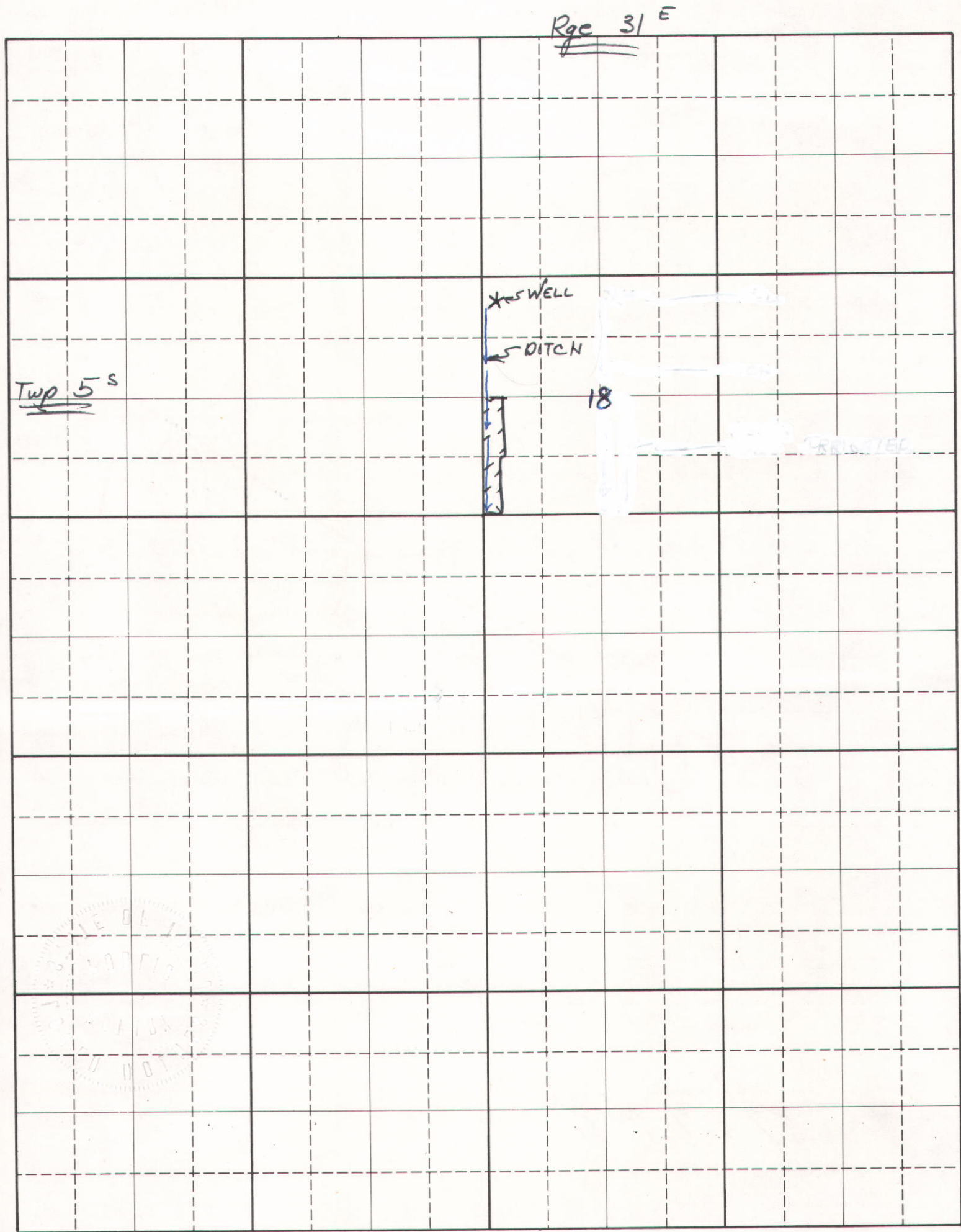


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

Point of Diversion

13

7

18

17

19

30

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

Name of applicant J. W. Vanderford, Inc. Phone 397-4616Post office address Aberdeen, Idaho**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 35-2073 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

A. M. Livingstone sold land to J. W. Vanderford, who formed J. W. Vanderford, Inc.
the applicant

3. Source of water ground water tributary to _____4. Date of priority 6-05-1947

5. Water is used for the following purposes:

amount 3.00 for Irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)

6. Total amount of water under right: a. 3.00 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18
Township 5S Range 31E, B.M., in Bingham County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
5S	31E	18						30											30

Total number of acres to be irrigated 30

MICROFILMED

Withdrawn

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (if the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion 1/4 1/4, Section Township

Range _____, B.M., _____
County _____

Additional points

3. Place of use:

[illegible]

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

1. Change in point of diversion NO CHANGE

- | | | | | |
|----|--------------------------------|------|-------------|-----------|
| a. | Amount of water to be diverted | 3.00 | c.f.s. &/or | acre feet |
|----|--------------------------------|------|-------------|-----------|

- | b. Point(s) of diversion | | 1/4 NW | 1/4 NW | 1/4, Section 18 | Township | SS |
|--------------------------|--|--------|--------|-----------------|----------|----|
|--------------------------|--|--------|--------|-----------------|----------|----|

Additional points

- | c. | Description of diverting works | well, pump, open discharge into ditch, land is |
|----|--------------------------------|--|
| | | |

flood irrigated

- d. Describe the reasons for applying for a change in the point(s) of diversion

Applicant will sprinkle original acreage from new well

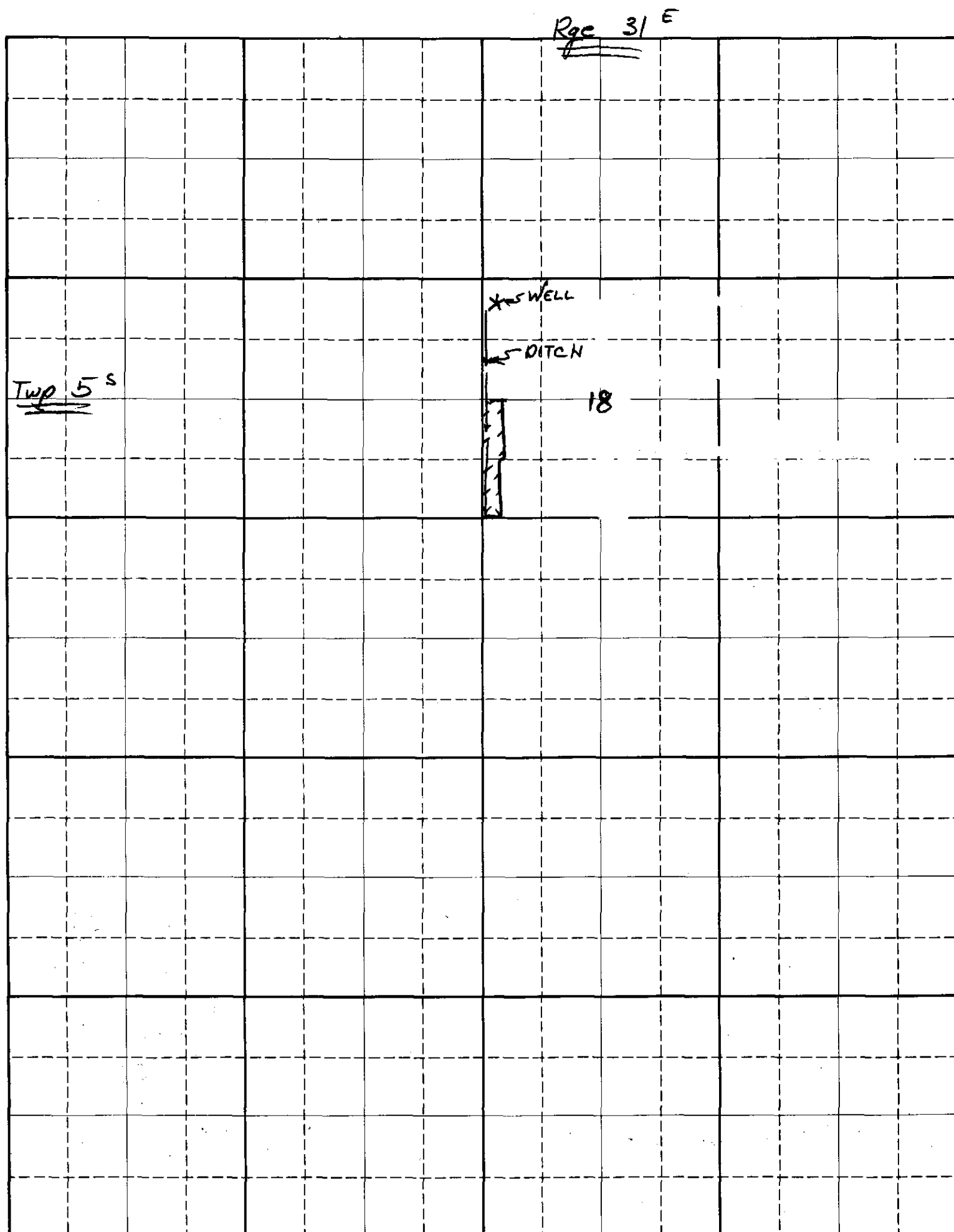
2. Change in place of use

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

[illegible]

30 Total number of acres to be irrigated

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 8th day of April, 19 77
John W. Vandenberg
(Signature of applicant)

Loren O. Halmer
(Notary public)

My commission expires March 21, 1979

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____

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

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

Witness my hand this _____ day of _____, 19 _____

FOR DEPARTMENT USE ONLY

Received by CW Date 4-15-77

Prelim. check by EMC Fee 30⁰⁰

Receipted by CW Date 4-15-77

Published in Blackfoot News

Pub. dates April 28 & May 5, 1977

Watermaster recommendation requested on N.A.

rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for _____ approval _____ denial _____

by _____

RECEIVED

MAY 18 1977

Water Resources
District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss.
I, David Mark Brown do
solemnly

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 35-2073

Notice is hereby given that J.W. Vanderford, Inc., Aberdeen, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 35-2073 and is recorded as follows:

AMOUNT: 3.00 cfs

PRIORITY: 6-05-1947

POINT OF DIVERSION:
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M., Bingham County.
The water is used to irrigate 30 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be used to irrigate 30 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 16, 1977.

C. STEPHEN ALLRED
Director
(5073)
Pub.: 4-28; 5-5

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except 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 the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thurs 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 Thursday

..... issue of said newspaper ...2... consecutive
wks, the first publication having been made on
the ...28th day of April, 19 ...77,
and the last publication having been made on the
...5th day of May....., 19 ...77; 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 notice was published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this ...5th,
day of May....., 19 ...77.....

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, ~~1977~~ 1980

Transfer
Withdrawn

State of Idaho

License and Certificate of Water Right

Water License No. 20092Amount 3 second feet

Water District No. _____

Priority June 5, 1947

THIS IS TO CERTIFY that ANDREW M. LIVINGSTONE
 of Aberdeen, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 5, 1947; that Permit No. 20092
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3 second feet, was issued thereunder on June 18, 1947, showing that said works
 were completed on the 16th day of June, 1947; and that on the 4th
 day of August, 1947,

ANDREW M. LIVINGSTONE
 of Aberdeen, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of _____, for the purpose of Irrigation
, under Use Permit No. 20092 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
8 of Licenses at page 4471, on the 28th day of March, 1949;

The right hereby confirmed dates from June 5, 1947;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 18, Twp. 5 S., R. 31 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 0.6 cubic feet per second. for the NW 1/4 NW 1/4 Section 18, Twp. 5 S., Rge. 31 E.
 and 2.4 cubic feet per second for the NE 1/4 NW 1/4 and S 1/4 NW 1/4 " " " " " "
 Description and location of use: (Supplemental)

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	31 E.	18	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	-- 40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	-- 40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	-- 40
			Number of new acres actually irrigated		
					150 acres total -

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
28th day of March, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

35 2073

State of Idaho

License and Certificate of Water Right

Water License No. 20062Amount 1.2 second feet

Water District No. _____

Priority March 17, 1947

THIS IS TO CERTIFY that JOHN & SAM NEUMAN
 of Aberdeen, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated March 17,, 1947; that Permit No. 20062
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.2 second feet, was issued thereunder on May 19, 1947, showing that said works
 were completed on the 14th day of May, 1947; and that on the 25th
 day of June, 1947,

JOHN & SAM NEUMAN

of Aberdeen, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
 (subterranean), a tributary of _____, for the purpose of irrigation
 _____, under Use Permit No. 20062 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
8 of Licenses at page 4472, on the 28th day of March, 1949;
 The right hereby confirmed dates from March 17, 1947;
 The Point of Diversion is located
 in the SW 1/4 NW 1/4, Sec. 17, Tp. 6 S., R. 31 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 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	31 E.	17	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	36
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Number of Acres Actually Irrigated - - -		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
28th day of March, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

No 20092
35-2073

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

Application No. 27685
Permit No. 20092
District No.

1. Name of Applicant: ANDREW M. LIVINGSTONE

Postoffice address: Aberdeen

County: Bingham

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: Three (3) cubic feet per second.

3. Source of water supply Subterranean (Well) which is a tributary of

4. Location of point of diversion: 300 ft. East and 25 ft. South feet distant from the Northwest corner of Section 18, T. 5 S., R. 31 E., B.M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T. 5 S., R. 31 E., B.M., County of Bingham

5. Water is to be used for Irrigation

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

(a) Point of use of water: feet distant from corner of Section T., R., B.M., in the of Section, T., R., B.M.

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

(c) Water is to be returned to at a point feet distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.

7. Estimated cost of works: \$ 2,100.00

8. Kind of works: Drilled well- 18" diameter- electric powered pump

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

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

11. Ditch: Width at bottom 3 feet; width at water line 4- feet; depth of water 1 $\frac{1}{2}$ feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile 5 feet.

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

13. The time required for the complete application of the water to the proposed use is Has been used for 6 / additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 150 sgares of Aberdeen-Springfield Canal Co. stock.

15. (a) Is reservoir to be used? no If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ANDREW M. LIVINGSTONE *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. June 5, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20092

Recorded in Book 72 Page 20092 Approved June 9, 1947

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 September 9, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before September 9, 1947

Witness my hand this 9th day of June, 1947

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 9th
day of June, 1947

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE C. A. ROBINS
Secretary of State. *Governor.*

Remarks: The subterranean supply is supplemental to the gravity supply when the gravity supply does not meet crop requirements, or is cut due to priorities.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
5 S.	31 E.	18					40	40	40	40								160	

PERMIT NO. 20092

To All Whom it May Concern:

This is to certify that ANDREW M. LIVINGSTONE, of Aberdeen, County of Bingham, and State of Idaho, the holder of Permit No. 20092, issued upon Application No. 27685, bearing date of priority of June 5, 1947, authorizing the diversion of Three (3) second feet of the waters of a well (subterranean), 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 Three (3) second feet of the waters of said well; that the point of diversion of said waters is 300 ft. East and 25 ft. South from the Northwest corner Section 18, Township 5 South, Range 31 East, B.M., and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 18; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ Section 18, Township 5 South, Range 31 East, B.M.

Witness my hand this 18th day of June, A. D. 1947.

Proof of completion of works made June 16, 1947
Certificate of completion of works issued June 18, 1947.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 2 SEC. FT.

p. 4471

FILE 35-7696, 35-2073

NAME OF PARTY J.W. Vanderford

EMPLOYEE Ernie Carlsen *eme*

RE: On the 8th day of April, 1977, I assisted J.W. Vanderford in filing an application for transfer to change the place of use for licensed water under License No. 35-2073, and then filing an application for permit on the lands originally under License No. 35-2073, plus what was believed to be an additional 130 acres. In reviewing the application for transfer, Ron Carlson detected an error which was the result of my misreading License No. 35-2073. The license listed 30 acres as actually being irrigated, and I interpreted this to the acreage being licensed. However, in the remarks it describes an additional 120 acres to be licensed, but these were not included in the list of acres actually irrigated. Due to this error, Mr. Vanderford filed the above mentioned applications at a cost to him of \$85.00. It has since been determined the transfer is not necessary and Mr. Vanderford need only file on 10 acres, with a statutory filing fee of \$10.00. Application No. 35-7696 has been changed to reflect this, and Mr. Vanderford has requested Transfer No. 35-2073 be withdrawn. I would hope the Department would consider reimbursing Mr. Vanderford for the difference of \$75.00.

Mr. Vanderford was in the office 6/29/77 and again indicated he had no need for the transfer if the license already covers 120 acres

*Transfer
Withdrawn*

RECORDED

April 22, 1977

RE: Applications for Transfer No. 35-2073 VANDERFORD
35-2387 "
35-2425 "
35-2324 HARMON

The Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

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 time for you to submit us a galley proof for review before publication.

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

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (4)

Bill submitted 5-13-77 by me

Transfer
Withdrawn

**NOTICE OF PROPOSED
CHANGE OF
WATER RIGHT**

No. 35-2073

Notice is hereby given that J.W. Vanderford, Inc., Aberdeen, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 35-2073 and is recorded as follows:

AMOUNT: 3.00 cfs

PRIORITY: 6-05-1947

POINT OF DIVERSION:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M., Bingham County.

The water is used to irrigate 30 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.

TO BE CHANGED

AS FOLLOWS:

The water will be used to irrigate 30 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 16, 1977.

STEPHEN ALLRED
Director
Pub.: 4-28; 5-5

not B.F.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 35-2073

Notice is hereby given that J. W. Vanderford, Inc., Aberdeen, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 35-2073 and is recorded as follows:

AMOUNT: 3.00 cfs

PRIORITY: 6-05-1947

POINT OF DIVERSION: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.,
Bingham County.

The water is used to irrigate 30 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 30 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18, T. 5S, R. 31E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 16, 1977.

C. STEPHEN ALLRED

Director

Published in the Blackfoot News, Blackfoot, Idaho, on April 28 and May 5, 1977.

Transfer
Withdrawn

18-70-
4-70-

April 21, 1977

RE: Applications for Transfer No. 35-2387, 35-2425 and 35-2073

Applications for Permit No. 35-7693, 35-7694, 35-7695 and 35-7696

J. W. Vanderford
Aberdeen,
Idaho 83210

Gentlemen:

Attached herewith is departmental receipt No. 6539 and 6547 in the amount of \$280.00 for the above referenced applications.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

*Transfer 35-2073
Withdrawn*

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source G. W. Name Vanderford.

2. Right Being Transferred Right No. _____

a. _____ Decree Transfer No. _____

35-2073 License

☒ Use

b. 6/5/47 Priority

c. ☒ Location - Original P. D.

d. ☒ " - Original P. U.

e. No " - New P.D.

f. ☒ " - New P.U.

g. ☒ Amount

3.0 All

_____ Part

3. YES. Proof of Ownership of Right

Comment Warranty deed enclosed.

4. No. Expansion of Right

Comment Changed acreage & Q. equal to original.

5. YES Map

6. YES. Signature

7. YES. Fee

8. Watermaster's Comments _____

9. Comments _____

10. Initial Review by EMC

Date 4/15/77

11. Recommended Action

_____ Approve

_____ Deny

_____ Conditions _____

By _____

Date _____

*Transferred
Withdrawn*

Copy Sent

RECEIVED

THIS INDENTURE, Made this 28th day of December

APR 15 1977

in the year of our Lord one thousand nine hundred and fifty

Department of Water Resources
Eastern District Office

Andrew M. Livingstone, a bachelor,

of Aberdeen, County of Bingham, State of Idaho

the part y of the first part, and J. W. Vanderford

of Aberdeen, County of Bingham, State of Idaho

the part y of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
 Thirty-six Thousand and no/100 - - - - - DOLLARS,
 lawful money of the United States of America,

to him in hand paid by the said
 party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained
 and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party
 of the second part, and to his heirs and assigns forever, all of the following described real estate,
 situated in the County of Bingham, State of Idaho, to-wit:

The Northwest quarter (NW $\frac{1}{4}$) of Section Eighteen (18) in Township Five
 (5) South of Range Thirty-one (31) East of the Boise Meridian, Idaho;

Together with an irrigation well with complete pumping and electric
 motor equipment situated on said premises per Permit No. 20092 issued
 by State Department of Reclamation;



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
 belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents
 issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
 in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
 with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever
 and the said part y of the first part, and his heirs, the said premises in the quiet and peaceable
 possession of the said part y of the second part, his heirs and assigns, against the said party
 of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully
 claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Andrew M. Livingstone [Seal]
[Seal]
[Seal]
[Seal]

STATE OF IDAHO,

County of Bingham

ss.

On this 28 day of December in the year 19 50 , before me
H. C. Wiebe , a Notary Public

in and for said State, personally appeared Andrew M. Livingstone, a bachelor,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

H. C. Wiebe

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

WARRANTY DEED

24033

No.

Dated , 19

STATE OF IDAHO,

County of Bingham

ss.

I hereby certify that this instrument was filed for record at request of

J. D. Chandler

at 45 minutes past 9

o'clock P. M., this 11 day

of June, A. D. 19 52

in my office, and duly recorded in Book 181

of 111 at page 224

W. F. Hootton

Ex-Officio Recorder.

By Magnus H. Merrill Deputy

Fees, \$ 5.00

Mall to Aberdeen

abddd IDAHO PRINTCRAFTERS, INC., BOISE 013

License and Certificate of Water Right

Water License No. 20092 Priority June 5, 1947 Amount 3 second feet

THIS IS TO CERTIFY that ANDREW M. LIVINGSTONE

of Aberdeen, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 5, 1947; that Permit No. 20092 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3 second feet, was issued thereunder on June 18, 1947, showing that said works were completed on the 16th day of June, 1947; and that on the 4th day of August, 1947

ANDREW M. LIVINGSTONE

of Aberdeen, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well tributary of for the purpose of irrigation, under Use Permit No. 20092 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 8 of Licenses, at Page 4471, on the 28th day of March, 1949; The right hereby confirmed dates from June 5, 1947;

The Point of Diversion is located
in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Tp. 5 S., R. 31 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 0.6 cubic feet per second. for the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Twp. 5 S., Rge. 31 E. and 2.4 cubic feet per second for the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ " " " " " "

Description and location of use:

TWP.	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED
5 S.	31 E.	18	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	--
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	--
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	--
			Number of new acres actually irrigated		- 30

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho,
this 28th day of March, 1949

(S E A L)

MARK R. KULP

State Reclamation Engineer.

STATE OF IDAHO)
COUNTY OF ADA) ss.

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, do hereby certify that the annexed and foregoing is a full, true and correct copy of License and Certificate of Water Right No. 20092, in the name of Andrew M. Livingstone, of Aberdeen, Idaho, as same appears of record in the State Department of Reclamation, at Boise, Idaho, in Volume 8 of Licenses, at Page 4471.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation of the State of Idaho, at Boise, Idaho, this 22nd day of January, 1951.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 4th day of August, 1947, at Aberdeen, County of Bingham, State of Idaho, before Calvin Moser, proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of a well (Subterranean) in accordance with the terms and conditions of Permit No. 20092 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 Andrew M. Livingstone, Aberdeen, Idaho.

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

The amount applied to beneficial use is 3 second feet.

The place where said water is used, North West $\frac{1}{4}$ Sec. 18, T. 5 S., 31 E. B. M.

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

The right to take water from such works is based upon Permit No. 20092.

The source of supply from which such water is diverted is Subterranean.

The date of priority which said user is prepared to establish is June 5, 1947.

MARK R. KULP,
State Reclamation Engineer.

Published July 10, 17, 24, 31, 1947. P

July 10-1947 20092

March 29, 1949

Re: Permit No. 20092

Mr. Andrew M. Livingstone
Aberdeen, Idaho

Dear Mr. Livingstone:

We enclose License and Certificate of Water Right issued under your Permit No. 20092 confirming your right to the use of three (3) second feet of water from a well on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 5 South, Range 31 East, B.M., with priority of June 5, 1947; 0.8 second foot for the irrigation of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, and 2.4 for supplemental use on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ of this Section.

We also enclose Departmental Receipt No. 21394 for the \$8.00 fee paid by you in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20092
A:bn
Enc.

Aberdeen Idaho

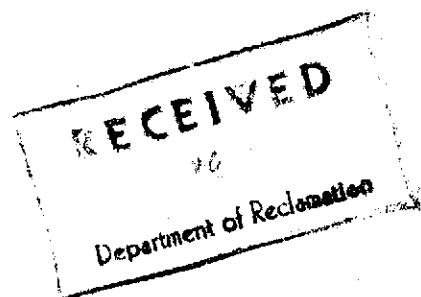
3-25-49

Dear sir Inclosed will find eight
dollars for Pumping water for the
NW $\frac{1}{4}$ Section 18-5-south. Range 31 East
not 13 as shown in that discription
or miss Print

truly yours

A. M. Livingstone

20092





C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

March 18, 1949

Re: Permit No. 20092

Mr. Andrew M. Livingstone
Aberdeen, Idaho

Dear Mr. Livingstone:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 20092.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 3 second feet of water from a well on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 5 South, Range 13, East, which includes .6 of a second foot on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 second feet for supplementary use on the rest of the quarter section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Leanne L. Anderson
Chief Clerk

A:hh

✓
March 18, 1949

Re: Permit No. 20092

Mr. Andrew M. Livingstone
Aberdeen, Idaho

Dear Mr. Livingstone:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 20092.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 3 second feet of water from a well on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 5 South, Range 18, East, which includes .6 of a second foot on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 second feet for supplementary use on the rest of the quarter section.

Very truly yours,

MARK R. TULP
State Reclamation Engineer
By

Chief Clerk

20092
A:bh

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20092

This proof is for Beneficial use

In Water District No.

1. Name of applicant Andrew M. Livingstone, Aberdeen, Idaho
 2. Source of water supply: Subterranean (well)
 3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18
T 5 S. R 31 E. County of Bingham
 4. Describe works as they exist, giving dimensions and capacities of same: A drilled well 98 feet deep, and cased to lava with 9 inch pipe; also an outside casing of 18 inch diameter. Well is equipped with a Fairbanks-Morse deep well turbine pump, and a 10 inch outlet pipe which delivers to a two way dividing box 3' X 6' X 2' deep, and ditches of 2 feet width, and 1 foot deep. Pump is driven by a 30 H.P. Motor
 5. Water is used for: Irrigation
 6. State whether or not water has been turned into works of diversion: Yes
 7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and plate of use if other than irrigation):
NW $\frac{1}{4}$ Section 18, Twp. 5 South, Range 31 East, B.M.
- (Submit map on attached plat, showing location and details of above description.)
8. What large stream would the water here appropriated finally reach? Unknown

Remarks:

This examination was made on the 22nd day of April, 1948

(Signed)

A. L. Johnson

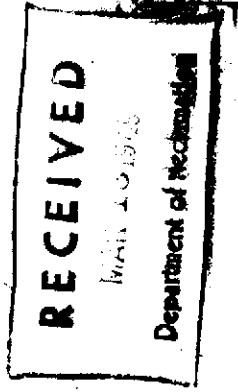
Examiner.

20092

70/10
Andrew M. Livingstone
Aberdeen, Idaho
Permit No. 20092

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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20092

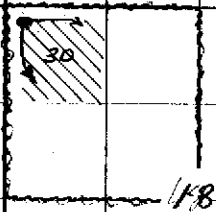
REPORT ON PROOF OF Beneficial use

.6 cfs for new 1/2 msw
2.4 cfs supplementary for balance
3.0 msw

app 3 cfs

30 acres

Point of Diversion



7

13

18

17

19

✓
August 7, 1947

Re: Permit No. 20092

Mr. Andrew M. Livingstone
Aberdeen, Idaho

Dear Mr. Livingstone:

We acknowledge receipt of the depositions of your self and two witnesses, also affidavit of publication in the Aberdeen Times all in connection with Beneficial Use Proof under your Permit No. 20092.

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

We can not say just when this examination will be made since this Department has but one field engineer who makes examinations all over the State.

However, Mr. Tolmen, Field Engineer for this Department will try and contact you at the time he makes the examination so that you may show him over the grounds.

Very truly yours,

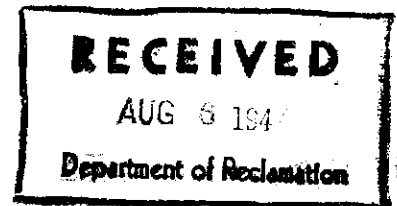
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS

20092

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20092

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Andrew M. Livingstone, Aberdeen Idaho, 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. Private individual

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

Ans. 20092 June 9 1947 June 9 1947

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

Ans. Subterranean 300 ft east and 25ft south from north west corner of sect 18 5 s 31 east B M Bingham county

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

Ans. 3.0 cubic feet per second, in private ditch ample capacity and more to convey to point of use.

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. Only irrigation, the west half of the north west quarter section is to high to water by canal water, therefore installed this well to irrigate that portion entirely by well, and then it is also used as auxilerary water supply for the entire quarter section to supplement for canal water

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

Ans. only irrigation

20092

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

Ans. entire capacity of the well

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. original person

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

Ans. since 1941, the well is operated about twenty days out of thirty all during the irrigation season

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. We have 150 shares of Aberdeen Springfield Canal Co water right for this quarter section, and when it is short we use the well for supplemental water.

(Sign) Andrew M Livingstone

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 Aberdeen, County of Bingham, State of Idaho, on this 4 day of August, A. D. 1947.

Calvin Moser

My commission expires March 1 1950

20092

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20092

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. A. S. Nevelle, age 44 on farm near Aberdeen Idaho

Aberdeen Idaho (Box 364)

Ques. 2. Are you acquainted with Andrew M. Livingstone, the holder of Permit No. 20092? How long have you known him and where does he reside?

Ans. Yes, all my life north of Aberdeen on a farm

Ques. 3. Have you read or heard read said Permit No. 20092, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean drilled well with electric operated turbine pump in private 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. 3.0 cubic feet ~~per~~ per second

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

Ans. Irrigation mostly the ~~west half of section 18~~ ~~5S 31 east B M~~ ~~and~~ ~~supplemental for canal water on the entire quarter section 18~~ ~~is all~~ ~~cultivated land~~ ~~the land is developed to high state of cultivation~~ ~~as result of water being available~~

20092

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

Ans. for irrigation only

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

Ans. Was originally prairy land and was cleared from sage brush
and it requires about four and half acre feet to irrigate it

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

Ans. none

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

Ans. By observation, as neighbor for past five years

(Signed)

A. S. Neville

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 Aberdeen, County of Bingham, State of Idaho, on this 4 day of August A. D. 19 47.

Clarence Moser

Notary Public.

My commission expires March 1 1950

20092

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20092

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. Glenn A. Anderson age 32, on farm north of Aberdeen Idaho

Ques. 2. Are you acquainted with Andrew M. Livingstone, the holder of Permit No. 20092? How long have you known him and where does he reside?

Ans. yes, about twelve years, on farm north of Aberdeen Idaho

Ques. 3. Have you read or heard read said Permit No. 20092, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean drilled well on the N W $\frac{1}{4}$ section of 18 5 south 31 east B M operated by electric turbine pump into private ditch to point of conversion

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. I think it would safely conduct about four second feet per minute and I have seen 3 second feet in it very often

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

Ans. Irrigation only, on the west half of the N W $\frac{1}{4}$ section of sect 18 5 S 31 east B M entirely by well, and on the balance of the quarter section it supplements canal water when it is short it is originally prairy land and has now been developed to high state of cultivation as result of irrigation water

20092

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

Ans. only irrigation

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

Ans. Originally it was prairy land with sage brush and it has all been reclaimed as result of irrigation water an it requires about four second feet to successfully irrigate the $\frac{1}{4}$ section

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

Ans. none

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

Ans. 1947 irrigation season by observation, about twenty days out of each thirty days during the irrigation season to its capacity of 3 second feet per second

(Signed) Glenn A. Anderson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Abberdeen Idaho, County of Bingham, State of Idaho, on this 4 day of August, A. D. 1947.

Calvin M. Mower
Notary Public.

My commission expires March 1 1950

20092

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice it hereby given that at 10:00 A. M. on the 4th day of August, 1947, at Aberdeen, County of Bingham, State of Idaho, before Calvin Moser, proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of a well (Subterranean) in accordance with the terms and conditions of Permit No. 20092 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 Andrew M. Livingstone, Aberdeen, Idaho.

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

The amount applied to beneficial use is 3 second feet.

The place where said water is used, North West ¼ Sec. 18, T. 5 S., 31 E. B. M.

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

The right to take water from such works is based upon Permit No. 20092.

The source of supply from which such water is diverted is Subterranean.

The date of priority which said user is prepared to establish is June 5, 1947.

MARK R. KULP,
State Reclamation Engineer.

Published July 10, 17, 24, 31, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
COUNTY OF BINGHAM, } ss.

HARRY G. NIMS, being first duly sworn, on his oath states:

That he is PUBLISHER of THE ABERDEEN TIMES, a newspaper of general circulation in Bingham County, Idaho, published weekly at Aberdeen, in said county. That said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the

annexed Notice for Publication;

and that said Notice for Publication

was published as per clipping attached, in the regular and entire edition of said newspaper and not in any supplement thereof, in 4 consecutive weekly issues, the date of the first publication being the

10th day of July, 1947, and the last publication being the
31st day of July, 1947.

Harry G. Nims Publisher.

Subscribed and sworn to before me this 1 day of August, 1947.

M. D. Linnacheid

Notary Public Residing in Aberdeen, Idaho.

My commission expires 12-31-49

20092

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 26, 1947

Re: Permit No. 20092
A. M. Livingstone

Mr. Calvin Moser
Notary Public
Aberdeen, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20092.

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

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

1. On August 4, 1947, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Aberdeen, Idaho before Calvin Moser, Notary Public.

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

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

Yours truly,

Mark R. Kulp
Commissioner of Reclamation
State Reclamation Engineer

20092

20092

THE ABERDEEN TIMES

HARRY G. NIMS, EDITOR AND PUBLISHER

ABERDEEN, IDAHO

July 8, 1947

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

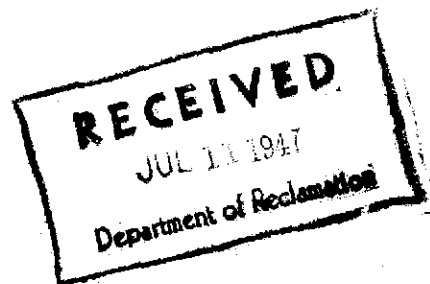
Dear Sir:

20092

Notice for publication of Andrew M. Livingston, Aberdeen, Idaho, received. Publication will begin July 10, 1947.

Yours very truly,

Harry G. Nims



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 16 1947

(P. O.) Aberdeen Idaho

STATE RECLAMATION ENGINEER;
TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

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

Andrew M. Livingstone

(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.

20092

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

Notice is hereby given that at 10 A. M. on the 4th day of August, 19 47
at Aberdeen, County of Bingham, State of Idaho, before
Calvin Moser, proof will be submitted of the
application to beneficial use of 3 cubic feet per second of the waters of a well
(Subterranean) in accordance with the terms and conditions of Permit No. 20092
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

Andrew M. Livingstone, Aberdeen, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 3 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated)

North West 1/4 Sect 18 T 5 S 31 E B M

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

The right to take water from such works is based upon Permit No. 20092

The source of supply from which such water is diverted is Subterranean

The date of priority which said user is prepared to establish is June 1947

Mark R. Kulp
State Reclamation Engineer,

20092

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: July 2, 1947

Re: Permit No. 20092

The Aberdeen Times

Aberdeen, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 4, 1947 . the date set for proof, the expense of the publication to be paid by the applicant, Andrew M. Livingstone of Aberdeen, 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, in order that we may check same.

Very truly yours,

MARK A. KULP

State Reclamation Engineer

By

Chief Clerk

20092

June 20, 1947

Re: Permit No. 20092

Mr. Andrew M. Livingstone
Aberdeen, Idaho

Dear Mr. Livingstone:

We enclose herewith Certificate of Completion of Works issued under Permit No. 20092, for the diversion of Three (3) second feet of water from a well, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 5 South, Range 31 East, B.M., Bingham County, with priority of June 5, 1947, for irrigation purposes; also Departmental Receipt No. 20021 for the \$5.00 fee paid in connection with completion of works proof.

Notice of beneficial use proof to be made under this permit will be sent to the Aberdeen Times, with instructions to publish it once a week for four consecutive weeks prior to August 4th, the date set for proof, and to send you the affidavit of publication, together with statement of costs.

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

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

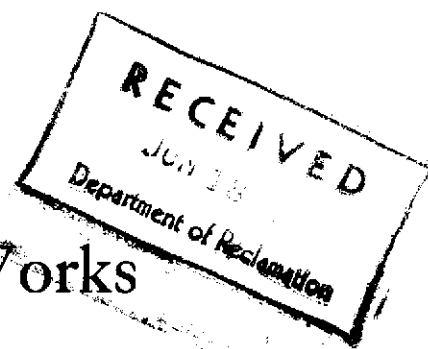
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20092
A
Encls.

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham } ss.Andrew M. Livingstone, 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. 20092, and that his postoffice address is

State of

Second: That the name of the stream from which said water is to be directed is subterranean.~~OF NW CORNER OF SECT 18 T5S R31E BM~~Third: That the point of diversion of said water is 300' EAST AND 25' SOUTHFROM NW CORNER OF SECT 18 T5S R31E BM - NW 1/4, NW 1/4, SECT 18 5S-31E BM
BINGHAM COUNTYFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 1, 1941.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: DRIILLED WELL 18" DIAMETER ELEC. POWER PUMP
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 3 second feet of water.Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: 40 NE 1/4 40 NW 1/4 - 40 SE 1/4 - 40 SW 1/4all in NW 1/4 Sec. 18, Twp. 5S, R. 31E, B. 1M.

Ninth: Remarks: That

Andrew M. Livingstone
(Sign here)Subscribed and sworn to before me this 16 day of June, 1947.My commission expires March 1-1950Charles D. Moser

Notary Public.

20092

✓
June 13, 1947

Re: Permit No. 20092

Mr. Andrew M. Livingstone
Aberdeen, Idaho

Dear Mr. Livingstone:

We enclose herewith Permit No. 20092, also Departmental Receipt No. 20004 for the \$5.50 filing fee.

Since your application stated that the works were completed and the water beneficially applied, we have allowed three months in which to make the statutory proofs necessary to complete your water right.

The first, or completion of works proof, is made by executing Form 6 enclosed, before a Notary Public, and returning it to this Department, together with the 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 newspaper published in Bingham County. This notice should be made out by you in duplicate on Form 10, enclosed, setting the time and place for making the proof, and naming the Notary Public before whom the proof is to be made. Be sure to set the time sufficiently far ahead to allow for the four weeks' publication.

Both copies of Form 10 are to be returned to this Department, together with Form 11, which is your authorization for us to have the notice published at your expense in the designated newspaper. We shall then send a copy of the notice to the paper, with instructions in regard to publishing; and we shall send to the Notary Public forms of deposition to be executed by yourself and two witnesses in making the proof.

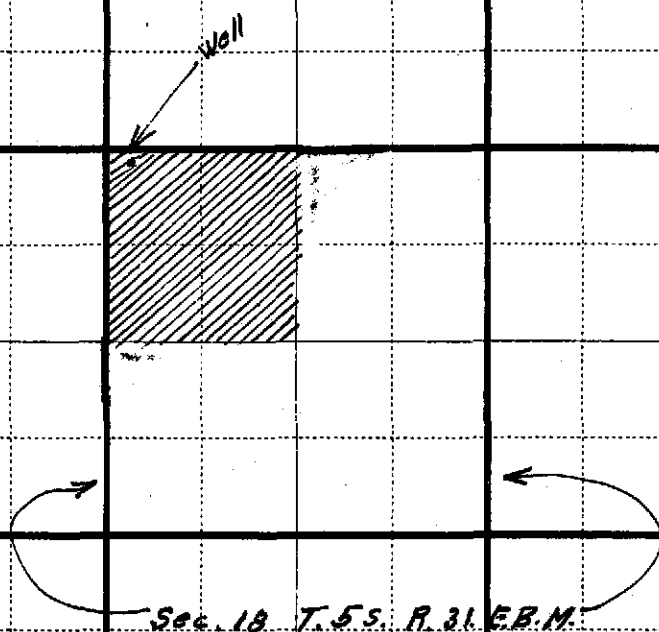
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

20092



Permit Map No. 20092
As Approved
JUN 9 1947
MARK R. KULP
State Reclamation Engineer