

D 70
A 240

10/11
15/14

Emil Tasso

D 74

210

Lavan P. Porter

H

A
10.2

G

B
450

C
13.3

D
10.9

E
10.5

F
12.4

C
16.4

A
6.8

B
12.2

G
10.1

D 73

230

Joseph H. Taylor

F
18.7

A
4.3

B
9.0

C
9.8

E
7.9

220

D 73
Mrs. Martinez

Dr. Teller

G
2.6

A
43.8

D
18.7

original
P. L.

15/14
22/23

B
20.2

13-2254

D 84

Nº 1308

AFFIDAVIT OF PUBLICATION

RECEIVED

JAN 17 1968

Department of Reclamation

STATE OF IDAHO,
County of Franklin

ss.

Wayne D. Bee

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *four* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

December 21, 19 *67*, and ending

with the issue of *January 11*, 19 *68*

Wayne D. Bee

Fees, \$ *22.36*

Subscribed and sworn to before me this *12th* day

of *January*, 19 *68*.

Beverly N. Martensen

Notary Public, Residing at Preston, Idaho

My Commission Expires *Dec*, 19 *68*.

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

Notice is hereby given that on 15 January 1968 at Preston, County of Franklin, State of Idaho, before notary public Ashby D. Nelson, 255 South 1st East, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 1.2 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-30967, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address

of permit holder is Pascual Martinez, Clifton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.2 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 38 E, B.M., Franklin County.

5. The place where said water is used is W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 38 E, B.M.

6. The date of priority which said user is prepared to establish is February 8, 1963.

DS R. KEITH HIGGINSON
State Reclamation
Engineer

Legal No. 1308—Pub. Dec. 21, Dec. 28, 1967; Jan. 4, Jan. 11, 1968.

30967

SCALE FOR SECTION, { Each side large blue squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
 660 Ft. = 1 Inch. { Each side small red squares = 5 chains, 20 rods, 330 feet; area of square 2½ acres.

N

Twp 14 S., R 38 E. 0 m

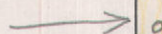
W

15

E

Yellow shaded area
 is land owned, and
 land on which the water
 is used

Present well



Location

S

SCALE FOR QUARTER SECTION, { Each side large blue squares = 10 chains, 40 rods, 660 feet; area of square 10 acres.
 330 Ft. = 1 Inch. { Each side small red squares = 2½ chains, 10 rods, 165 feet; area of square .625 of 1 acre.

PRONTO LAND MEASURE 660 - 330 MAP SHEET

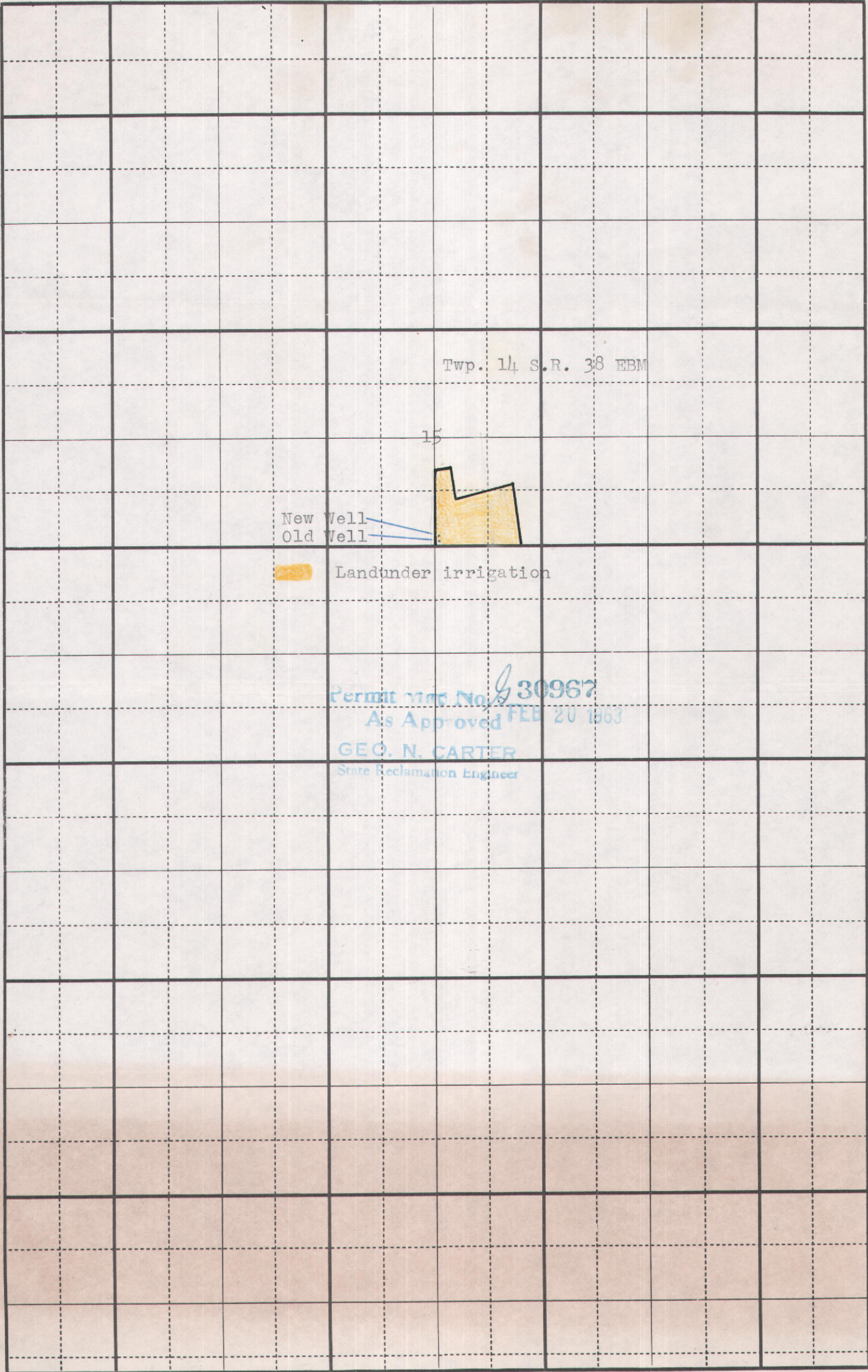
PRONTO LAND MEASURE

Copyright, 1950, James Hamilton Adair, Flint, Michigan

30967

NAME OF APPLICANT.....scual Martinez.....

Form No. 0



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

30967

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 30967/13-2254 Priority Feb. 8, 1963 Amount 1.16 cfs

THIS IS TO CERTIFY, that Pascual Martinez
of Clifton, Idaho, has complied with the terms and conditions of Permit
No. 30967/13-2254 issued pursuant to Application for Permit dated February 8, 1963,
and has submitted proof to the Department of Water Administration on January 15, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.48 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.16 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 1.16 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, Twp. 14 S, Rge. 38 E, B. M.
in the county of Franklin, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 203 acre feet per year or _____
3.5 acre feet per acre.

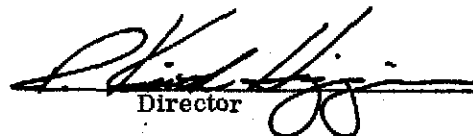
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	38E	15													4	34	20		58

Total number of acres irrigated 58

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1 day of
February, 19 72.


Director

13 2254

APPLICATION FOR PERMIT 13-2254

To Appropriate the Subterranean Waters of The State of Idaho

FHA

Application No. G- 39046
Permit No. G- 30967
District No.

1. Name of Applicant: Pascual Martinez
Postoffice address: Clifton County: Franklin State: Idaho
2. Quantity of water claimed: 1.2 c.f.s.
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15
 Twp. 14 S , Rge. 38 E. , B.M., County of Franklin
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well and pump
8. Estimated cost of works: \$ 6,000.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: .80 cfs under existing well permit. Neighbors wells have dried it up, so at present I have no water.
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

By _____ *Agent.*

Corrected application received: February 13, 1963

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	
14 S	38 E	15														3	37	20	60

LICENSE ISSUED FOR 1.16 SEC. FT.
 LICENSE PAGE NO.

February 4, 1972

Re: Permit No. 30967/13-2254

Mr. Pascual Martinez
Clifton,
Idaho 83228

Dear Mr. Martinez:

Enclosed herewith is your Water License issued on the above referenced permit. Also enclosed is departmental receipt No. 8756 in the amount of \$11.00 covering the fee.

We received your recent inquiry concerning the operation of your well. Under the statutory procedure, the maximum amount of water that can be recognized as being beneficially used is 1-inch per acre or 1.16 cfs of water. The additional diversion of water cannot develop into a water right under the statutes and, therefore, if there is, in the future, any interference with other rights, your rate of diversion would have to be reduced.

You may continue your present operation as long as you do not interfere with other rights, but of course you must not exceed the withdrawal limit of 203 acre feet of water per year.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
Receipt #8756

bc: Eastern District Office

13 2254

Jan 26 - 1972

Dear Sir:

In regards to your letter of Jan 24, 1972 I believe that I understand that the water that can be recognized as beneficially used on the 58 acres would be 1.16 cfs. The well pumps a little more than this but I do not pump the well at all times, and many times it is shut off for a period of time even during the summer. I am sure that the water diverted does not exceed the 203 acre feet allowed per year.

Is this satisfactory to continue to use this well as I am presently doing?

yours truly,

Paul Matting

January 24, 1972

Mr. Pascual Martinez
Clifton,
Idaho 83228

Dear Mr. Martinez:

A representative of this Department has made an examination of the works covered by your Permit No. 30967/13-2254 and has found the following:

Quantity of water diverted: 1.48 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.16 cfs

The maximum quantity of water diverted shall not exceed 203 acre feet per year.

Beneficial use: Irrigation of 58 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (4), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (34), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (20), Sec. 15, Twp. 14S, Rge. 38 E, B.M.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15 Source: ground water

The priority date established is: February 8, 1963

A fee totaling \$11.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth above.

Our field examination also indicates that your rate of diversion exceeds that authorized by your permit. Unless you have another valid permit for other grounds to be irrigated from this same well, or other beneficial uses of this water, you must reduce your rate of diversion to that allowed by law. If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 2254

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

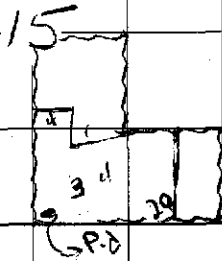
PERMIT NO. G-30967/13-2254

REPORT ON PROOF OF Completion of Works and Beneficial Use

13 2254

R 38 E

T 14 S



$$Urb = 58 \times 3.5 = 203 \frac{ac ft}{yr}$$

Q measured 1.48 CFS

Q recommended 1.16 cfs

Volume 1.48 x 2 x 210 = 621.6 ac ft

Acreage =

Found 58

recommended 58

Subdv. 3

Amendments

☒ None

☐ P.D.

☐ Place of use

☐ _____

D 70
A 240

10/11
15/14

Emil Tass

D 74

212
Lavan P. Porter

A
10.2

G

B
450

C
13.3

D
10.9

E
10.5

F
12.4

I

A
48

B
12.2

D

C
48

E
7.9

B
4.0

F
8.7

D 73
230

JOSEPH H. Taylor

230
D 73

230
D 73

15.4

22.23

A
43.8

D
16.7

13.225

97

30.3

094

original
P. L.

L-200
T-63

STATE OF IDAHO DEPARTMENT OF RECLAMATION

DISCHARGE MEASUREMENT NOTES

River at Par Martine

Gage	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
	3.3	.085	—								4
	.50	.210	.20		20	41	.512			.0042	.022
	.75	.250	.20		50	43	1.16			.05	.058
	1.00	.250	.20		60	44	1.35			.05	.068
	1.25	.250	.20		80	41	1.91			.05	.096
	1.50	.250	.28		150	53	2.75			.07	.193
	1.75	.250	.30		150	57	2.56			.075	.192
	2.00	.250	.34		100	42	2.32			.085	.197
	2.25	.250	.28		100	44	2.22			.085	.210
	2.50	.250	.40		100	46	2.12			.100	.212
	2.75	.250	.36		100	47	2.08			.09	.187
	3.00	.205	.20		60	46	1.79			.04	.052
	3.16	.080	—								1.48

13 2254

No. of Sheets. Comp. by Chk. by mjl

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

Permit No. G-30967/13-2254

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

1. Name of applicant Pascual Martinez 747-3230
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the SW 1/4 SE 1/4 of Section 15
T. 14 S R. 38 E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: 40 ft shaft meter
ser. no. 3479768 15 H.P. LAINE pump in SERIAL NO. 6" discharge
into open ditch.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes
W 1/2 SE 1/4, SE 1/4, sec. 15, T. 14 S, R. 38 E, B.M. 60 acres

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

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

8. What large stream would the water here appropriated finally reach? up

Remarks: Pascual Martinez accompanied the examination
measured with pygmy meter in open ditch.

Original well was approx. 20 ft southeast of
present well. Original well was abandoned in
favor of present well

This examination was made on the 7 day of July, 1970

(Signed) William S. Lewis Examiner.

7
Pascual Martinez

Clifton,
Idaho

Permit No. G-30967 /13-2254

Examination for Completion of Works and Beneficial Use

County Franklin

Sec. 15 T. 14 S. 38 E

Quantity:

1.2 c.f.s.

Source:

subterranean

P.D.:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 15, T. 14 S, R. 38 E, B.M.

Use:

irrigation

Extension:

Protest:

Completion of Works:

Other Rights: .80 c.f.s. under existing well permit.

Neighbors well have dried it up, so at present I have no water

Filed:

February 8, 1963

Due:

February 20, 1968

Made:

January 15, 1968

Priority:

February 8, 1963

well and electric irrigation
pump

217' x 10"

H - ~~217~~ 12'

Q - 500 gpm (well tester)

irrigation of 60 acres

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.

February 6, 1970

Re: Permit No. 30967/13-2254

C
O
P
Y

Mr. W. C. Maughan, County Supervisor
U. S. Dept. of Agriculture
Farmers Home Administration
Preston, Idaho 83263

Dear Mr. Maughan:

In reference to the above permit, please be advised that the 1969 field examination proposed by Mr. Reynold's letter, of December 20, 1968, was not completed. As you may be aware, we have a great backlog of field examinations and it is our hope that the majority of these can be completed in the 1970 and 1971 irrigation season. We will make an attempt to contact Mr. Martinez prior to our making his field examination.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

30967

13-2254

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Preston, Idaho

21 January 1970

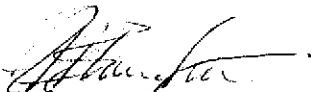
Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Mr. Pascual Martinez was in our office and was wondering about the completion of works on his well (Permit No. G-30967). You advised him in a letter dated January 19, 1968, that all remained was the field examination. You advised us approximately a year ago that this examination would be made in July 1969. Mr. Martinez said that to his knowledge this had not been completed yet.

Please advise the status of Mr. Martinez' field examination and when it can be completed.

Very truly yours,


W. C. Maughan
County Supervisor

30967

10 2477

December 20, 1968

Re: Permit No. G-30967
Pascual Martinez

Mr. W. C. Maughan
County Supervisor
USDA - Farmers Home Administration
Preston, Idaho

Dear Mr. Maughan:

In reference to your letter of December 18, 1968, regarding Permit No. G-30967, be advised that the field examination is scheduled for July of the 1969 irrigation season. The field examiner will attempt to contact Mr. Martinez in advance to establish a convenient time for the inspection.

The certificate and license of water right will be issued shortly thereafter. If you have further questions, please feel free to contact the department.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

30967

DEC. 19 1968

Preston, Idaho

Department of Reclamation

December 18, 1968

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Mr. Pascual Martinez (Permit No. G-30967) was in our office and was concerned about the completion of works. You advised him in a letter dated January 19, 1968, that all remained was the field examination, and to his knowledge this had not been done.

Please advise when this field examination might be completed and his license and certificate can be issued.

Very truly yours,

W. C. Maughan
County Supervisor

cc: Pascual Martinez
Clifton, Idaho 83228

[illegible]

30967

SWSF SAC 15 145 38 E FRANKLIN Co.

January 19, 1968

Re: Permit No. G-30967

Pascual Martinez
Clifton, Idaho

Dear Mr. Martinez:

We acknowledge receipt of the depositions and affidavit of publication in the
Preston Citizen submitted as proof of com-
pletion of works and beneficial use on Permit G-30967.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30967

exam typed

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30967

RECEIVED
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

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

Pascual Martinez Clifton, Idaho, Farmer, Clifton, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: _____

30967 Feb 20, 1963 Feb 8, 1963

Ques. 4. State source of water supply: Well

Give location of point of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sect. 15, T. 14 S R 38 E B M Franklin County

Ques. 5. Describe your works of diversion: Well & electric Irrigation

Pump; state amount of water they are capable of con-

veying from point of diversion to place of use: 1.2 C.F.S.; Give name of canal or ditch

or other works by which water is conducted to such place of use: Open private ditch

_____; if a well, state depth of well 217 ft.; depth and size of

casing 217 ft. of 10" casing; depth to water 12 ft.; if pump is used,

state discharge of pump: 500 G.P.M.; tell how it was measured or determined

Pump by well tester; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

60 acres located in W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15 T 14 S,

R 38 E.B.M.

State nature of all improvements which have been made as a direct result of said use:

Better crop production on land irrigated

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Bert A. Westlake, Bennington, Idaho

~~Ques.~~ 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Same

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May 1963, 1.2 cfs. - Time used since first use:

— IN USE each

irrigation season since May 1963

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

None

(sign)

Doreen Martin

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

Presbon, _____, County of Franklin

State of Idaho, on this 15 day of January, A. D. 1968.

Abby D. Nelson

My commission expires: May 10, 1969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30967

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Lavon P Porter 41 Clifton Farmer Clifton Idaho

Ques. 2 Are you acquainted with Pascual Martinez, the holder of
Permit No. 30967? How long have you known him and where does he reside?

I have know him 18 years and he resides at Clifton, Idaho

Ques. 3. Have you read or heard said Permit No. 30967 read, and are you familiar
with its provisions and conditions: Yes ✓ No.

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 14 S R 38 E B M Franklin County

Describe works for conveying water to place of use: Pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.2 cubic feet per second How much water have you seen being so
conveyed? The above amount.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

60 acres located in W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 15 T 14 S, R. 38 E B.M

30967

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

Cultivated I estimate the water requirement
to be 3 acre foot per year

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? May 17, 1963

Other times you have seen such use: Each Irrigation season since
1963

(Signed):

Laron P. Porter

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 Preston

 , County of Franklin, State of Idaho, on
this 15 day of January, A. D. 1968

Ashby D. Helmer

Notary Public for the State of Idaho

Residing Preston, Idaho

My commission expires May 10, 1969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

John H Binggeli 66 Weston, Idaho Farmer Weston,
Idaho

Ques. 2 Are you acquainted with Pascual Martinez, the holder of
Permit No. 30967? How long have you known him and where does he reside?

Twenty years and he resides at Clifton, Idaho

Ques. 3. Have you read or heard said Permit No. 30967 read, and are you familiar
with its provisions and conditions: Yes ✓ No.

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 15, T. 14 S R 38 E B M Franklin County,

Describe works for conveying water to place of use: Pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.2 cubic feet per second How much water have you seen being so
conveyed? The above amount

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

60 acres Located in W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 15, T. 14 S, R 38 E, B.M.

30967

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

Cultivated I estimate the water requirement to be 3 acre foot per year

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? May 17, 1963

Other times you have seen such use: Each irrigation season since 1963

(Signed):

John Riggall

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 Preston

_____, County of Franklin, State of Idaho, on this 15 day of January, A. D. 1968

Abby D. Nelson

Notary Public for the State of Idaho

Residing Preston Idaho

My commission expires May 10 1969

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

December 21, 19 67, and ending

with the issue of January 11, 19 68

Wayne D. Bell

Fees, \$ 22.36

Subscribed and sworn to before me this 12th day

of January, 19 68.

Beverly M. Mattemand

Notary Public, Residing at Preston, Idaho

My Commission Expires Dec, 19 68.

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

Notice is hereby given that on 15 January 1968 at Preston, County of Franklin, State of Idaho, before notary public Ashby D. Nelson, 255 South 1st East, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 1.2 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-30967, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address

of permit holder is Pascual Martinez, Clifton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.2 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 38 E, B.M., Franklin County.

5. The place where said water is used is W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 38 E, B.M.

6. The date of priority which said user is prepared to establish is February 8, 1963.

R. KEITH HIGGINSON
State Reclamation
Engineer

Legal No. 1308—Pub. Dec. 21, Dec. 28, 1967; Jan. 4, Jan. 11, 1968.

30967

THE PRESTON *Citizen*

Phone 352-0155

Published Thursdays

DEC 20 1967

PRESTON, IDAHO

Proofing only

Gentlemen:

Attached herewith is a copy of the legal notice that is currently running in The Citizen. According to our records the notice is scheduled to run until _____.

If there are any errors in the copy, would you please notify us immediately by marking this copy and returning it to the office, so that corrections can be made before the notice runs again. For your information the charge for running the notice will be _____. This is not a proof of publication.

Sincerely Yours,

The Preston Citizen

*Permit # G-30967
Pascual Martinez*

Department of Reclamation

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

Notice is hereby given that on 15 January 1968 at Preston, County of Franklin, State of Idaho, before notary public Ashby D. Nelson, 255 South 1st East, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 1.2 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-30967, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Pascual Martinez, Clifton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.2 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 38 E, B.M., Franklin County.

5. The place where said water is used is W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 38 E, B.M.

6. The date of priority which said user is prepared to establish is February 8, 1963.

R. KEITH HIGGINSON
State Reclamation
Engineer

Legal No. 1308—Pub. Dec. 21, Dec. 28, 1967; Jan. 4, Jan. 11, 1968.

30967

December 8, 1967

Re: Permit No. 30967

Pascual Martinez
Clifton, Idaho 83228

Dear Mr. Martinez:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit 30967.

We have mailed the notice to the Proton Citizen
to be published once a week for four consecutive weeks prior to JANUARY 15,
1968, which is the hearing date when the permit holder Pascual Martinez

and two disinterested witnesses must appear before Abby D. Nelson
, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Pascual Martinez. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McKidowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

30967

RECEIVED
DEC 6 1967
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

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

Russell Martinez
(signature)

Clifton Idaho
(address)

Dec 4 - 1967
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

30967

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

RECEIVED
DEC 6 1967
Department of Reclamation

Notice is hereby given that on 15 January 1968 at Preston
County of Franklin, State of Idaho, before notary public (name & address) _____
Ashby D. Nelson, 255 South 1st East, Preston, Idaho, proof will be
submitted of the completion of works for the diversion of 1.2 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-30967, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Pascual Martinez, Clifton, Idaho.

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

3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial
use is 1.2 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S.
R. 38 E, B.M., Franklin County.

5. The place where said water is used is W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S.
R. 38 E, B.M.

6. The date of priority which said user is prepared to establish is _____
February 8, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

30967

December 3, 1967

Re: Permit No. G-30967
Pascual Martinez

Preston Citizen
Preston, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to January 15, 1968. The expense of the publication is to paid by Pascual Martinez, Clifton, Idaho

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

30967

Re: Permit No. G-30967

December 1, 1967

Pascual Martinez
Clifton, Idaho

Dear Mr. Martinez:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than February 20, 1968.

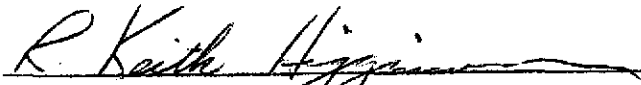
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

30967

001 18 1007

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec. _____, 19____
Well No. _____
Permit No. 2-30967

(DO NOT FILL IN)

Owner PASS MARTINEZE Address CLIFTON IDAHO
Driller BERT WESTLAKE Address BENNINGTON Lic. No. 246
Location of Well: SW 1/4 S 1/4 E 1/4 Sec. 15, T. 14 N. S. R. 38 E. FRANKLIN County,
and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ 1/4 _____ 1/4 Sec. 15
Size of Drilled Hole 10" Total depth of Well 217
Give depth of standing water from surface 12' Water Temp. _____ °Fahrenheit
On pumping test delivery was 500 g.p.m. or _____ c.f.s. Drawdown was 12 feet.
Size of pump and motor used to make the test 35 HP GAS ENGINE 6" TURBINE
Length of time pumped during check was 6 hr., _____ minutes.
If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
If flowing well, describe control works _____
(TYPE AND SIZE OF VALVE, ETC.)
Water will be used for IRRIGATION Weight of casing per linear foot _____
Thickness of casing 10" X 250 WALL Casing material P & E PIPE
E.G., PIPE, CONCRETE, WOOD.
Diameter, length and location of casing 0 To 217'
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
Number and size of perforations 1 1/2" x 3/8" 600 TOTAL located 128 feet to 154 feet
from surface of ground. (283)
Other perforations 159 To 170 (125) 187 To 189 (36) 196 To 214 (156)
Date of commencement of well MAY 63 Date of completion of well MAY 14th 63
Type of well rig 72 STAR CABLE TOOL

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
<u>10"</u>	<u>TOP</u>	<u>217</u>	<u>217</u>	

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

3' CEMENT Plug IN Bottom

30967

USGS

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

Notice is hereby given that at 4:00 P.M., on the 15 day of May
1966, at MAITA, County of Cassia, State of Idaho
before Gene Baxter, Notary Public, at (address) R.E.A. Office
MAITA IDAHO, proof will be submitted of the completion
of works for the diversion of 3.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. E 30969, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Elmo Ellison MAITA IDAHO

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3.0 cubic feet per second.

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

4. The point of diversion of said water is SW corner E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 6 Twp. 14 S Range 27 E.B.M.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 Twp. 14 S Rge 27 EBM.
E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 31 Twp. 13 S Rge 27 EBM. Total - 150 acres

6. The date of priority which said user is prepared to establish is Feb. 13, 1963

State Reclamation Engineer

30967

RECEIVED
MAR 23 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 21, 1966
(P. O.) Malta Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Edmo Edison

(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

30967

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

Notice is hereby given that on the 15th day of May 1966, at Malta, County of Cassia, State of Idaho before Gene Baxter, Notary Public, at R.E.A. Office, Malta Idaho, proof will be submitted of the completion of works for the diversion of 3.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-38233, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Elmo Elson, Malta, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes and the amount applied to beneficial use is 3.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ Sec. 6, Twp. 14 S., Rge. 27 EBM.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, Twp. 14 S., Rge. 27 EBM. SE $\frac{1}{4}$ Sec. 11, Twp. 13 S., Rge. 27 EBM.

6. The date of priority which said user is prepared to establish is Feb. 13, 1963.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin March 28, April 4, 11, 18, 1966.

RECEIVED

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

MAR 23 1966

Notice is hereby given that ~~at 4:00 P.M.~~, on the 15 day of MAY
1966, at MAITA, County of Cassia, State of Idaho
before Gene Bayter, Notary Public, at (address) R. E. A. Office
MAITA IDAHO, proof will be submitted of the completion
of works for the diversion of 3.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G30969, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Elmo Ellison MAITA, IDAHO

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3.0 cubic feet per second.

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

4. The point of diversion of said water is ~~SW 1/4 SE 1/4~~ SW 1/4 SE 1/4
Sec. 6 Twp 14 S Rge 27 E B.M.

5. The place where said water is used is ~~SE 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 SE 1/4,~~
~~NE 1/4 SE 1/4~~ Sec. 6 Twp 14 S Rge 27 E
E 1/2 NE 1/4 NE 1/4, E 1/2 W 1/2 NE 1/4 NE 1/4, E 1/2 SE 1/4 SE 1/4, E 1/2 W 1/2 SE 1/4 SE 1/4,
Sec. 31 Twp 13 S Rge 27 E
Total land listed is 150 acres

SE 1/4, NE 1/4 NE 1/4, Section 6 Twp 14 S. Rge 27 E B.M.; SE 1/4 SE 1/4 Sec. 31 Twp 13 S Rge 27 E

6. The date of priority which said user is prepared to establish is Feb. 13, 1963

State Reclamation Engineer

30967

30967

March 23, 1966

Re: Permit No. G-30969
Elmo Elison

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 15, 1966. The expense of the publication is to be paid by Elmo Elison of Malta, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

30967

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec. _____, 19____
Well No. _____
Permit No. 630967

(DO NOT FILL IN)

Owner PASS MARTINEZE Address CLIFTON IDAHO
Driller BERT WESTLAKE Address BENNINGTON Lic. No. 246
Location of Well: SW 1/4 SE 1/4 Sec. 15, T. 14 N/S, R. 38 E/W Franklin County,
and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ 1/4 1/4 Sec.
Size of Drilled Hole 10" Total depth of Well 217
Give depth of standing water from surface 12' Water Temp. _____ °Fahrenheit
On pumping test delivery was 500 g.p.m. or _____ c.f.s. Drawdown was 12 feet.
Size of pump and motor used to make the test 35 HP GAS ENGINE 6" TURBINE
Length of time pumped during check was 6 hr., _____ minutes.
If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
If flowing well, describe control works _____
(TYPE AND SIZE OF VALVE, ETC.)
Water will be used for IRRIGATION Weight of casing per linear foot _____
Thickness of casing 10" X 250 WALL Casing material P & E PIPE
E.G., PIPE, CONCRETE, WOOD.
Diameter, length and location of casing 0 To 217'
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
Number and size of perforations 1 1/2" X 3/8" 600 TOTAL located 128 feet to 154 feet (282)
from surface of ground.
Other perforations 159 To 170 (125) 189 To 189 (36) 196 To 214 (156)
Date of commencement of well MAY 63 Date of completion of well MAY 14th 63
Type of well rig 72 STAR CABLE TOOL

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
<u>10"</u>	<u>TOP</u>	<u>217</u>	<u>217</u>	

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

3' CEMENT Plug in Bottom

30967

USGS

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time		Water bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
			Hrs.	Min.		
0	3	TOP-SOIL				
3	10	SAND & GRAVEL				
10	12	GRAVEL				
12	17	SAND				
17	24	CLAY & GRAVEL				
24	48	SAND				
48	128	CLAY & SAND BLACK SANDY CLAY				
128	132	GRAVEL			YES	YES
132	134	CLAY BLACK				
134	154	SAND & GRAVEL FINE			YES	YES
154	159	SAND				
159	170	SAND & GRAVEL FINE			YES	YES
170	186	SAND				
186	187	CLAY				
187	189	SAND & GRAVEL			YES	YES
189	196	SAND				
196	198	SAND & GRAVEL			YES	YES
198	200	SAND			YES	YES
200	209	SAND If more space is required use Sheet No. 2			YES	YES
209	217	GRAVEL			YES	YES

WELL DRILLER'S STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Bert Westlake

By _____

License No. 246

Dated Aug 27, 1963

30967

March 4, 1963

Re: Permit No. G-30967

Mr. Pascual Martinez,
Clifton, Idaho,

Dear Mr. Martinez:

We enclose Permit No. G-30967 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7724 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.

P.S. You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

30967

J. N. LARSEN COMPANY

REAL ESTATE - TITLE INSURANCE - ABSTRACTS - FIRE INSURANCE - FARM AND CITY LOANS

PRESTON, IDAHO
PHONE 62 BOX 466

February 28, 1963

Mr. Ralph W. Thomas
Deputy State Reclamation Engineer
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Dear Mr. Thomas:

In reference to your letter dated February 21st, concerning water permit No. G-30967, Pascual Martinez, we submit the following:

I had my secretary re-copy the decree as I was certain that there must have been a typographical error in it due to the fact that you cannot get $5\frac{1}{4}$ acres into the $SE\frac{1}{4}$ of the $SE\frac{1}{4}$ of any section.

Since receiving your letter, I have checked the complete file and find that the whole proceedings, with the exception of the first filing, have used a incorrect description.

The letter was mailed to you from our office without my having a chance to check it. This accounts for no signature, and an error which I will have to take the blame for, because I have always tried to make it a policy that nothing is mailed without my going over it after it has been typed up.

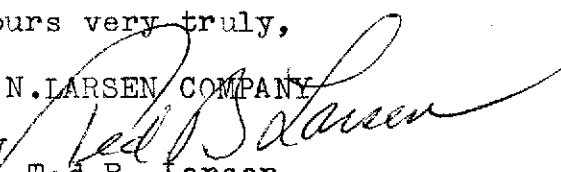
However, it all boils down to the fact that I think our application is correct as to description, point of diversion, and land to be irrigated. I am enclosing a larger plat of the land that is owned, and how it shows on the plated areial maps in the assessers office.

I have this day called on one of the attorney's that handled the decree case, and he is out of town. I intend going over this matter with him as soon as he returns.

In the meantime we would appreciate anything you could do to help us get this application processed, as the applicant will be needing this water come spring, and due to the inadiquacey of the prsent well it is apparent that something has to be done.

Yours very truly,

J. N. LARSEN COMPANY

By 
Ted B. Larsen

30967

February 21, 1963

RE: Permit No. G-30967
Pascual Martinez

Ted B. Larson
Box 466
Preston, Idaho

Dear Mr. Preston:

The application for permit in the name of Pascual Martinez has been approved.

Referring to the copy of the Court Decree in the case S. S. Hooker vs A. F. Henderson which we received from you February 13 which you called the corrected decree.

Mr. C. L. Swenson, Clerk of the District Court, has rechecked our copy of said decree and we find that the copy you sent is entirely false in regard to the point of diversion and the place of use.

I note you did not sign your letter. Sign all future communications to this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

30967

FRANKLIN COUNTY, IDAHO

P. O. Box 26
PRESTON, IDAHO

FEB 21 1963

RECORDED - 100-100000-100000

C. L. SWENSON, C. P. A.

Clerk of the District Court,
Ex-Officio Auditor, Recorder,
and Clerk of the Board of
County Commissioners

DEPUTIES:

Lucy C. Tanner, Senior Deputy

Ann P. Davis, Junior Deputy

February 20, 1963

Mr. Ralph W. Thomas
Deputy State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

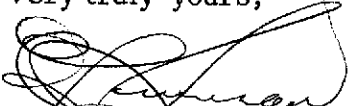
Re: Hooker vs. Henderson

Dear Sir:

We are returning the enclosed photo copy of decree in the above entitled matter.

In checking our records we find the copy of decree to be the same as the original decree and the recorded decree. We, also, checked for a Order correcting the decree and are unable to find one.

Very truly yours,



C. L. Swenson
Clerk of the District Court

CLS:ad

Enclosure - Copy of Decree

30967

SCALE FOR SECTION, { Each side large blue squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
 660 Ft. = 1 Inch. { Each side small red squares = 5 chains, 20 rods, 330 feet; area of square 2½ acres.

N

Twp 14 S., R 38 E Bm

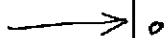
W

15

E

Yellow shaded area
 is land owned, and
 land on which the water
 is used

Present well



Location

S

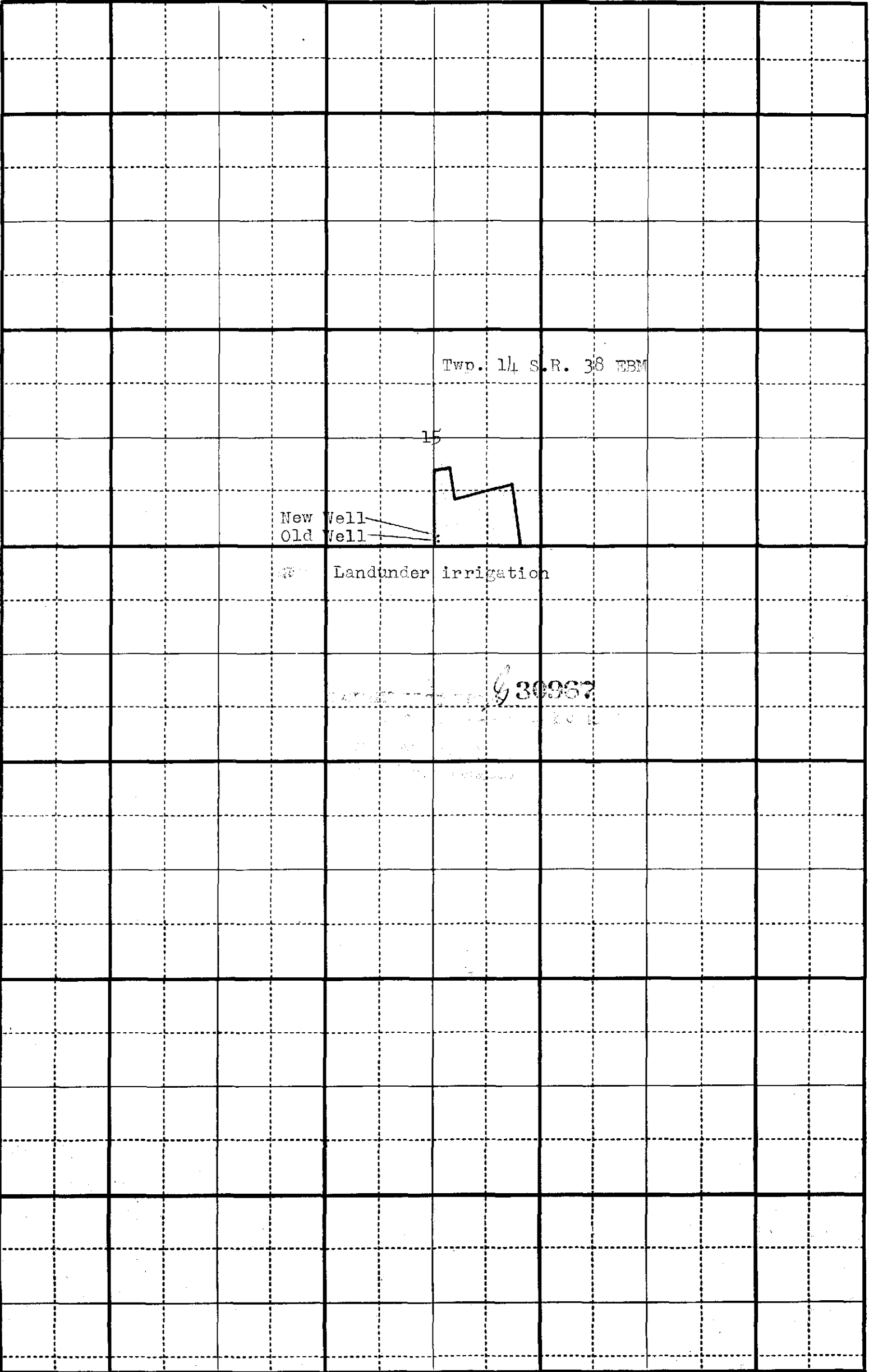
SCALE FOR QUARTER SECTION, { Each side large blue squares = 10 chains, 40 rods, 660 feet; area of square 10 acres.
 330 Ft. = 1 Inch. { Each side small red squares = 2½ chains, 10 rods, 165 feet; area of square .625 of 1 acre.

PRONTO LAND MEASURE 660-330 MAP SHEET

PRONTO LAND MEASURE

Copyright, 1950, James Hamilton Adair, Flint, Michigan

30967



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF FRANKLIN

S.S. HOOKER, Plaintiff,
VS
A.F. HENDERSON and wife
EDITH HENDERSON, Defendants

DECREE

This cause came regularly on for trial on the _____ day of September, 1937, before the Hon. Jay L. Downing, Judge of the above entitled Court, sitting without a jury, P.M. Condie, Attorney at Law, and Merrill and Merrill, Attorneys at Law, appeared for and on behalf of the plaintiff, and P.J. Evans, Attorney at Law, appeared for and on behalf of the defendants, and evidence was introduced upon the issues framed by the Amended Complaint of the plaintiff and the Answer of the defendants thereto. After the submission of said evidence, argument of said cause and filing of briefs by the Attorneys for the respective parties, the Court took said matter under advisement. The Court, being now fully advised in the law and the premises and having made and entered its written Findings of Fact and Conclusions of Law: NOW, THEREFORE, pursuant to said Findings and Conclusions of Law and by reason of the law and the premises, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the plaintiff is the owner, in possession and entitled to possession of 54 acres of land, situated in Section 15, Township 14 South, Range 38 East of the Boise Meridian, in Idaho, and particularly the Southeast quarter of Section 15, Township 14 South, Range 38 East, Boise Meridian, and the owner of the right to use .80 cubic feet per second of time of subterranean waters for the irrigation of the tract of land last above described with a date of priority of May 14, 1934; that the diversion of said subterranean waters is by means of a well with a pump attached thereto, located in the Southwest corner of said Southeast quarter of Section 15, Township 14 South, Range 38 East of the Boise Meridian, from which well said subterranean waters are pumped and used for the irrigation of the lands above described.
2. That the right of the plaintiff to the use of said subterranean waters in the quantity heretofore mentioned is superior to any and all rights, claims or demands of the defendants or either of them and plaintiff's right thereto is hereby quieted against any claims of said defendants or either of them and that said defendants and each of them are hereby enjoined and restrained from any and all interference with the use by the plaintiff of .80 c.f.s. of said subterranean waters.
3. The Court -eing of the opinion that the evidence introduced in said cause with respect to interference by the defendants of the plaintiff's right to the use of the subterranean waters hereby quieted in him is insufficient to justify the court at this time in issuing an injunction restraining the defendants from operating their well, it is, therefore, ordered that such injunction, at this time, be denied.
4. That neither party shall recover costs against the other herein.

Dated this 4th day of February, 1938.

J.L. Downing, District Judge

Filed February 7, 1938 in Book 3 of Judgments page 605, records of Franklin County, Idaho.

NOTE: Pascual Martinez is the present owner of the land owned by S.S. Hooker, Plaintiff.

Parts underlined are false

See file 33-5 for correct decree

30967

Dial 852-0546

J. N. Larsen Company

Preston, Idaho

Box 466

To: Department of Reclamation

Re: Filing papers

MEMO

Date: 2-12-63

From: Ted B. Larsen

In reference for the application of Permit for Pascual Martinez we are returning the corrected copy of Decree, together with payment for filing and Application.

MAR 13 1963

Department of Reclamation

30967

February 8, 1963

Re: Application for Permit

Pascual Martinez
Clifton, Idaho

Dear Mr. Martinez:

Returned herewith is your application for permit with attached check for \$5.25 filing fee.

The decree in the case Hooker vs. Henderson and Permit No. 17929, shows that the well mentioned in the decree was located in the SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S., R. 38 E., B. M., to irrigate the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 15.

The application shows your well in the SW corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 15.

There appears to be an error in land description. Kindly correct and return at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with attached
check

30967

February 6, 1963

RE: Application for Permit

Paul Martinez
Clifton, Idaho

Dear Mr. Martinez:

Enclosed is form to apply for a permit to divert subterranean water,
as requested.

This office has generally considered that a new well drilled adjacent
to an old well will retain the rights obtained from use of the old
well. As far as we know, the subject has not been settled in any court
action in this state. You did not give the location of your well so we
are not able to determine what water right you own.

You may complete the application and file it in this office, if you
desire. The application may claim more water than your present right.
The application would be considered as a new right, subject to your
present right. The fact that you have a new permit, or if conditions
of the permit are fulfilled, a new water license, would not prevent
you from proving prior rights under your old well, if the matter ever
comes before the District Court.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RECEIVED
FEB 11 1963

RECEIVED

FEB 6 1963

Department of Reclamation

Feb. 5, 1963
Clifton, Idaho

Mr. Geo. N. Carter
State of Idaho
Dept. of Reclamation
Boise, Idaho

Y 20967

Dear Sir:

I would like to have
you send me a well
permit application & forms.

The wells surrounding
my well has caused
my well to go dry and
in order to irrigate my
land I must dig another
well, as my old well
cannot be repaired, because

the casing is too old to
do anything with.

Is there anyway of
maintaining my previous
water rights with this
new well, which must
be drilled?

I would appreciate any
answers that you could
give.

Sincerely yours,
Pat Martinez
Clifton, Idaho

\$ 30967

50, 53-5
Subterranean

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN.

S. S. HOOKER,

Plaintiff,

vs.

DECREE

A. F. HENDERSON, and wife, EDITH
HENDERSON,

Defendants

RECEIVED

FEB 28 1938

Department of Reclamation

This cause came regularly on for trial on the day of
September, 1937, before the Hon. Jay L. Downing, Judge of the above en-
titled Court, sitting without a jury. P. M. Condie, Attorney at Law, and
Merrill & Merrill, Attorneys at Law, appeared for and on behalf of the
plaintiff, and P. J. Evans, Attorney at Law, appeared for and on behalf
of the defendants. Evidence was introduced upon the issues framed by
the Amended Complaint of the plaintiff and the Answer of the defendants
thereto. After the submission of said evidence, argument of said cause
and filing of briefs by the Attorneys for the respective parties, the
Court took said matter under advisement. The Court, being now fully ad-
vised in the law and the premises and having made and entered its written
Findings of Fact and Conclusions of Law:

NOW, THEREFORE, pursuant to said Findings and Conclusions of
Law and by reason of the law and the premises, IT IS HEREBY ORDERED, AD-
JUDGED AND DECREED:

1. That the plaintiff is the owner, in possession and entitled
to possession of 54 acres of land, situated in Section 15, Township 14,
South of Range 38, East of the Boise Meridian, in Idaho, and particularly
the Southeast quarter of the Southeast quarter of Section 15, Township
14, South of Range 38, East of the Boise Meridian, and is the owner of
the right to use .80 cubic feet per second of time of subterranean waters
for the irrigation of the tract of land last above described with a date
of priority of May 14, 1934; that the diversion of said subterranean waters
is by means of a well with a pump attached thereto, located in the South-
west corner of said Southeast quarter of the Southeast quarter of Section
15, Township 14 South, Range 38, East of the Boise Meridian, from which
well said subterranean waters are pumped and used for the irrigation of

30967

the lands above described.

2. That the right of the plaintiff to the use of said subterranean waters in the quantity heretofore mentioned is superior to any and all rights, claims or demands of the defendants or either of them and plaintiff's right thereto is hereby quieted against any claims of said defendants or either of them and that said defendants and each of them are hereby enjoined and restrained from any and all interference with the use by the plaintiff of .80 c.f.s. of said subterranean waters.

3. The Court being of the opinion that the evidence introduced in said cause with respect to interference by the defendants of the plaintiff's right to the use of the subterranean waters hereby quieted in him is insufficient to justify the court at this time in issuing an injunction restraining the defendants from operating their well, it is, therefore, ordered that such injunction, at this time, be denied.

4. That neither party shall recover costs against the other herein.

DATED, this 4th day of February, 1938.

Jay L. Downing
District Judge

Filed Feb. 7, 1938.
Recorded: 3 Judgments Page 605.
Docket 1 page 37

C. L. Swenson
Clerk of District Ct.

By D. Petterborg

STATE OF IDAHO SS
COUNTY OF FRANKLIN

I hereby certify that the foregoing is a true and correct copy of the Decree on file in my office.

In Witness Whereof, I have hereunto affixed my official seal and set my hand this 25 day of February, 1938.

C. L. Swenson, Clerk
District Court

By Larab Jensen
Deputy

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