soil.

10. Size of headgate: Width 3 feet; height 2 feet.

11. Ditch: Width at bottom 3 feet; width at water line 3 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 400 rods. miles.

Average grade per mile feet.

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

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

THOMAS L. JONES *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. June 29, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21564

Recorded in Book 77 Page 21564 Approved July 6, 1950

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

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

One-fifth of the work above specified to be completed on or before - - -

The whole of said work to be completed on or before October 6, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before October 6, 1950

WITNESS My hand this 6th day of July, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE.....C. A. ROBINS....., Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th

day of July 1950

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

About twenty-five years ago the applicant owned the property in Sections 19, 29 and 30, Twp. 4 S., Range 32 E.B.M.

REMARKS: Waste water accumulated in a pond in the Southeast quarter of said Section 19. The applicant at that time developed the waste water accumulating in said pond and brought it down through a swale through the East half of Section 30; he then erected the dam in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, and placed a headgate in said dam; a ditch was then brought from the dam to the property owned by the applicant described as the "West half of the Northwest quarter of section 29, Twp. 4 S., Range 32 E. B. M., in Bingham County, Idaho. The applicant has constantly used said water since that time.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
4 S.	32 E.	29					40	40										80	
		30	20															20	
Total Number of Acres to be Irrigated - -																		100	
<u>A F F I D A V I T</u>																			
STATE OF IDAHO) COUNTY OF BINGHAM)			ss.																
James A. Jones, being first duly sworn, on oath deposes and says that he is a resident of Ste Bingham County, State of Idaho, or lawful age: that he owns the property in the Southeast quarter of Section 19, T 4 South, Range 32 East, Boise Meridian, upon which a pond is located which is the source of accumulated drain of wa which Thomas L. Jones, of 727 Jeppson Avenue, Salt Lake City, Utah, filed an application to appropriate the water o pond. That this affiant grants the said Thomas L. Jones, of Salt Lake City, State of Utah. the permission and rig appropriate said water and hereby grants and conveys said right to the said Thomas L. Jones.																			
J. A. JONES																			
Subscribed and sworn to before me this 29 day of April, 1949																			
Calvin Moser																			
(SEAL) Notary Public																			
Residing at Aberdeen, Idaho																			
My commission expires March 1, 1950																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 21564

Comes now Merland E. Nelson, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21564, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: The East half of the Southeast quarter of the Northeast quarter of Section 30 and the West half of the Northwest quarter of Section 29, all in Township 4 South of Range 32, E.B.M., making a total of 100 acres.

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

Signed at Blackfoot, Idaho, this 25th day of October, 1950.

MERLAND E. NELSON

Date of receipt at Office of Department of Reclamation Nov. 10, 1950.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21564. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. 21564

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that THOMAS L. JONES, of Salt Lake City, County of Salt Lake, and State of Utah, the holder of Permit No. 21564, issued upon Application No. 28451 bearing date of priority of June 29, 1950, authorizing the diversion of Two (2) second feet of the waters of an unnamed stream (drain or waste water) County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said unnamed stream; that the point of diversion of said waters is on the line between the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township 4 South, Range 32 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 29, Township 4 South, Range 32 East, B.M.

Witness my hand this 10th day of November, A. D. 1950.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made August 26, 1950.

Certificate of Completion of Works issued November 10, 1950.

A S S I G N M E N T

For value received, I hereby assign my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 21564 to MERLAND NELSON, of Sterling, Idaho.

s/ THOMAS L. JONES
Permit Holder

s/ Mattie Jones
Wife of Permit Holder

STATE OF IDAHO)
) ss
County of Bingham)

On this 20th day of June, 1959, before me, a Notary Public for the State of Idaho, residing at Aberdeen, Idaho, personally appeared Thomas L. Jones, and wife, Mattie Jones, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written

s/ Otto H. Hege
Aberdeen, Idaho
Notary Public

My commission expires June 17, 1961

COPIES ISSUED FOR 1.0 SEC. FT.
Page 6684

July 16, 1959

Re: Permit No. 21564

Mr. Merland Nelson
Sterling, Idaho

Dear Mr. Nelson:

Enclosed is Assignment from Thomas L. Jones and wife to you, which has been duly recorded in this office, and License and Certificate of Water Right issued on Permit No. 21564.

We also enclose departmental receipt No. 29680 in the amount of \$6.50 covering fees for the license and assignment.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew

21564

RT

June 29, 1959

Re: Permit No. 21564

Mr. Merland Nelson
Sterling, Idaho

Dear Mr. Nelson:

Enclosed are the check you sent for fees of assignment and license and Form 1, application for permit to appropriate public waters.

The check should be signed, and returned with the assignment

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. check
assignment
Form 1

21564

100 per cent
Copyright
100 per cent
Copyright
RECEIVED
JUL 13 1959

Department of Reclamation

I am inclosing the
transfer of water permit no. 2165
from Thomas L. Jones to
Merland E. Nelson.

Also 50¢ transfer dues and
the \$6.00 due.

Would you please send me
and application for filing on
surface water.

Thank you
Merland Nelson

RECEIVED
JUN 29 1959

Department of Reclamation

2156f

June 2, 1959

Re: Permit No. 21564
Thomas L. Jones

Mr. Merland Nelson
Sterling, Idaho

Dear Mr. Nelson:

Enclosed is a form for assignment of permit. Permit No. 21564 is in the name of Thomas L. Jones. Recording fee is fifty cents.

The license would have to be issued to the holder of the permit. Filing the completed assignment for Permit No. 21564 would make you the holder. The license would be for 50 miner's inches to irrigate 50 acres of land in W¹/₄ NW¹/₄, Sec. 29; E¹/₂ SE¹/₄ NE¹/₄, Sec. 30, T. 4 S., R. 32 E. The fee for the license is \$6.00.

The certificate of completion of works showed a capacity of 2.0 c.f.s. The holder of the permit can make supplemental proof of beneficial water if more than the 50 acres of land is being irrigated. The date of priority of the additional amount would be advanced the same length of time that the supplemental proof is later than the due date on the permit.

You requested forms for application for permit without stating whether you plan to apply for surface water or for underground water. Different forms are used for different sources of water and the proper forms will be sent you upon request stating the source of the water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

21564
GNC:RT:ew
Enc. assignment
form

• Sterling, Idaho
June 1, 1959

Dear Sirs;

It has been brought to our attention that there is some money due on State permit # 21564. Would you let us know how much is due.

Would you also send us some forms to file on water.

Thank You.

Merland Nelson

Sterling Idaho

RECEIVED
JUN 2 1959

Department of Reclamation

21564

July 2, 1951

Re: Permit No. 21564

Mr. Merland E. Nelson
Sterling, Idaho

Dear Mr. Nelson:

The report of our Field Engineer on examination for beneficial use on Permit No. 21564 shows that you have irrigated 20 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 20 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, and 10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Township 4 South, Range 32 East, B.M.

A License can therefore be issued for 50 inches or one (1) second foot of drainage water collected in pond in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township 4 South, Range 32 East, B.M., upon receipt of the statutory fee of \$6.00.

Since Mr. Thomas L. Jones is the record owner of this Permit, the License will be issued in his name unless an Assignment from him to you is sent to this Department to be recorded. This Assignment may be made on the form enclosed, and there is a fee of \$.50 for recording.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

CC: Mr. Thomas L. Jones.

21564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21564

REPORT ON PROOF OF Beneficial use

Nelson

app. 20,000

*1. cfs
mrf*

*50 acres
3-40's*

N

Twp 4 S. - R 32 E.

24

#39

Pond
County Road
house

20

State Road

Drain ditch
From ditch
PD

25

30

29

Ditches

To Am Falls Lake

Sterling

31
(redirection)

PD is practically on the 40 line
but is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ S. 30.

is 310 yds N. and 250 yds W. of SW Cor.
of the Farm. or N. center of NE $\frac{1}{4}$ SE $\frac{1}{4}$ S 30.

Land irrigated is 20 acres
20 "
10 "

Total = 50 Acres

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21564

This proof is for Beneficial use In Water District No.

1. Name of applicant Thomas L. Jones, 727 Jepson Avenue, Salt Lake City, Utah
2. Source of water supply: Drainage water collected in a pond in Sec. 19, 4 S., 32 E., B.M.
3. Location of point of diversion: Is in the $W\frac{1}{2} SE\frac{1}{4}$ of Section 19
T. 4 S. R. 32 E. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: This water was originally from a natural drain ditch from a shallow pond. Within the last two years with the consent of Mr. Nelson a larger deeper drain has been cut thru on approx. the same channel by the Aberdeen Springfield Co. Mr. Nelson has constructed a dam in this approx. 16' w. x 24' long with a 2 foot culvert pipe 18 feet long for chennel outlet. On each side he has constructed a ditch leading to his fields lower down. Each ditch is approx. 18 inches wide in the bottom.

5. Water is used for: Irrigation

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

He does not have all the ground under irrigation that he intends to put in.

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):

$W\frac{1}{2} NW\frac{1}{4}$ Section 29, $E\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$ Section 30; All in Twp. 4 South, Range 32 East, B.M.

See map.

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

8. What large stream would the water here appropriated finally reach? American Falls Reservoir

Remarks: Mr. Nelson has used this water for several years and will use still more as soon as he gets his flume constructed to carry across to additional land.

Crops are mostly hay and pasture.

This examination was made on the 22 nd day of June, 19 51

(Signed) E. H. Humphrey Examiner.

21564

Thomas L. Jones, Salt Lake City
See Merland E. Nelson, Sterling, Idaho
Permit No. 21564

Examination for Beneficial use

County Bingham

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
JUN 25 1951

Department of Reclamation

Q = 2 cfs.

A = Pond in S. 19-4S-32E.

P.D. = NW 3E. + SW SE.

S. 19-4S-32E.

Irreg.

2' x 10' steel culvert.

Armed gate

Dam is 16' W. x 24'

Ditch to E. & one to West.

✓
November 15, 1950

21564
Re: Permits Nos. 20753 and 21564

Mr. H. William Furchner
Attorney at Law
Blackfoot, Idaho

Dear Mr. Furchner:

We acknowledge receipt of your letter of November 13, 1950, enclosing Affidavits of Publication for Proof of Beneficial Use under Permit No. 20753 of R. F. Cammack and Permit No. 21564 of Thomas L. Jones.

This completes the Proof of Beneficial Use under both of these Permits, but before final action is taken, the law requires a field examination by an Engineer from this Department.

We cannot say just when this examination will be made but it will probably not be before next spring, and our Engineer will try and contact the Permit Holders at the time he makes the examination, in order that they may show him over the projects.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

21564

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Bingham

58

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 25th day of October, 1950, at Blackfoot, County of Bingham, State of Idaho, before H. William Furchner, a Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of drainage or waste water in accordance with the terms and conditions of Permit No. 21564, heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Thomas L. Jones, 727 Jepson Avenue, Salt Lake City, Utah.

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

The amount applied to beneficial use is two cubic feet per second.

The place where said water is used: The West half of the Northwest quarter of Section Twenty-nine, and the East half of the Southeast quarter of the Northeast quarter of Section Thirty all in Township Four South of Range Thirty-two, East of the Boise Meridian, in Bingham County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 21564.

The source of supply from which water is diverted is drainage water collected in a pond in Section Nineteen, said Township and Range.

The date of priority which said user is prepared to establish is July 18, 1950.

MARK R. KULP
State Reclamation Engineer.
Publish: Sept. 29, Oct. 6-13-20.

I, Marjorie Flint, do solemnly

swear that I am the Principal Clerk of

The Daily Bulletin, which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by order of any Court of competent jurisdiction within the State of Idaho shall be published, to-wit: Friday of each week; that the notice attached hereto, and which is a part of this affidavit and part of the proof of publication, was published

in said Friday issue in said newspaper 4

consecutive weeks the first publication having been

made on the 29 day of Sept., 1950

and the last publication having been made on the

20 day of October, 1950; that said

notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

Marjorie Flint

Subscribed and sworn to before me this 20

day of Oct, 1950

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.

21564

21564
November 10, 1950

Mr. H. William Furchner
Attorney at Law
Blackfoot, Idaho

Dear Mr. Furchner:

We acknowledge receipt of your letter of November 8, 1950, enclosing Amendment to the land list in Permit No. 21564, which has been duly recorded, and we return same herewith.

We also enclose Certificate of Completion of Works issued under this Permit for the diversion of two second feet of drainage or waste water with point of diversion on the line between the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township 4 South, Range 32 East, B.M., for the irrigation of land in the E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 and the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 29, same Township and Range.

We also enclose Departmental Receipt No. 22693 for the \$5.00 fee paid in connection with this proof.

The depositions of Merland E. Nelson and two witnesses have also been received in Proof of Beneficial Use under the above numbered Permit. We can accept Mr. Nelson's deposition for the holder, but when the License is issued, it will have to be in the name of Thomas L. Jones unless an Assignment, Deed or other instrument conveying the title to Merland E. Nelson is recorded in this Department.

In order to complete the proof, the Affidavit of Publication is required. The Blackfoot Daily Bulletin was instructed to send this Affidavit, together with statement of costs, to Thomas L. Jones, in your care.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21564

H. WILLIAM FURCHNER
ATTORNEY AND COUNSELLOR AT LAW
BLACKFOOT, IDAHO

November 8, 1950

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

Re: Permit No. 21564.

Dear Sir:

Enclosed are the depositions of the holder and two witnesses submitted as proof of application of water to beneficial use in connection with the above-mentioned permit. Please note the application of the holder is amended as to the descriptions of the lands upon which the water has been used.

The person named as holder of the permit is not the person to whom the original permit was issued. Merland E. Nelson is purchasing the property and water right from his grandfather, Thomas L. Jones, who applied for the permit. We have shown in the deposition those facts but if there are any other facts required by your office we will be glad to furnish it.

The depositions of the holder and witnesses are dated October 25th although they were not actually signed until today, the reason for the delay being that on October 25th we had no forms available for taking the testimony of the witnesses. I presume this arrangement will be satisfactory with your office.

Very truly yours,

H. William Furchner

H. William Furchner

HWF:ec
Encl.

21564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21564

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Merland E. Nelson, residence and postoffice address, Sterling, Idaho. I am a farmer.

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

Ans. ---

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

Ans. Permit No. 21564, dated July 6, 1950, with date of priority of July 18, 1950.

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

Ans. Drainage pond located in Section 19, Twp 4 South, Range 32, E.B.M., with ditch running South to Northeast quarter of Section 30, and thence to Section 29, said township and range.

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.

Ans. Diversion works consist of ditch running from pond in Section 19, South into Northeast quarter of Section 30, thence East into Northwest quarter of Section 29, all in Twp 4 South, Range 32, E.B.M. Ditches are not named.

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

Ans. Water is used for irrigation of 20 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30, 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, Twp 4 South, Range 32, E.B.M. All cultivated land. Fences and ditches.

21564

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

Ans. -----

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

Ans. One inch to the acre--total of 100 inches.

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. I purchased the above-described lands from Thomas L. Jones, in 1943, under contract and have had possession since that time.

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

Ans. I have used the said water--100 inches or more--for irrigation of the 100 acres of land since 1943, continuously.

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. None.

(Sign) *Merland E. 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 Blackfoot, County of Bingham, State of Idaho, on this 25th day of October, A. D. 1950,

William Furdner

Notary Public for Idaho, residing at

My commission expires January 31, 1954. Blackfoot, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21564

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Irvin A. Satterfield, age 32, residence and postoffice address,
Sterling, Idaho. Occupation, farmer.

Ques. 2. Are you acquainted with Merland E. Nelson, the
holder of Permit No. 21564? How long have you known him and where does
he reside?

Ans. Yes. I have known him about 25 years. He also lives at Sterling.

Ques. 3. Have you read or heard read said Permit No. 21564, 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 con-
veying water from point of diversion to place of use.

Ans. Water collects in a drainage pond in the Southeast quarter of
Section 19, Twp. 4 South, Range 32, E.E.M., from which there is a ditch
running South into the Northeast quarter of Section 30, then East to
the Northwest quarter of Section 29.

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

Ans. The ditch will carry about 150 inches or 3 cubic feet per second
of water. I have seen the flow vary from about 100 inches to 150 inches.

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. ---

21564

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. Water is used entirely for ^{irrigation} ~~xxxxxxx~~ of 20 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30 and 80 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29, all in Twp. 4 South, Range 32, E.B.M. The land is all cultivated. The only improvements are the ditches and fences.

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

Ans. -----

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 a sandy loam and requires about one inch per acre for profitable cultivation.

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

Ans. None.

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 seen at least 100 inches of water used for the irrigation of these lands, from the irrigation works mentioned, during the past three years.

(Signed) Irvin A. Satterfield

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 Blackfoot, County of Bingham, State of Idaho, on this 25th day of October, A. D. 1950.

William Luchner

Notary Public.

My commission expires January 31, 1954.

21567

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21564

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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

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

Ans. Vern H. Nelson, residence and postoffice address, Sterling, Idaho.
I am a farmer.

Ques. 2. Are you acquainted with Merland E. Nelson, the holder of Permit No. 21564? How long have you known him and where does he reside? Yes. We have been acquainted about 10 years. Merland E. Nelson lives at Sterling, Idaho, also.

Ques. 3. Have you read or heard read said Permit No. 21564, and are you familiar with its provisions and conditions? Yes.

Ans.

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. There is a drainage pond in the Southeast quarter of Section 19, Twp. 4 South, Range 32, E.B.M., from which a ditch runs South into the Northeast quarter of Section 30, thence East into the Northwest quarter of Section 29, said Township and range. The water is diverted from the pond through this ditch.

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

Ans. The ditch from the pond to Merland E. Nelson's land has a capacity of about 150 inches. Flow has varied from about 100 to 150 inches.

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. ---

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. The water has been used for five years to my knowledge to irrigate 20 acres in East half of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 30, and 80 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29, Twp. 4 South, Range 32, E.B.M. All the land is cultivated. Improvements are fences and ditches only.

21564

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

Ans.

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. Land is of a sandy loam. There are 100 acres irrigated by this water, and about 100 inches of water is required for regular irrigation each year.

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

Ans. None.

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

Ans. I have seen the water used for irrigation of said lands for past five years.

(Signed)

Vern H. Nelson

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 Blackfoot, County of Bingham, State of Idaho, on this 25th day of ~~November~~ ^{October}, 1950.

H. William Furchman
Notary Public.

My commission expires: January 31st, 1954.



THE DAILY BULLETIN

P. O. BOX 70 • BLACKFOOT, IDAHO

C. P. Kimball, Publisher

Sept. 27, 1950

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

This is the acknowledgement of receipt of Thomas L. Jones notice of application of water for beneficial use. Publication will begin Sept. 29- Oct. 6-13-20.

Thanking you, we are,

Very truly yours,

The Daily Bulletin,

By Marjorie Elert
Principal Clerk

21564

RECEIVED
SEP 29 1950

Department of Reclamation

✓
September 26, 1950

Re: Permit No. 21564

Mr. H. William Furchner
Attorney at Law
Blackfoot, Idaho

Dear Mr. Furchner:

We acknowledge receipt of your letter of September 25, 1950, enclosing Affidavit of Thomas L. Jones, in Proof of Completion of Works on Permit No. 21564, and your check for the \$5.00 fee.

Also, Notice of Proof of Beneficial Use to be made under this Permit on October 25, 1950.

We note the statement on Mr. Jones' affidavit that the correct land description should include the E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Township 4 South, Range 32 East, B.M., instead of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section, as shown in the application and Permit.

In order to make this change, it will be necessary for you to file an Application for Amendment on the form enclosed, and when this has been done, a Certificate of Completion of Works will be issued.

We note, however, that in the Notice of Beneficial Use Proof, the land description includes the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30. In order to save time, we have amended this to show the E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and have sent a copy of the notice to the Blackfoot Daily Bulletin with instructions to publish it once a week for four consecutive weeks prior to October 25th, and to send the Affidavit of Publication, together with statement of costs, to Mr. Jones, in your care.

We have also had to change the priority date to be established under this Permit to July 18, 1950 instead of the original priority of June 29, 1950, or the length of time elapsing between October 6, 1950, the date Beneficial Use Proof is due, and the date the proof will be made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bh

Chief Clerk

21564

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21564

Date: September 26, 1950

Blackfoot Daily Bulletin

Blackfoot, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 25, 1950**, the date set for proof, the expense of the publication to be paid by the applicant, **Thomas L. Jones**, ^{of} ~~xxx~~ C/o H. Wm. Furchner, **Blackfoot, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

21564

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

Notice is hereby given that at 11:00 A. M. on the 25th day of October, 1950,
at Blackfoot, County of Bingham, State of Idaho, before
H. William Furchner, a Notary Public, proof will be submitted of the
application to beneficial use of two cubic feet per second of the waters of drainage ponds or
waste water in accordance with the terms and conditions of Permit No. 21564,
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Thomas L. Jones, 727 Jepson Avenue, Salt Lake City, Utah.

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

The amount applied to beneficial use is two cubic feet per second.

The place where said water is used (~~if for irrigation, give full and accurate description of the~~
~~lands irrigated~~) The West half of the Northwest quarter of Section Twenty-nine,
and the East half of the ^{South} Northeast quarter of the Northeast quarter of
Section Thirty, all in Township Four South of Range Thirty-two, East
of the Boise Meridian, in Bingham County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is none.

The right to take water from such works is based upon Permit No. 21564.

The source of supply from which such water is diverted is drainage water collected
in a pond in Section Nineteen, said Township and Range.

The date of priority which said user is prepared to establish is July 18,
~~July 18th~~, 1950.

MARK R. KULP
State Reclamation Engineer.

21564

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

Notice is hereby given that at 11:00 A. M. on the 25th day of October, 1950,
 at Blackfoot, County of Bingham, State of Idaho, before
H. William Furchner, a Notary Public, proof will be submitted of the
 application to beneficial use of two cubic feet per second of the waters of drainage pond or
waste water in accordance with the terms and conditions of Permit No. 21564,
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Thomas L. Jones, 727 Jepson Avenue, Salt Lake City, Utah.

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

The amount applied to beneficial use is two cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
~~lands irrigated~~) The West half of the Northwest quarter of Section Twenty-nine,
Southeast
and the East half of the Northeast quarter of the Northeast quarter of
Section Thirty, all in Township Four South of Range Thirty-two, East
of the Boise Meridian, in Bingham County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of
 use is none.

The right to take water from such works is based upon Permit No. 21564.

The source of supply from which such water is diverted is drainage water collected
in a pond in Section Nineteen, said Township and Range.

The date of priority which said user is prepared to establish is July 28, 1950.

MARK R. KULP

State Reclamation Engineer.

21564

Pub - Sept. 29 - Oct 6 - 13 - 20

H. WILLIAM FURCHNER
ATTORNEY AND COUNSELLOR AT LAW
BLACKFOOT, IDAHO

September 25, 1950

RECEIVED
SEP 26 1950
Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
Boise, Idaho

Dear Sir:

Enclosed is the affidavit of Thomas L. Jones in proof of completion of works in connection with permit No. 21564, together with my check in the amount of \$5.00 in payment of fees for issuing a certificate of completion of works.

Also enclosed is the notice of proof of application to beneficial use, together with directions for publication of the same.

Since the date set for making proof is October 25th it will be appreciated if you will return the notice for publication in the Blackfoot paper immediately so that the first publication will be on September 29th.

Very truly yours,

H. William Furchner

H. William Furchner

HWF:ec
Encls.

21564

Permit No. 21564

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham.

ss.

Thomas L. Jones, being first duly sworn, upon his oath deposes and says:
First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21564, and that his postoffice address is 227 Japson Ave., Salt Lake City, State of Utah.

Second: That the name of the stream which said water is to be directed is No name.

Third: That the point of diversion of said water is in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 19, Twp 4 Sou., Range 32, E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 6, 1950.

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

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

I. Kind of works: Pond collecting drainage water, and ditches conducting water from pond to lands to (Reservoir, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 8 feet, length of dam at top 1.4 feet, length of dam at bottom 6 feet. Material used in construction earth &

galvanized pipe

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 16" feet, height 16" feet

(d) Conduit ditch width at bottom 2 1/2 feet, width at water line 3 1/2 feet, depth of water 2 feet; diameter of pipe inches, average grade per mile is 7.6 feet. Length of conduit is 5 miles.

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

Eighth: That water appropriated under said permit is available for 100 acres of land described as follows: W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 29, and E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 30, Twp. 4 South, Range 32, E.B.M.

Ninth: Remarks: That Application and permit show water available for irrigation of E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 30, and should be amended as above.

✓ Thomas L. Jones
(Sign Here)

Subscribed and sworn to before me this 26 day of August, 1950.

My commission expires May 17, 1951. Charles D. Cannon Notary Public.

Residing at
Salt Lake City, Utah

21564

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 25th, 1950.

(P. O.) Salt Lake City, Utah.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

Thomas L. Jones

(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.

21564

July 11, 1950

Re: Permit No. 21564

Mr. H. William Furchner
Attorney at Law
Blackfoot, Idaho

Dear Mr. Furchner:

We enclose Permit No. 21564 in the name of Thomas L. Jones, together with Departmental Receipt No. 22476 for the \$5.25 filing fee.

Since the application states that the works have been completed and the water applied to beneficial use, we have allowed three months or until October 6, 1950, within which to make the two statutory proofs necessary to complete the water right. These proofs, however, may be made at any time prior to that date.

The first proof or proof of completion of works is made by executing Form 6 enclosed before a Notary Public, and returning to this Department with a statutory fee of \$5.00, upon receipt and approval of which, a Certificate of Completion of Works will be issued.

The final or beneficial use proof requires publication once a week for four consecutive weeks in a county newspaper, prior to the date set for making proof. Notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set, you should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this Department.

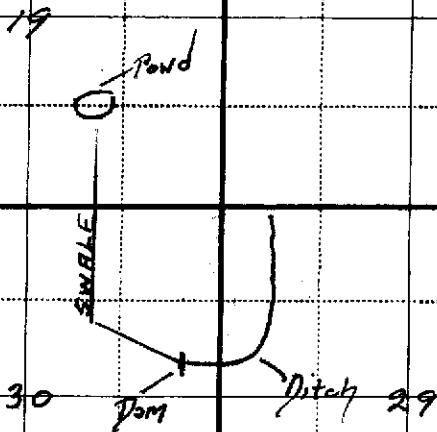
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

21564
A:bh
Enc.

Chief Clerk

Property in red upon which water shall be used is in the Northeast quarter of Section 30 and the West half of the Northwest quarter of Section 29, Township 4 South of Range 32 East Boise Meridian.
The designated pond is in the Southeast quarter of Section 19, Township 4 South of Range 32 East, Boise Meridian.



21570x
Permit Map No. ~~21564~~
As Approved
JUL 6 1950
MARK R. KULP
State Reclamation Engineer

H. WILLIAM FURCHNER
ATTORNEY AND COUNSELLOR AT LAW
BLACKFOOT, IDAHO

June 27, 1950

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

Re: Application of Thomas L. Jones for
appropriation of 2 second feet of water
for use on $W\frac{1}{2}$ NW $\frac{1}{4}$ Section 29, and
NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, in Township
4 South, Range 32, East of Boise
Meridian.

Dear Sir:

Enclosed is my check in the amount of \$5.25
in payment of fees for filing the above application
about which you called me yesterday.

Upon issuance of the permit will you kindly
return the same to me for Mr. Jones.

May I thank you again for your prompt
attention to my previous request.

Very truly yours,

H. William Furchner

H. William Furchner

HWF:ec
Encl.

21564

RECEIVED
JUN 29 1950
Department of Reclamation

H. WILLIAM FURCHNER
ATTORNEY AND COUNSELLOR AT LAW
BLACKFOOT, IDAHO

Tel: 115

June 24, 1950

RECEIVED
JUN 26 1950
Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
State House
Boise, Idaho

Re: $W\frac{1}{2}NW\frac{1}{4}$, Sec. 29, Twp. 4 S.,
R. 32, E.B.M.

Dear Sir:

Mr. Merlin Nelson, purchaser, and Mr. Thomas L. Jones, vendor, of the above-described lands are very anxious to learn whether or not an application has been filed and permit issued by your office for the appropriation of waters from a spring and drainage ditch for use on the above-described lands. The application is supposed to have been filed within the past few months for Mr. Jones by an attorney in Salt Lake City.

Would you be kind enough to examine your records with regard to this matter and to call my office about it, collect of course, as soon as possible after your receipt of this letter?

We shall appreciate your accomodation in this matter very much.

Very truly yours,

H. William Furchner

H. William Furchner

HWF/n

21560f

May 20, 1949

Messrs. Backman & Backman
No. 515 Templeton Building
Salt Lake City, 1, Utah

Attention- Mr. LaGrand P. Backman

Dear Mr. Backman:

We acknowledge receipt of your letter of May 6th, which reached us on May 19th, returning the application of Thomas L. Jones for permit to appropriate water from a pond in Section 19, Twp. 4 S., Range 32 E., B.M.

As mentioned in previous correspondence, the statutes require that corrected applications must be returned within 60 days. Section 41-204, Idaho Code Annotated, provides that "if such application be returned after such period of sixty days such corrected application shall be treated in all respects as an original application".

In other words, if the application is to be filed now, it will take the later priority date, and require a new filing fee of \$5.25.

Please advise as to your client's wishes in the matter.

Very truly yours,

MARK R. KUTP
State Reclamation Engineer
By

Chief Clerk

A

27564

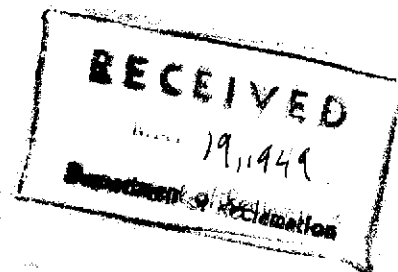
BACKMAN AND BACKMAN

ATTORNEYS-AT-LAW

515 TEMPLETON BUILDING

SALT LAKE CITY 1, UTAH

May 6, 1949



State of Idaho
Department of Reclamation
Boise, Idaho

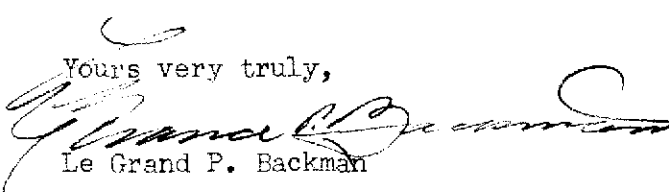
In Re: Application #28451

Gentlemen:

We again submit application for a permit, with questions 12, 13 and 15 answered and an affidavit executed by James A. Jones, the present owner of the land upon which the pond is located, granting Thomas L. Jones the permission and right to appropriate the water.

We trust that this information will now be sufficient to permit the application to be further considered.

Yours very truly,


Le Grand P. Backman

LPB:wm

Enc.

21567

7/10/22 L. Jones

State of Idaho

DEPARTMENT OF RECLAMATION

No 21097

Boise, Idaho, Dec. 14, 1948

RECEIVED
FROM

Bickman & Bickman of Salt Lake City, Utah \$ 5²⁵

Balance 25/100

DOLLARS

Carey Act Trust Fund	- - - - \$	
Application for Permit No. 28451	- - - - \$	5 25
Proofs	- - - - - \$	
Certified Copy	- - - - - \$	
Recording Deed	- - - - - \$	
Certificate	- - - - - \$	
Total	- - - - \$	5 25

#21568

Mark R. Kiehl

State Reclamation Engineer

By

James L. Anderson

✓
February 14, 1949

Re: Application No. 28451

Messrs. Beckman and Beckman
515 Templeton Building
Salt Lake City 1, Utah

Attention: Le Grand P. Beckman

Dear Mr. Beckman:

Under date of December 15, 1948, we returned to you the application of Thomas L. Jones for permit to appropriate water from a pond in order that the affidavit of permission could be executed by the owner of the land on which the pond is located.

The statute requires that corrected applications shall be returned within 60 days, but if the corrected application reaches us within the next few days, it can be accepted and given proper consideration.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21564

✓
December 15, 1948

Re: Application No. 28451

Messrs. Backman and Backman
515 Templeton Building
Salt Lake City 1, Utah

Attention: Le Grand P. Backman

Dear Mr. Backman:

We acknowledge receipt of your letter of December 10 enclosing the application of Thomas L. Jones for permit to appropriate water from a pond located in Sec. 19, Twp. 4 S., Rge. 32 E. B.M.

Section 41-206, Idaho Code Annotated, provides as follows:

"DIVERSION OF PRIVATE WATERS.--The department of reclamation is hereby prohibited from issuing or granting permits to divert or appropriate the waters of any lake not exceeding five acres in surface area at high-water mark, pond pool or spring in this state, which is located or situated wholly or entirely upon the lands of a person or corporation, except to the person or corporation owning said land, or with his or its written permission, executed and acknowledged as required for the conveyance of real estate."

We are, therefore, returning the application in order that this affidavit of permission may be executed by the owner of the land on which the pond is located.

Also please answer Questions 12, 13 and 15.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Enc.

21564

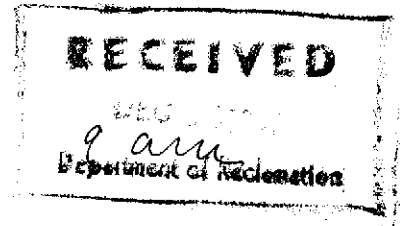
BACKMAN AND BACKMAN

ATTORNEYS-AT-LAW

515 TEMPLETON BUILDING

SALT LAKE CITY 1, UTAH

December 10, 1948



Department of Reclamation
Boise, Idaho

Attention: State Reclamation Engineer

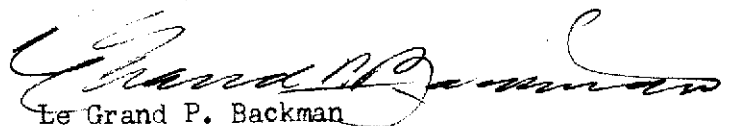
Gentlemen:

Enclosed find application of Thomas L. Jones, 727
Jepson Avenue, Salt Lake City, Utah, for permit to
appropriate public water of the state of Idaho. Also
maps in duplicate of the affected property.

You will also find enclosed our check in the sum
of \$5.25, the filing fee for the application.

Kindly advise the undersigned if there is any fur-
ther information required in reference to this appli-
cation.

Yours very truly,


Le Grand P. Backman

LPB:wo

Enc.

21564