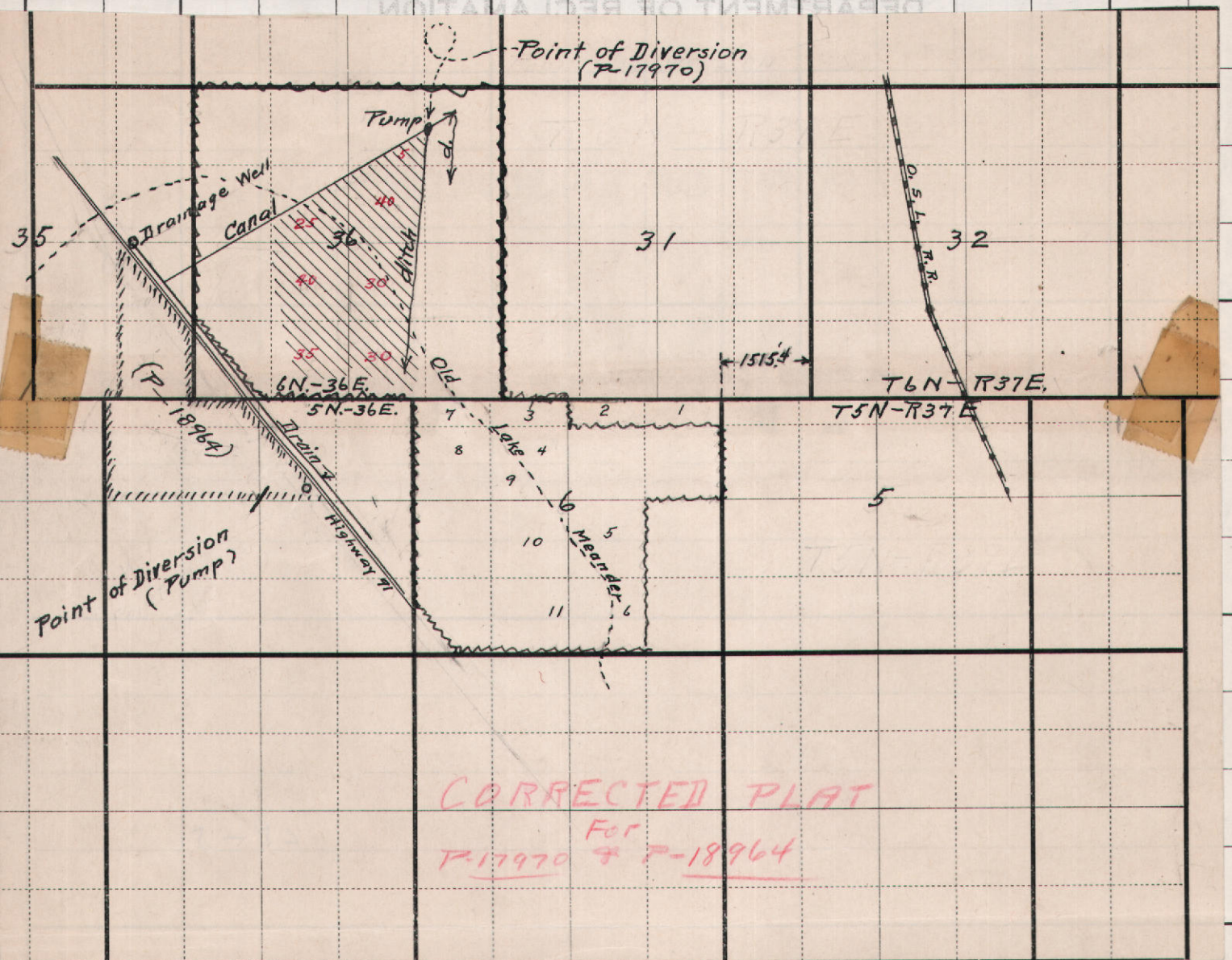


STATE OF IDAHO

DEPARTMENT OF RECLAMATION



State of Idaho
License and Certificate of Water Right

Water License No. 17970

Amount 4.1 second feet

Water District No.

Priority May 30, 1934

THIS IS TO CERTIFY that G. H. NEYMAN
of Roberts, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 26, 1934; that Permit No. 17970
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6 second feet, was issued thereunder on July 21, 1939, showing that said works
were completed on the 20th day of July, 1929; and that on the 14th
day of July, 1945,

L. POITEVIN, Assignee

of Idaho Falls, 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 and
two wells, a tributary of, for the purpose of irrigation and domestic use

, under Use Permit No. 17970 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

7 of Licenses at page 4368, on the 28th day of August, 1947;

The right hereby confirmed dates from May 30, 1934,

The Points of Diversion^{are} located as follows: Unnamed stream in Lot 6; 2 wells in Lots 5 and 6,
in the 1/4 1/4, Sec. 6, Tp. 5 N., R. 37 E., B. M. Jefferson 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 Four cubic feet per second from said unnamed stream, and 0.1 cubic foot per second from

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	36 E.	34	NW 1/4 NE 1/4	-	5
			SW 1/4 NE 1/4	-	40
			SE 1/4 NW 1/4	-	25
			NE 1/4 SW 1/4	-	40
			SE 1/4 SW 1/4	-	35
			NW 1/4 SE 1/4	-	30
			SW 1/4 SE 1/4	-	30
			Number of acres actually irrigated -		205

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 August, 1947.

MARK R. KULP

State Reclamation Engineer

(Sect.)

35 2048

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

35-2048

Application No. 25129
 Permit No. 17970
 District No.

1. Name of Applicant: G. H. NEYMAN

Postoffice address: Roberts County: Jefferson 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:
- (c) Bonds to be issued:

- (b) Treasury stock
- (d) Other resources:

2. Quantity of water claimed: 6 cubic feet per second.

3. Source of water supply: Unnamed stream (4 sec. ft.) and/ subterranean (2 sec. ft.) which is a tributary of

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

corner of Section , T. , R. , B. M., and is in the

of Section , T. , R. , B. M., County of Jefferson

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: \$ 150.00

8. Kind of works: Ditches, headgates and wells

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 4 feet; height 3 feet.

11. Ditch: Width at bottom 6 feet; width at water line 9 feet; depth of water 1½

feet; dimensions of flume:

Diameter of pipe inches; length of conduit approx. ½ miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

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

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

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.

G. H. Neyman Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. May 26, 1934.

Returned to applicant for correction: June 6, 1934.

Corrected application received: June 12, 1934.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17970

Recorded in Book 64 Page 17970 Approved July 10, 1934.

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 September 9, 1934 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 January 10, 1937.

The whole of said work to be completed on or before July 10, 1939.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 10, 1945.

Witness my hand this 10th day of July, 1934.

R. W. FARIS
Commissioner of Reclamation.

Remarks: Points of Diversion: Water to be carried to land by means of a ditch, as per plat.

No. 1 (Unnamed Stream) 4 second feet, Lot 6, Sec. 6, T. 5 N., R. 37 E., B. M.

14. No. 2 (Well) 1 Second Foot, Lot 6, Sec. 6, T. 5 N., R. 37 E., B. M.

No. 3 (Well) 1 Second Foot, Lot 5, Sec. 6, T. 5 N., R. 37 E., B. M.

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 $\frac{1}{4}$	
5 N	37 E	6			40	40					Lot 10 43.4	40	40	54.35	Lot 11 36.6		25.65		320
Total Number of Acres to be Irrigated.....																			320

Permit No. 17979 Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that G. H. NEYMAN, of Roberts, County of Jefferson, and State of Idaho, the holder of Permit No. 17979, issued upon Application No. 25129 bearing date of priority of May 26, 1934, authorizing the diversion of six (6) second feet of the waters of an unnamed stream (4 second feet) and subterranean water (2 second feet), County of Jefferson, 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 six (6) second feet of the waters of an unnamed stream and subterranean water; that the points of diversion of said waters are as follows: No. 1 (Unnamed stream) Lot 6 Section 6, Twp. 5 N., Range 37 E., B.M. No. 2 (Well) Lot 6 Section 6, Twp. 5 N., Range 37 E., B.M. No. 3 (Well) Lot 5 Section 6, Twp. 5 N., Range 37 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ (or Lots 5 & 6) Section 6, Township 5 North, Range 37 East, B.M.

Witness my hand this 21st day of July, A. D. 1939.

JAMES SPOFFORD
Commissioner of Reclamation

Proof of Completion of Works made July 20, 1939

Certificate of Completion of Works issued July 21, 1939

ASSIGNMENT

For valuable considerations, we hereby assign, transfer and set over to L. Poitevin, all of our rights, title and interests in and to Water Permit No. 17970 issued to G. H. Neyman by the Department of Reclamation of the State of Idaho, such assignment to be as of the date of June 1st, 1942.

Salmon, Idaho, June 15th, 1945

G. H. NEYMAN
GLENN H. NEYMAN
LILLIE E. NEYMAN

State of Idaho)
County of Lemhi) ss.

On this 31st day of July, 1945, before me, the undersigned Notary Public, in and for the State of Idaho, personally appeared G. H. Neyman and his wife, Lillie E. Neyman, known to me to be the persons whose names are subscribed to the above and foregoing instrument, and who acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and years herein last-above written.

WM. S. EAKLE
Notary Public. Residence
and address: Salmon, Idaho

My Co. Exp. April 26th, 1949.

Received and filed for record in the Department of
Reclamation at Boise, Idaho, at 9:00 A. M. August 6, 1945.

MARK R. KULP
State Reclamation Engineer
(A)

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
NO. 17970

Comes now L. Poitevin, 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. 17970, and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows:

Lots 4, 5, 6, 7, 8, 9, 10 and 11; the South Half of the Northeast Quarter ($S\frac{1}{2}NE\frac{1}{4}$) the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{2}SW\frac{1}{4}$); the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$); in Section Six (6), Township Five (5) North, Range Thirty-seven (37) East Boise Meridian;

Also all that portion of Section 36, Township 6 North, Range 36 East Boise Meridian, lying Northeast of the Idaho-Montana Highway.

Making a total of 625.4 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 Idaho Falls, this 13th day of June, 1945.

L. POITEVIN

Date of receipt at Office of Department of Reclamation June 16, 1945.

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. 17970. 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.

RECEIVED JUN 14 1945 SEC. 57.

P. 4368

September 2, 1947

Re: Permit No. 17970

Mr. L. Poitevin
Idaho Falls, Idaho

Dear Mr. Poitevin:

We enclose License and Certificate of Water Right issued under Permit No. 17970, confirming your right to the use of 4.1 cubic feet per second of water from an unnamed stream, and two wells, with priority of May 30, 1934, for irrigation and domestic use on 205 acres of land in the $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 36, Township 6 North, Range 36 East, B.M.

We also enclose Departmental Receipt No. 20125 for the \$14.00 fee paid by you in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

17970



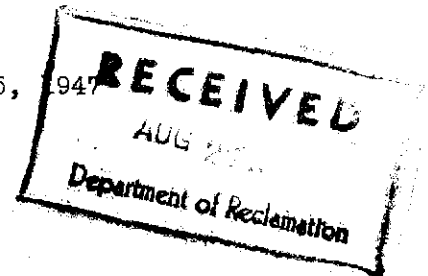
C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 15, 1947



Re: Permit No. 17970

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

The Field Engineers Report, on examination for Beneficial Use, under Permit No. 17970 in the name of L. Poitevin, shows 205 acres irrigated under this permit as follows.

Twp. 6 N. 36 E. B.M.	NW $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	35 "
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	25 "
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5 "
	TOTAL	205

Accordingly, upon receipt of the statutory fees at the rate of \$2.00 for each of the 7 40-acre sub-divisions in which the land is located, or a total of \$14.00, a license will be issued for 1 inch to the acre, or 4.1 cubic feet per second.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey 17970
E. N. Humphrey
Deputy State Reclamation Engineer

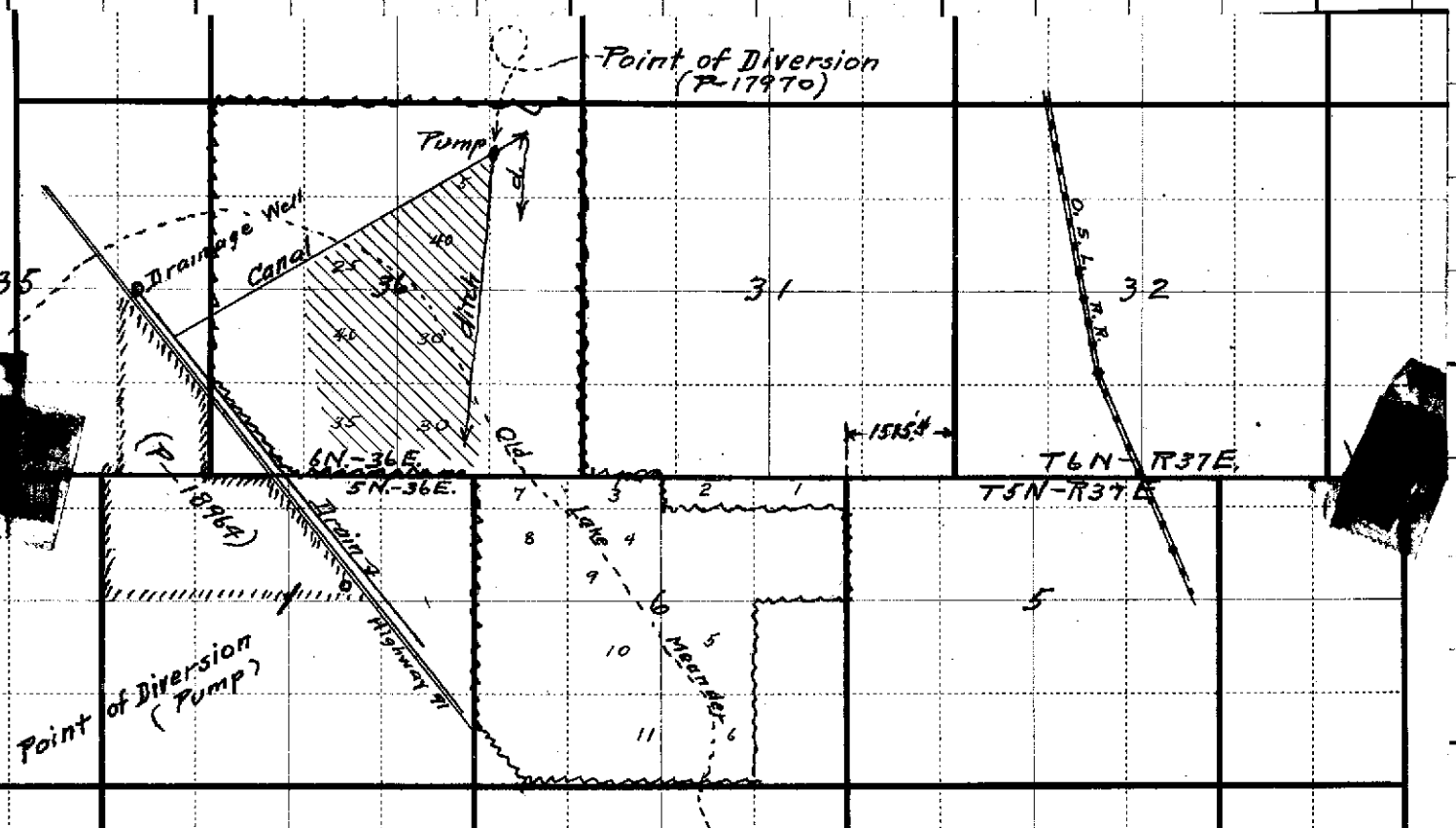
H:FS

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

REPORT OF ENGINEER

PERMIT NO. 17970

REPORT ON PROOF OF Beneficial Use



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17970

This proof is for Beneficial use

In Water District No.

1. Name of applicant L. Poltevin, Idaho Falls, Idaho
2. Source of water supply: Subterranean and unnamed stream
3. Location of point of diversion: Is in the (See below) X of Section
T. R. County of
4. Describe works as they exist, giving dimensions and capacities of same: Water from a drain and a drainage well is pumped to an irrigation lateral by means of Parmer Water Lifter, which is driven by a Walker Shaw gasoline motor. The main ditch is 10 feet wide, and 3-4 feet deep. Water is lifted 6 feet and thence by a 16 inch pipe to a ditch which is 6 feet wide and 1½ feet deep.
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 place of use if for other than irrigation): Lots 4, 5, 6, 7, 8, 9, 10 & 11; S½ NE¼ SW¼ SW¼ NW¼ SW¼; Section 6, Twp. 5 North, Range 37 East, B.M.
Also all that portion of Section 36, Twp. 6 North, Range 36 East, B. N., lying Northeast of the Idaho-Montana Highway.
- X. Point of diversion of Unnamed stream, and one well- Lot 6, Sec. 6, T. 5 N., R. 37 E. B.M.
Other well in Lot 5, Sec. 6, T. 5 N., R. 37 E., B.M.

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

8. What large stream would the water here appropriated finally reach? Unknown
- Remarks: The two wells located in Sec. 6 are practically dormant, one was flowing approximately one miners inch, and the other was merely seeping.
A small spring stream nearby was flowing an estimated three miners inches.

This examination was made on the 21st day of August, 1945

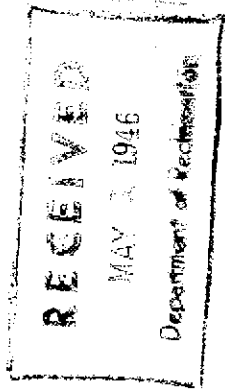
(Signed)

Fred J. Johnson
Examiner.

L. Poltevin
Idaho Falls, Idaho
Permit No. 17970

Examination for Beneficial use

County Jefferson



INSTRUCTIONS TO EXAMINERS

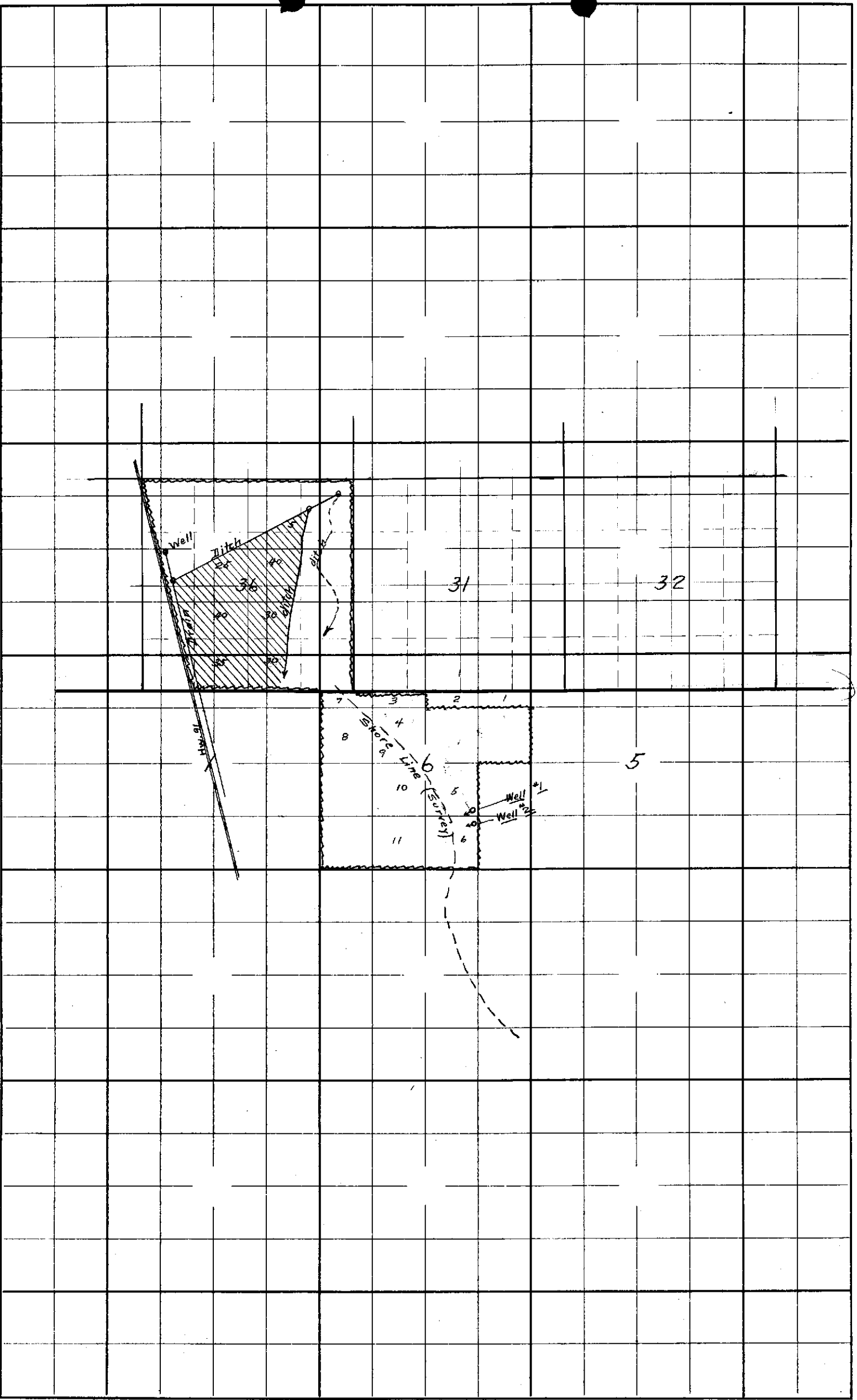
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make a 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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17970

REPORT ON PROOF OF Beneficial use



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17970

This proof is for Beneficial use In Water District No.

1. Name of applicant Lawrence Poitevin, Idaho Falls, Idaho
 2. Source of water supply: Subterranean (2 wells) and an unnamed stream
 3. Location of point of diversion: Is in the Lots 5 & 6 of Section 6
T. 5 N. R. 37 E. County of Jefferson
(Unnamed stream in Lot 6, and wells in Lots 5 & 6)
 4. Describe works as they exist, giving dimensions and capacities of same: Water from a drain an drainage wellis pumped to an irrigation lateral by means of a Parmer Water Lifter, driven by a Walker Shaw gasoline motor. The main ditch is is 10 feet wide, and 3-4 feet deep. Water is lifted 6 feet, and thence by a 16 inch pipe which delivers to a ditch of 6 feet width and 1½ feet depth
 5. Water is used for: irrigation and domestic purposes
 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 place of use if for other than irrigation): Lots 4, 5, 6, 7, 8, 9, 10 & 11; S½ NE¼ SW¼ NW¼ SW¼; Section 6, Twp. 5 North, Range 37 East; B. M.;
All that portion of Section 36, Township 6 North, Range 36 East, B.M., lying Northeast of the Idaho-Montana Highway.
 - (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: Of the two wells located in Section #6, one merely seeps, and the other flows an estimated one miners inch. A small spring stream nearby was flowing approximately three miners inch.

This examination was made on the 21st day of August, 1945

(Signed)

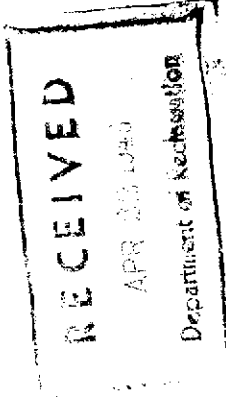
David H. Johnson
Examiner.

Lawrence Poitevin
Idaho Falls, Idaho

Permit No. 17970

Examination for Beneficial use

County Jefferson



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 a 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.

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

August 13, 1945

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

Dear Mr. Kulp:

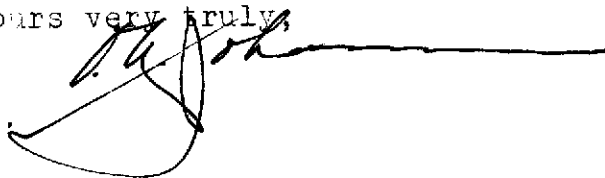
In re: Permit No. 17970
L. Poitevin.

I thank you for yours of August 7th and I note therefrom that there is a fee of 50¢ due from recording the Assignment from G. H. Neyman, et ux., to L. Poitevin.

I note that in due time Mr. Tolman, the field engineer, will try to contact Mr. Poitevin. I am sure that Mr. Poitevin will be very pleased to show him over the property.

Thanking you for your kindness in this matter,
I am

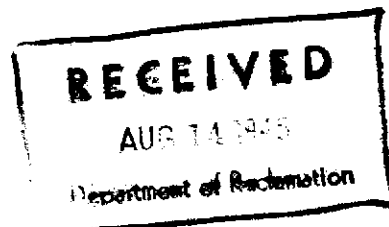
Yours very truly,



OAJ:MMN

P. S. I enclose herewith check for 50¢.

O.A.J.



R19163

17970

✓
August 7, 1945

Re: Permit No. 17970-
L. Poitevin

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of your letter of August 4th, enclosing the assignment of the above numbered permit from G. H. Neyman and wife to L. Poitevin. This has been duly recorded, and we will ask that you kindly send the statutory fee for same, amounting to 50 cents.

The depositions in proof of beneficial use, and also the affidavit of publication in connection therewith, have been placed on file; but before final action is taken in the matter the law requires that a field examination be made by an engineer from this department.

We cannot 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. Tolman, Field Engineer for this Department, will try and contact Mr. Poitevin at the time he makes the examination, so that arrangements may be made to show him over the grounds.

The application for amendment to the land list has been duly approved and recorded, and we return same herewith. This should be placed with the original permit, of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

17970

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

August 4, 1945

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

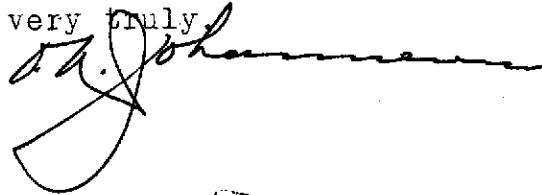
Dear Mr. Kulp:

In re: Permit No. 17970
G. H. Neyman, now
L. Foitevin

I am very glad to enclose herewith Assignment of the above permit, duly signed and acknowledged by Mr. and Mrs. Neyman. I trust that this is in harmony with your recent request.

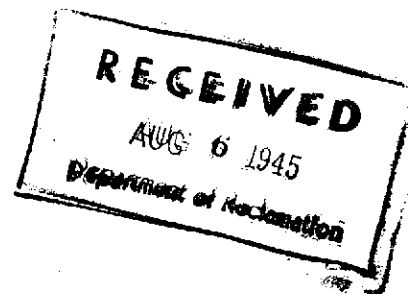
Thanking you for your kind attention in the matter, I am

Yours very truly



OAJ:MMN

17970



Salmon, Idaho, June 15th, 1945.

For valuable considerations, we hereby assign, transfer and set over to L. Poitevin, all of our rights, title and interests in an to Water Permit No. 17970 issued to G. H. Neyman by the Department of Reclamation of the State of Idaho, such assignment to be as of the date of June 1st, 1942.

G. H. Neyman
Lillian E. Neyman
Lillie E. Neyman

State of Idaho,)
County of Lemhi.)

On this 31st day of July, 1945, before me, the undersigned Notary Public, in and for the State of Idaho, personally appeared G. H. Neyman and his wife, Lillie E. Neyman, known to me to be the persons whose names are subscribed to the above and foregoing instrument, and who acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and years herein last-above written.

Wm. J. Carr
Notary Public. Residence
and address; Salmon, Idaho.

My Co. Exp. April 26th, 1949

17970

9:00 A. Aug. 6 1945
Mark R. Oschep
A.

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

July 21st, 1945.

Hon. Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Dear Mr. Kulp:-

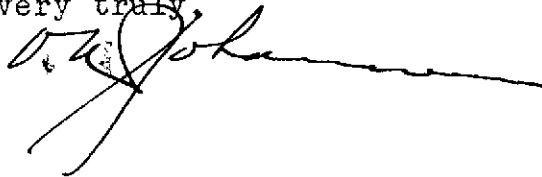
Re. Permit No. 17970.
Neyman-Poitevin.

I thank you very much for yours of the 19th, returning the Depositions of the two witnesses in the above matter. These have been amended to show the description of the land to be irrigated. I am returning them herewith.

It will take a few days to get a new Assignment, signed by Mr. and Mrs. Neyman. Personally, I hardly think that a new assignment is necessary, as I believe that Permit holder may assign, as was done in this case. However, we shall be glad to procure and file another Assignment, signed by both Mr. and Mrs. Neyman.

Thanking you for your kindness in the matter, I am

Yours very truly,



2-enc.



17970

July 19, 1945

Re: Permit No. 17970

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

Reference is made to your letter of July 14th, enclosing depositions of Lawrence Poitevin and his two witnesses, also affidavit of publication, all in connection with beneficial use proof under the above numbered permit; and also a form of assignment from G. H. Neyman to Lawrence Poitevin.

We are returning the assignment, for the reason that it should be joined in by Mr. Neyman's wife, if he is married, and if not the certificate of the Notary Public should describe him as a single man.

We are also returning the depositions of the two witnesses for correction in regard to Question 6. While the answer to this question in both depositions described the works, they do not give the legal description of the land irrigated, by subdivision, section, township and range, nor does it state the character of such land.

Please have these necessary corrections made and return all papers promptly to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

17970

Affidavit Of Publication

The Rigby Star

STATE OF IDAHO, }
County of Jefferson. } ss.

I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, in Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for four consecutive issues thereof; first publication having been made on the

21st day of June, 1945

and last publication on the

12th day of July, 1945

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

A. D. Jones.

12th

Subscribed in my presence and sworn to before me this _____ day of July, 1945, 194____.

(SEAL)

Hope B. Jones

Notary Public for the State of Idaho, residence and post office address: Rigby, Idaho. My Commission expires January 30th., 1946

Publication Fee \$_____

17970

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

Notice is hereby given that at 11:00 a. m. on the 14th day of July, 1945 at Idaho Falls, County of Bonneville, State of Idaho, before O. A. Johannesen, a Notary Public, proof will be submitted of the application to beneficial use of 6 cubic feet per second of the waters of subterranean sources in accordance with the terms and conditions of Permit No. 17970 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are L. Poitevin, assignee of G. H. Neyman.

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

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

The place where said water is used. Lots 4, 5, 6, 7, 8, 9, 10 and 11; the South Half of the Northeast Quarter; the Southwest Quarter of the Southwest Quarter; the Northwest Quarter of the Southwest Quarter in Section 6, Twp. 5 N., Ra. 37 E. B. M.; also all that portion of Section 36, Twp. 6 N., Ra. 36 E. B. M., lying northeast of the Idaho-Montana Highway.

The name of the canal or ditch or other works by which said water is conducted to such place of use is: The works consists of pumping plant and ditches for both collecting underground water and also for distributing water over the surface.

The right to take water from such works is based upon Permit No. 17970.

The source of supply from which such water is diverted is from subterranean sources.

The date of priority which said user is prepared to establish is May 30, 1934.

MARK R. KULP.

(32-35) State Reclamation Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17970

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. L. Poitevin, assignee of G. H. Neyman, Idaho Falls, Idaho.

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

Ans.

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

Ans. #17970, May 26th, 1934, but this has been deferred to May 30, 1934. ?

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

Ans. 2 wells, flowing, and a series of springs. The wells and springs are on the land of the applicant in section 6, township 5 north range 37 E.B.M.

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. 2 flowing wells and a series of folwing springs. These empty into a main canal, flowing a distance of about 1-3/4th miles, and from this point is lifted by pump and used for the irrigation of the land involved in connection with this irrigation set-up. The entire works is a combination of wells, springs, canals and reservoir.

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. domestic and irrigation purposes. Approximately 360 acres under irrigation; 600 acres of pasture land; improvements consist of one set of buildings, necessary ditches and fence. Lots 4, 5, 6, 7, 8, 9, 10 and 11; the South Half of the Northeast Quarter; The Southwest Quarter of the Southwest Quarter; the Northwest Quarter of the Southwest Quarter in Section 6, Twp. 5 N., Ra. 37 E.B.M.; also all that portion of Section 36, Twp. 6 N., Ra. 36 E.B.M., lying northeast of the Idaho-Montana Highway.

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

Ans.

17970

Port

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

Ans. The land in this section requires one (1) miner's inch per acre of land irrigated for the successful growing of crops.

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. The permit was assigned to me by G. H. Neyman, the original applicant.

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

Ans. The amount claimed and used is six (6) c.s.f., and this has been developed and used/

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. This is the water supply for the land covered.

(Sign).....

S. J. Peterson

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

Idaho Falls,

subscribed and sworn to before me, at my office in Bonneville, County of Idaho,

State of Idaho, on this 14th day of July, A. D. 1945.

My commission expires March 11th, 1946.

W. A. Johnson
Notary Public,
Idaho Falls, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17970**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. Lester J. Van Leuven, 54, Jefferson County, Farmer, Roberts,
Idaho,

Ques. 2. Are you acquainted with Lawrence Poitevin, the
holder of Permit No. 17970? How long have you known him and where does he reside?

Ans. I have known him for about 15 years; he resides in Idaho
Falls, but operates farms in my immediate vicinity.

Ques. 3. Have you read or heard read said Permit No. 17970, 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. Two flowing wells and a series of natural springs, that flow
water. See answer to question six.

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

Ans. six (6) c.s. f.

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. The water is used for domestic and irrigation purposes. The
land requires not less than one (1) miner's inch per acre for successful
crop production. The applicant has besides the wells, a main canal about
1-3/4ths miles long, and a pumping plant lifting the water on to the
land.

Note: This question is further answered on back of this Sheet.

17970

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

Ans. ~~The land is sandy and volcanic ash. It is arid in character and requires not less than one (1) miner's inch of water per acre~~

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. The land is a sandy and volcanic ash. It is arid in character, and requires not less than one (1) miner's inch of water per acre in order to grow crops successfully.

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

Ans. No.

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. For several years last past, I have seen water applied successful on the land and I have seen crops grown thereon.

(Signed) Lester J. Van Leuner

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 Idaho Falls, County of Bonneville, State of Idaho, on this 14th day of July, A. D. 1945.

My commission expires March 11, 1946.

O. K. Johanne
Notary Public.

104X
Continuation of answer to Question 6 (on other side);
Ans. cont. Applicant owns lots 4, 5, 6, 7, 8, 9, 10, and 11; the S $\frac{1}{2}$ NE $\frac{1}{4}$; the SW $\frac{1}{4}$ SW; the NW $\frac{1}{4}$ SW $\frac{1}{4}$; in Sec. 6, Twp. 5 N., Ra. 36 E.B.M. He also has all of Sec. 36, Twp. 6 No. Ra. 36 E.B.M, that lies northeast of the Idaho-Montana Highway. There is approximately 360 acres under irrigation, and about 600 acres of pasture land. Ditches have been constructed; the property is fenced; it is producing various crops, and pasture for many head of cattle.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17970

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.F. Tomchayk, 72, Jefferson County, farmer, Roberts, Idaho.

Ques. 2. Are you acquainted with Lawrence Poitevin, the holder of Permit No. 17970? How long have you known him and where does he reside?

Ans. I have known him for about 15 years; he resides in Idaho Falls, but operates farms in my immediate vicinity.

Ques. 3. Have you read or heard read said Permit No. 17970, 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. Two flowing wells and a series of natural springs, that flow water. See answer to question six.

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

Ans. six (6) c.s.f.

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. The water is used for domestic and irrigation purposes. The land requires not less than one (1) miner's inch per acre for successful crop production. The applicant has besides the wells, a main canal about 1-3/4ths miles long, and a pumping plant lifting the water on to the land. There is also a small storage reservoir, covered by permit.

NOTE: This question is further answered on back of this sheet.

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

Ans. _____

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. The land is a sandy and volcanic ash. It is arid in character, and requires not less than one (1) miner's inch of water per acre in order to grow crops successfully.

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

Ans. No.

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. For several years last past, I have seen water applied successfull on the land and I have seen crops grown thereon.

(Signed) A. F. Jonckhak

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 Idaho Falls, County of Bonneville, State of Idaho, on this 14th day of July, A. D. 1945.

My commission expires March 11th, 1946.

[Signature]
Notary Public.

100-9
Continuation of answer to question 6 (on other side);
Ans. cont. Applicant owns lots 4, 5, 6, 7, 8, 9, 10, and 11; the S½NE¼; the SW¼SW¼; the NW¼SW¼; in Sec. 6, Twp. 5 N., Ra. 36 E.B.M. He also has all of Sec. 36, Twp. 6 No. Ra. 36 E.B.M., that lies northeast of the Idaho-Montana Highway. There is approximately 360 acres under irrigation, and about 600 acres of pasture land. Ditches have been constructed; the property is fenced; it is producing various crops, and pasture for many head of cattle.

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

July 14th, 1945

RECEIVED

JUL 18 1945

Department of Reclamation

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

Dear Mr. Kulp:

In re: Permit No. 17970

I am very glad to enclose herewith the
Deposition of Mr. L. Poitevin and his two witnesses,
Mr. Tomchak and Mr. Van Leuven, together also with
Proof of Publication of Notice on hearing.

I trust that these will be found in due
order. Thanking you for your kind attention to same,
I am

Yours very truly



OAJ:MMN

enc.

P. S. I also enclose assignment of water permit No.
17970 from G. H. Neyman to L. Poitevin. I pre-
sume that this should be recorded and returned.

O.A.J.

17970

Permit. ~~19770~~ 17970

To - G. H. Neyman. Roberts. Jefferson County.
Quantity - 6 cfs. Unnamed stream 4 cfs.; Subterranean 2 cfs.
Est. Cost. \$150

Date 26 May 1934. Time 5 yrs & 6 yrs.

Points of Diversion: -

No 1 - Unnamed Stream 4 sec FF
Lot 6, Sec 6, T5N, R37E,

No 2 - Well - 1 cfs Lot 6, Sec 6, T5N, R37E.

No 3 - Well - 1 cfs Lot 5, Sec 6, T5N, R37E.

Land.

T5N; R37E; Sec 6: S, NE $\frac{1}{4}$: SW $\frac{1}{4}$: W, SE $\frac{1}{4}$
80 A. Lot 10 Lot 11 :
43.4, 40, 40, 54.35 Lot 5 Lot 6
36.6 25.65

Certificate of Completion of Wks. acres 320
Assignment. Aug 6 - 1945.

↓

17970

Application For Amendment.

Lots 4, 5, 6, 7, 8, 9, 10, 11 S₂ NE₄: SW₄ SW₄: NW₄ SW₄:
in Sec 6, T 5 N., R 37 E.

All of Sec 36, T 6 N., R 36 E. lying E. of Ida.-Mont Hgwy.

Approved

625.4 acres.

Seems to be in question re acres and amt of water,
18964. produced.

June 15, 1945

Re: Permit No. 17970

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of your letter of June 13th, enclosing duplicate copies of notice of beneficial use proof to be made under the above numbered permit on July 14th; also application for amendment to the list of lands to be irrigated.

We have filled in the date of priority- which will be May 30, 1934; the date of filing the application was May 26, 1934- and proof of beneficial use was due on July 10th- As it will be four days late, the priority date is also four days later than originally.

The notice has been sent to the Rigby Star, with instructions to publish it once a week for four consecutive weeks prior to the date set- and to send the bill for same, together with affidavit of publication to Mr. Poitevin.

We enclose herewith the forms of deposition to be used in making these proofs, consisting of one for the holder, and one for each of two witnesses.

On the date set for proof Mr. Poitevin should appear at your office, together with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

17970

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

June 13, 1945

Honorable Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

In re: Permit No. 17970

I thank you for your letter of June 11th and note what you say therein. We have completed the Notice for Publication and I hope that the same will be found in due order.

I call attention to the fact that we have included more land than that described in the original permit. In this connection, I am enclosing application for amendment. I learned this morning from Mr. Poitevin that the water has been used on the enlarged acreage and, therefore, it is desirable to make this amendment. I hope that it may have your approval.

The Notice cannot be published until in the edition of next week of the Rigby Star, and as four weeks publication are required, this will take us into July. I have, therefore, fixed the date at July 14th. I hope that this is satisfactory.

The date of priority claimed is that shown by the filing date. Unfortunately we do not have this information here and I shall appreciate it if you will insert it in the Notice.

Thanking you for your kindness in the matter,
I am

Yours very truly,

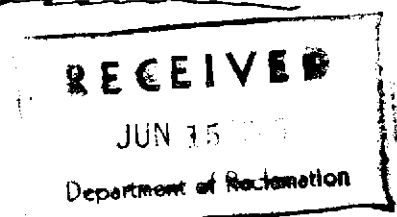
O. A. Johannesen

OAJ:MMN

enc.

5-26-34

due July 10



17970

June 11, 1945

Re: Permit No. 17970

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of your letter of June 9th, relative to Permit No. 17970 recorded in the name of G. H. Neyman, and enclosing partially completed forms of notice of intention to make beneficial use proof in connection therewith.

We regret that we are unable to complete these notices, as all we have is the data given in the original application and permit, and we have no knowledge as to the amount of water beneficially used from either or both sources, nor the lands upon which the water has been beneficially applied.

We give below the figures shown on the application, and return the forms of notice for your completion.

Amount of water claimed: 6 second feet- 4 from an unnamed stream, and 2 from subterranean sources (wells)

Land to be irrigated: $S\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ (or Lots 5 & 6) Section 6, Township 5 North, Range 37 East E. M.

Please also fill in the date upon which this proof is to be made, for which time must be allowed for the four weeks publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

17970

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

June 9, 1945

Honorable Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

In re: Permit No. 17970
G. H. Neyman, now
L. Poitevin

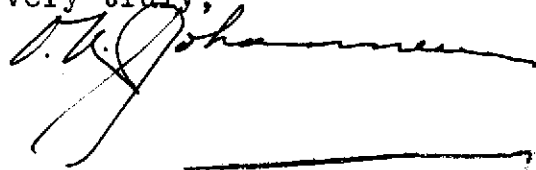
Since receiving your letter of May 18th, Mr. Poitevin has been endeavoring to get in touch with Mr. Neyman, who has in his possession the original permit. Up to the present time he has been unable to find Mr. Neyman, who is living somewhere in the Salmon country. I am sure that before proof is submitted, we will be able to locate Mr. Neyman and have the permit.

Because of not having the original application and permit in our possession, it becomes necessary to ask your office to be kind enough to fill in the facts necessary on the enclosed notice for publication. It will be very much appreciated if you will do this.

There is also enclosed herewith the necessary authorization to have the notice published in the Rigby Star of Rigby, Idaho. Will you be kind enough to ask the publisher to send the bill in my care.

Thanking you for this, I am

Yours very truly,



OAJ:MMN

enc.

RECEIVED

JUN 11 1945

Department of Reclamation

17970

May 18, 1945

Re: Permit No. 17970

Mr. L. Poitevin
Idaho Falls, Idaho

Dear Mr. Poitevin:

We are in receipt of your letter of May 16th, requesting forms for making beneficial use proof under the above numbered permit, and enclosing Sale Contract from G. H. Heyman, et al., to yourself, which we return herewith.

It will be all right for you to make this proof, by virtue of the said sale contract, but in order for the license to be issued in your name it will be necessary for you to have recorded in this department some instrument showing that the title has actually been conveyed from the original permit holder to yourself.

Notice of your intention to make proof should be made out in duplicate on Form 10 enclosed, setting time and place, and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for the four weeks' publication required by statute.

Both copies of the notice 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 newspaper designated.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

17970

The sale contract submitted is dated March 27, 1941- and conveys certain lands, including that described in the permit, together "with all water rights appertaining to said land and used in connection therewith, as hereinafter stated"- and later mentions Water Permit No. 17970 and Reservoir Permit No. R-616.

The sale price is given as \$10,000- \$5,000 paid down and \$2,500 due on Oct. 1, 1941, and \$2,500 on Oct. 1, 1942.

Nothing to show that the sale has been finally completed- and deed issued.

*does not seem to be recorded
in Co.*

17970

EAST SIDE LUMBER COMPANY

IDAHO FALLS, IDAHO

May 16, 1945

State Reclamation Dept.
Boise, Idaho

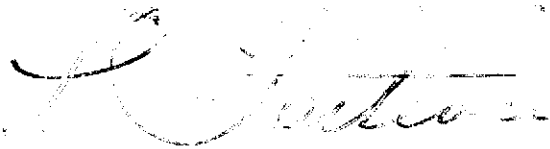
Gentlemen:

I am ready to make proof of application on permit No. 17970 which filing I purchased from G. H. Neyman in 1941.

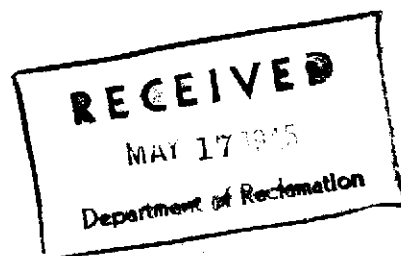
I'm enclosing the Contract which is your authority to transfer this permit to me.

Please mail me necessary papers for filing proof and I will fill them in and return them to you.

Yours truly,



17970



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: June 15, 1945

Re: Permit No. 17970

The Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 14, 1945, the date set for proof, the expense of the publication to be paid by the applicant, L. Poitevin of Idaho Falls, 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

Jeannie L. Anderson
Chief Clerk

first pub.

June 21st

Rigby Star
928

17970

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: June 15, 1945

Re: Permit No. 17970

The Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 14, 1945, the date set for proof, the expense of the publication to be paid by the applicant, L. Poitevin of Idaho Falls, 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

17970

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 9th, 1945.

(P. O.) Idaho Falls, 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
Rigby Star of Rigby, Idaho, published in
the county in which the works are situated.

L. C. Stevin
per O. R. Johnson

(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.

17970

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

Notice is hereby given that at 11:00 A. M. on the 14th day of July, 1945,
at Idaho Falls, County of Bonneville, State of Idaho, before
O. A. Johannesen, a Notary Public,, proof will be submitted of the
application to beneficial use of -6- cubic feet per second of the waters of subterranean
sources in accordance with the terms and conditions of Permit No. 17970
heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

L. Poitevin, assignee of G. H. Neyman,

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

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

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) by private lateral ditches. Lots 4, 5, 6, 7, 8, 9, 10
and 11; the South Half of the Northeast Quarter; the Southwest Quarter
of the Southwest Quarter; the Northwest Quarter of the Southwest Quar-
ter in Section 6, Twp. 5 N., Ra. 37 E.B.M.; also all that portion of
Section 36, Twp. 6 N., Ra. 36 E.B.M., lying northeast of the Idaho-
Montana Highway.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is The works consists of pumping plant and ditches for both collect-
ing underground water and also for distributing water over the
surface.

The right to take water from such works is based upon Permit No. 17970.

The source of supply from which such water is diverted is from subterranean sources.

The date of priority which said user is prepared to establish is May 30, 1934

MARK R. KULP

State Reclamation Engineer.

17970

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

May 2, 1945

Mr. G. H. Neyman

Roberts, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19270. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is ~~July 10, 1945~~ and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

17970

July 21, 1939

Re: Permit No. 17970

Mr. G. H. Heyman
Roberts, Idaho.

Dear Sir:-

We enclose herein Certificate of Completion of Works issued under the above numbered permit to appropriate six (6) second foot of water from an unnamed stream and two wells, in Lots 5 & 6, Section 6, Township 5 North, Range 37 East, Jefferson County, for irrigation purposes.

The Department's Receipt No. 17056 for the \$5.00 fee which you paid in connection with your completion of works proof is also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Enc.

17970

Permit No. 17970

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonneville

} ss.

G. H. Neyman

, 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. 17970, and that his postoffice address is Roberts, State of Idaho.

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

Third: That the point of diversion of said water is Lot 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 6, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 5 North, Range 37 EBM.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 10, 1939.

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: Wells and ditches (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 3 feet, height 3 feet.

(d) Conduit width at bottom feet, width at water line 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 six second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: 40 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$; 43.4 acres Lot 10 NE $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$; 54.35 acres Lot 11, SE $\frac{1}{4}$ SW $\frac{1}{4}$; 36.6 acres Lot 5, NW $\frac{1}{4}$ SE $\frac{1}{4}$; 25.65 acres Lot 6, SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 6, Township 5 North, Range 37 EBM.

Ninth: Remarks: That

G. H. Neyman
(Sign here)

Subscribed and sworn to before me this 20th day of July, 1939.

My commission expires Oct. 20, 1942.

Bessie Allen
Notary Public.

JUL 21 1939

Department of Reclamation

OK HD 6 sec ft

17970 7-21-39

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 17970

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

O. H. Heyman
Roberts, Idaho

Boise, Idaho, **May 4, 1939**

Dear Sir:—

Under the terms of your permit No. 17970 you are required to complete your diversion works on or before July 10, 1939. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation.

17970

17970

June 23, 1934

Re: Application No. 25129

MR. ^A H. NEYMAN
Roberts,
Idaho

Dear Sir:

Under date of June 6, 1934, we returned the above application with a letter requesting certain information for its completion.

Under date of June 12, 1934, the application was again received in this office together with an additional fee of \$1.00. In the letter which accompanied it you stated that you desired to have the amount of water claimed changed from 6 second feet to 10 second feet and you also included the majority of Section 36 in your land list. Your application could not be accepted with the increased amount of water and we have, therefore, prepared a new application showing the quantity as the original amount and with the original acreage. One cannot increase the quantity of water claimed in an application after the date of its original filing for the reason that other applications are frequently made to appropriate water from the same sources between the date of the first receipt of an application and the date of its return. In the event that you wish to appropriate more than 6 second feet the only thing for you to do is to file a new application giving the lands you propose to irrigate with the additional water.

The plat you prepared is incorrect since Section 36 does not lie north of Section 6 but is clear on the southeast end of the Township from Section 6.

Since your application claims water from two sources it will be necessary for you to give the quantity claimed from each source and also the point of diversion from each. You will note that we have given the description of the point of diversion from the unnamed stream under "Remarks" on the 3rd page of the application. Immediately following this description kindly insert the quantity claimed from this source. If you have but one well you will have only one other point of diversion and the subdivision wherein it will be located should be given in the same manner as for the unnamed stream. If you will have more than one well you should indicate each of them by number and likewise give the quantity of water from each one.

You will note that we have prepared a new plat which is practically the same as the one which accompanied your original application. Please indicate on this plat the location of the proposed well or wells and the means of carrying the water from these wells to the land to be irrigated.

17970

2. S. H. Neyman, Roberts, Idaho

6/23/34

Kindly sign the application and return to this department after it has been completed.

We are returning your additional fee of \$1.00.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLR:RG
Encl.

COMMISSIONERS

E. C. SKINNER
RAY W. EAMES
PAUL C. HOLM

HIGHWAY DISTRICT No. ONE

PAUL C. HOLM,
SECY-TREAS.
G. H. NEYMAN,
ROAD Supt.

ROBERTS, IDAHO

June 10

Dept of Reclamation
Boise Ida.

Dear Sirs, I have give you the
Information asked for in application
for Permit to Dike on surface and underground
water and have changed the amount
from 6 second feet to 10 second feet.
and arranged the map to make it
clear where this water is to be used
Enclose find \$1.00 for extra 4 second
feet. Thanks for information.

Very Truly Yours,

G. H. Neyman,

17970

June 8, 1934

RE: Application No. 25129

MR. G. H. NEYMAN
Roberts,
Idaho

Dear Sir:

Your application for permit to appropriate 6 second feet of what you term seepage and under ground water in Jefferson County is herewith being returned for some additional information.

You will note that we have changed the source of supply, as given, to an unnamed stream, since we presume all of the water in question will be taken from one point.

Please answer paragraphs 7 to 11, inclusive.

Under paragraph 8, with reference to the kinds of works, you have mentioned nothing other than a ditch. Will you not have a headgate or dam at the point where you intend to divert the water. At any rate, whatever the situation is, the application should be completed so that it will give anyone examining the record a distinct idea of what you propose to do.

You will note that we have given the information required under paragraph 14. This has been taken from your township plat and should be correct.

Please address your inquiry concerning the leasing of school land to the State Land Department, Capitol Building, Boise, Idaho.

There is no objection to your filing on water to be used on leased land.

When the application has been fully completed, kindly sign and return it to this office.

Very truly yours,

17970
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

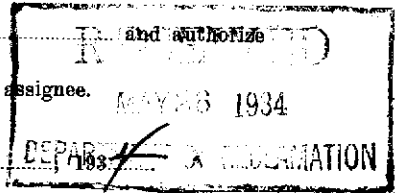
PLH:RG
Encl.

For value received, I hereby sell, assign and set over the within claim to

the warrant therefore to be drawn in favor of the said assignee.

Dated

5/24



Reclamation Dept.
Boise Ida.

Dear Sir, is School Land in
Sec-36-T6-R3B-C. Leased for year
1935 if not can lease be
obtained on same now.

Respect Yours,

G. H. Meynars,

P.S. Could I also on water to
be used on leased land

Please advise

G. H. N.

17970

Highway District No. One

Amount Allowed

Paid by Check

To

Dr.

\$ No.

Address

Distribution

MENAN D. MUD LAKE ROBERTS D. JOINT

Road Construction									
Road Maintenance									
Bridge Const.									
Bridge Maintenance									
Material & Supplies									
Equipment									
Administration									
Miscellaneous									

Filed 193

Secretary.

Allowed on the Fund

This day of 193

Chairman Highway Board.

Less Deduction

O. K. Supt

NET AMOUNT \$

STATE OF IDAHO,
County of Jefferson, } ss.
Highway Dist. No. 1

being first duly sworn, deposes and says that the above and foregoing account is true and correct; that the services or articles therein mentioned have been furnished and that no part of same has been allowed or paid.

(Claimant sign here)

Subscribed and sworn to before me this day of 193

Notary Public.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17970

Boise, Idaho, **July 11, 1934**

Dear Sir:

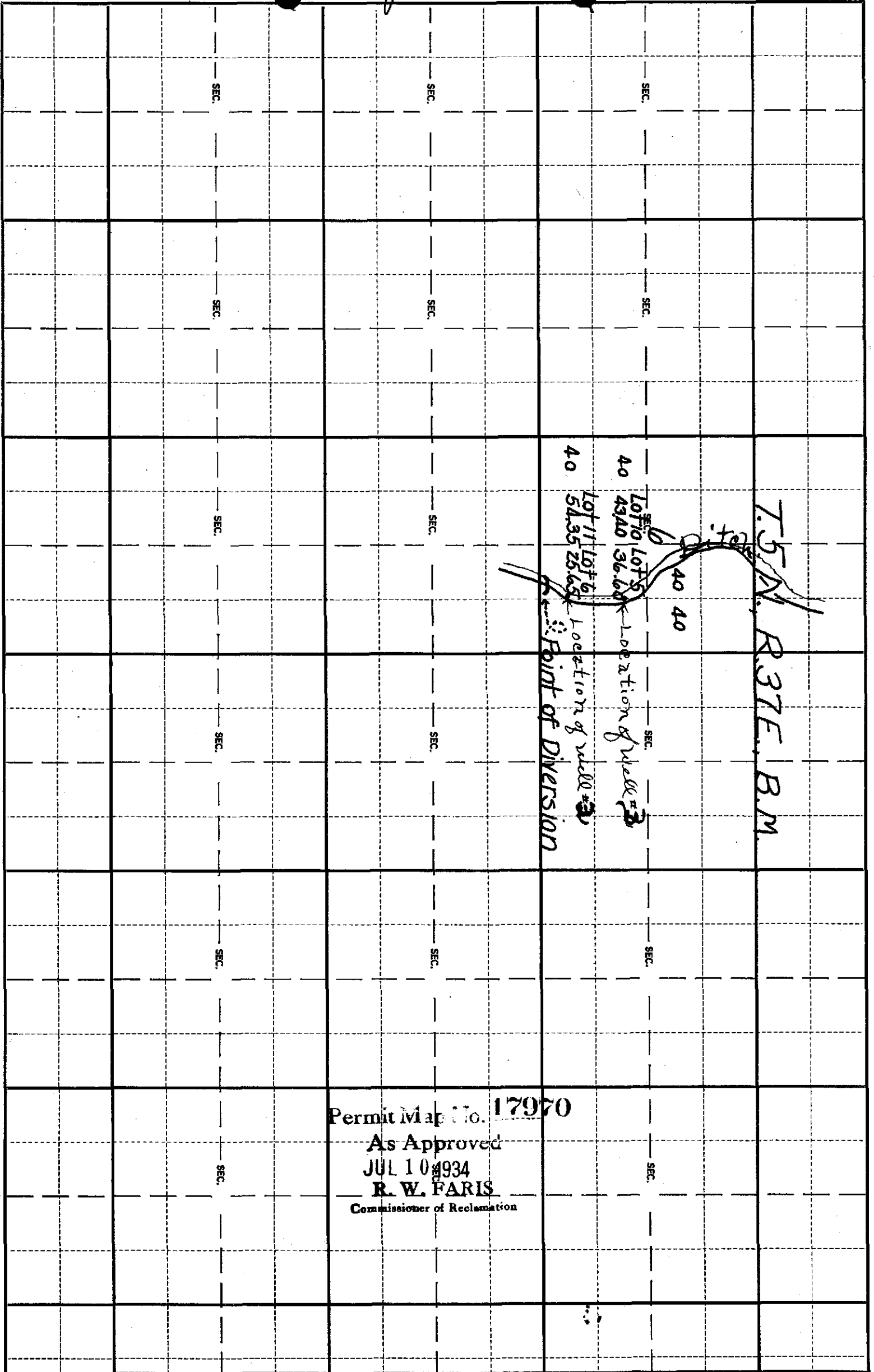
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

MR. G. H. NEYMAN
Roberts, Idaho

B. W. FARIS
Commissioner of Reclamation.

17970

G. H. Neyman,



Permit Map No. 17970
As Approved
JUL 10 1934
R. W. FARIS
Commissioner of Reclamation