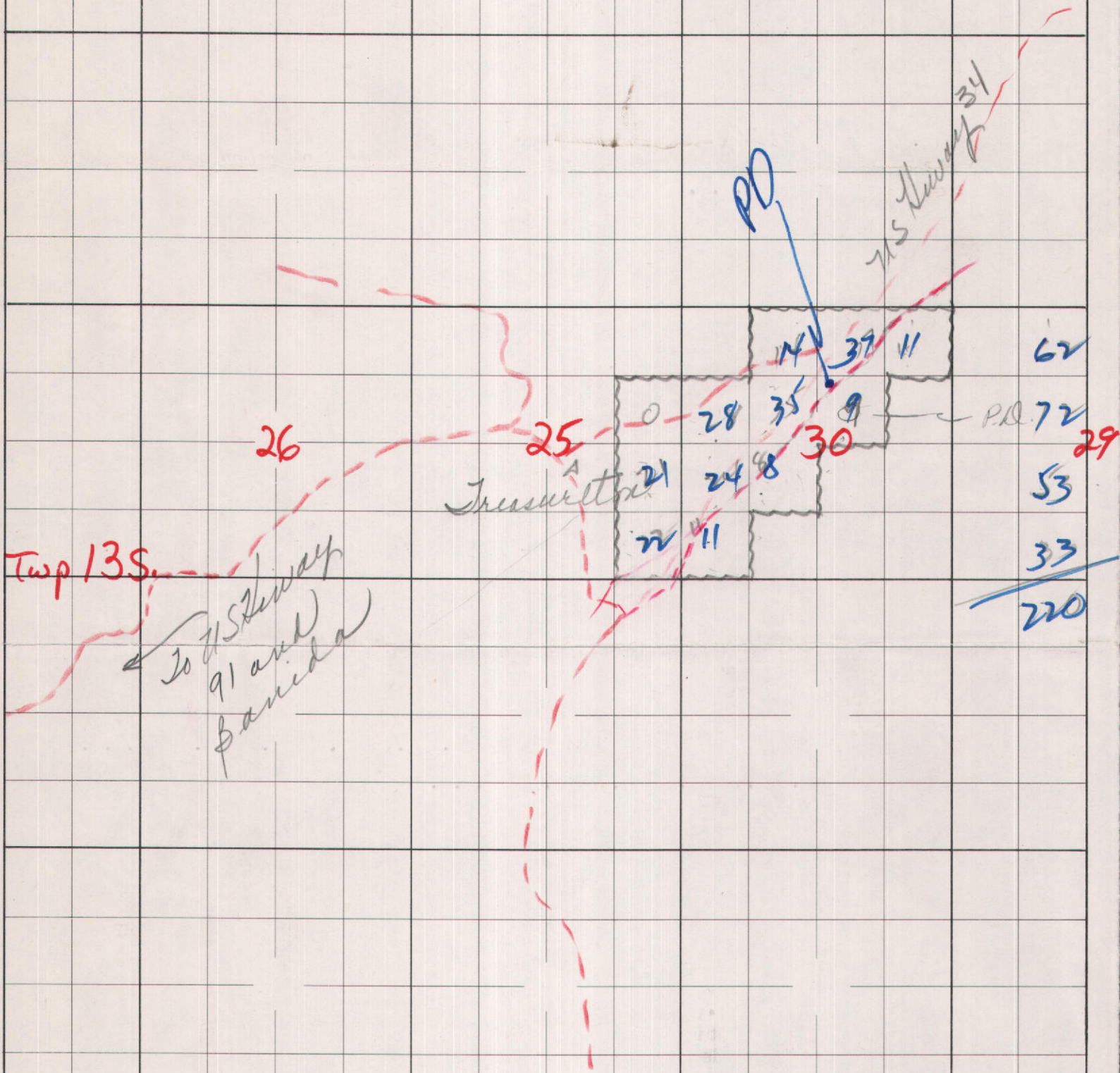


Rge 39E.B.M.

Rge 40E.B.M.

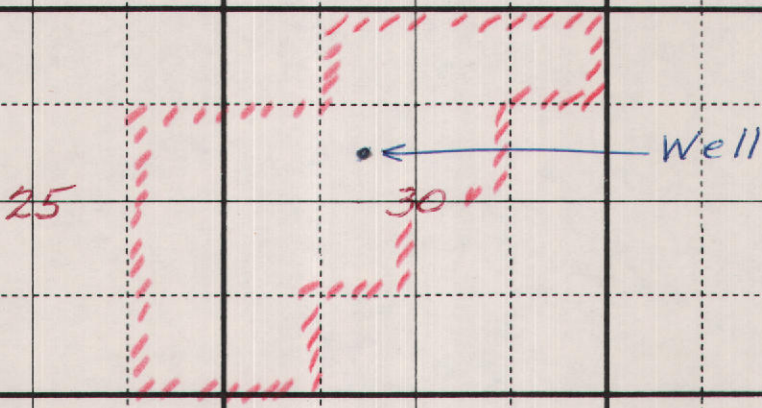


NAME OF APPLICANT Mack D. Hymas

Form No. 0

T13S R39E

T13S R40E



Permit Map No. 29565
As Approved
GEO. N. CARTER
Reclamation Engineers
MAR 20 1961

State of Idaho
License and Certificate of Water Right

Water License No. G-29565 Amount 2.22 c.f.s.
Water District No. _____ Priority March 14, 1961

THIS IS TO CERTIFY that MACK D. HYMAS
of Preston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 14, 1961; that Permit No. G-29565
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.22 second feet, was issued thereunder on March 29, 1967, showing that said works
were completed on the 7th day of March, 1966; and that on the 7th
day of March, 1966, MACK D. HYMAS

of Preston, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-29565 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
14 of Licenses at page 8761, on the 29 day of March, 1967;
The right hereby confirmed dates from March 14, 1961;
The Point of Diversion is located
in the SW 1/4 NE 1/4, Sec. 30, Tp. 13 S, R. 40 E., B. M., County of Franklin.

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 2.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	39 E.	25	NE 1/4 SE 1/4	40	21
			SE 1/4 SE 1/4	40	22
	40 E.	30	NE 1/4 NE 1/4	40	11
			NW 1/4 NE 1/4	40	37
			SW 1/4 NE 1/4	40	9
			NE 1/4 NW 1/4	40	14
			SW 1/4 NW 1/4	40	28
			SE 1/4 NW 1/4	40	35
			NE 1/4 SW 1/4	40	8
			NW 1/4 SW 1/4	40	24
			SW 1/4 SW 1/4	40	11
			Total number of acres to be irrigated:		220

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
29th day of March, 1967.
s/ R. Keith Higginson
State Reclamation Engineer.
(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-29199

Amount 3.12 c.f.s.

Water District No. _____

Priority December 7, 1960

THIS IS TO CERTIFY that DeLOY B. NEWMAN
of Monteviu, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 7, 1960; that Permit No. G-29199
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.12 second feet, was issued thereunder on March 29, 1967, showing that said works
were completed on the 10th day of December, 1965; and that on the 10th
day of December, 1965, DeLOY B. NEWMAN

of Monteviu, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-29199 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

14 of Licenses at page 8762, on the 29 day of March, 1967;

The right hereby confirmed dates from December 7, 1960;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 14, Tp. 7 N., R. 33 E., B. M., County of Jefferson.

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 3.12 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	33 E.	14	N 1/2 SE 1/4	80	80
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	36
			Total number of acres to be irrigated:		156

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

29th day of March, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

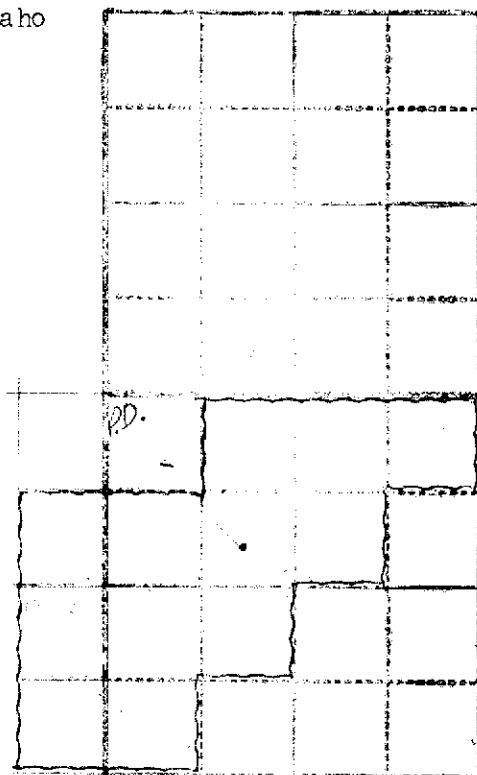
(SEAL)

13-2228

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37568
Permit No. G- 29565
District No.

1. Name of Applicant: Mack D. Hymas
Postoffice address: Preston, Star Rt. County: Franklin State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 5 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30
Twp. 13 S , Rge. 40 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: \$ 7,000.00
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 on hand: \$
(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: none
 - (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) 5.0 (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

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.

Mack D. Hymas

Applicant.

By s/ Joseph C. Hedin

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. March 14, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29565

Recorded in Book 104 Page 29565 Approved March 20, 1961

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 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 20, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 20, 1966

Witness my hand this 20th day of March, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th day of March, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S	40 E	30	x	x	x		x		x	x		x	x	x					360
13 S	39 E	25				x									x			x	120
																		TOTAL	480
Application for Amendment ✓																			
POINT OF DIVERSION																			
Permit No.																			
G-29565																			
Comes now Mack D. Hymas 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. G-29565. That the point of diversion is described in said permit as being located: SE¼NW¼, Section 30, T 13 S., R 40 E., B.M. That he now requests that the point of diversion be changed to a point located: SW¼NE¼, Section 30, T 13 S., R 40 E., B.M. That the reason for desiring to make such change is as follows: First point of diversion was typographical error on permit. That no one will be injured by such change and that such change will be made at Permit owner's own risk.																			
Signed at Preston, Idaho, this 19th day of January, 1966.															/s/ MACK D. HYMAS				
Date of Receipt at Department of Reclamation: January 20, 1966.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Carl E. Tappan, 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. G -29565. 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.																			
															/s/ CARL E. TAPPAN, State Reclamation Engineer				

Recorded in Book 104, of permits, at page G-29565, January 20, 1966.

Permit No. G-29565 +
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MACK D. HYMAS of Preston, County of Franklin, and State of Idaho, the holder of Permit No. G-29565, issued upon Application No. G-37568 bearing date of priority of March 14, 1961, authorizing the diversion of 5.0 second feet of waters of a well, County of Franklin, 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 2.22 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 13 S., R. 40 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25, T. 13 S., R. 39 E., B.M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, T. 13 S., R. 40 E., B.M.

Proof of Completion of Works Made: March 7, 1966.

Witness my hand this 29th day of March, A. D. 1967.

s/ R. KEITH HIGGINSON
State Reclamation EngineerLICENSE ISSUED FOR 2.22 SEC. FT.
LICENSE PAGE NO. 8761.

April 9, 1973

Re: Water License 13-2228

James E. Crancy
500 Stewart
Boulder Creek, CA 95006

Dear Mr. Crancy:

In response to our telephone conversation of April 6, 1973, we are enclosing two blank application forms and a set of instructions for your use in appropriating Idaho public water. Applications for the Franklin Creek area will be processed in our Eastern District office in Idaho Falls. This address is part of the instructions.

Pursuant to your request, we are also enclosing a copy of Water License No. G29565/13-2228. The fee for this is 50 cents. We ask that you remit promptly.

If you have any questions, please contact us.

Very truly yours,

Donald W. McEldowney
Water Rights Administrator

13 2228

DWM:kss

Enclosures

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29565

REPORT ON PROOF OF Completion of Works & Beneficial Use

Rq 39E.B.M. Rq 40E.B.M.

26

25

28

35

39

62

72

53

33

220

Twp 13S.

to Highway
91 and
Panhandle

PD

15 Highway 31

Transmitter

22

41

Subdivisions 11

AREA 220 acres

Q 2.226 or 11111111

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

Permit No. G-29565

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

1. Name of applicant Mack D. Hymas

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30

T. 13 S R. 40 E.B.M. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: 100 HP US Halls shaft
Motor # 1275592, Layne Pump # 44043 P, 8" discharge to a check
Valve and 8" Gate Valve and buried main line. 11st ^{mixed length} ~~short~~ lines on
sprinkler laterals on hillside and open discharge to natural creek
channel and relift with pump from creek downstream (Pump
located at Strongarm Irrig Dist well.)

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 other than irrigation):

NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30., Twp. 13 S., Rge. 40 E.B.M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25., Twp. 13 S., Rge. 39 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?

Remarks: Talked to Mr. Hymas. (told me to do whatever necessary) he
could not be present.

Cox Flow Meter. 7 $\frac{1}{8}$ " D. $\frac{48.71 \times 18.6 \times 1.10}{448.8} = 2.22$ cfs or 111 inches

This examination was made on the 21st day of July, 1966

(Signed) Layne Johnson Examiner.

29565

852-0139
Mack D. Hymas
Star Route
Preston, Idaho

Permit No. G-29565

Examination for Completion of Works & Beneficial Use

County Franklin Sec. 30 T. 13S R. 40 E BM

Quantity: 5 cfs.

Source: Well

P.D.: SW 1/4 NE 1/4 Section 30

Twp. 13S. Rye 40E.B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: March 14, 1961

Due: March 20, 1966

Made: March 7, 1966

Purity: March 14, 1961

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 8 1966

Department of Reclamation

29565

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-29565

To Mack D. Hymas

Preston, Idaho

Source of Supply Well, tributary of
subterranean flow

Franklin

County

Amount 2.22

Sec. Ft.

Point of Diversion SW¹/₄NE¹/₄, Sec. 30,

T. 13 S., R. 40 E., B.M.

T. 13 S., R. 39 E., B.M.

Place of Use E¹/₂SE¹/₄, Sec. 25, NE¹/₄NE¹/₄,

W¹/₂NE¹/₄, NE¹/₄NE¹/₄, SW¹/₄NE¹/₄, NE¹/₄SW¹/₄,

W¹/₂SW¹/₄, Sec. 30, T. 13 S., R. 40 E., B.M.

Purpose Irrigation

Date of Priority March 14, 1961

Recorded March 29, 1967

in Book 14 of Licenses, Page 8761

State of Idaho

License and Certificate of Water Right

Water License No. G-29565 Priority March 14, 1961 Amount 2.22 c.f.s.THIS IS TO CERTIFY that MACK D. HYMAS

of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 14, 1961; that Permit No. G-29565 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.22 second feet, was issued thereunder on March 29, 1967, showing that said works were completed on the 7th day of March, 1966; and that on the 7th day of March, 1966, MACK D. HYMAS

of Preston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29565 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 14 of Licenses, at Page 8761, on the 29th day of March, 1967.

The right hereby confirmed dates from March 14, 1961.

The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 30, Twp. 13 S., R. 40 E., B.M., Franklin 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 2.22 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	39 E.	25	NE 1/4 SE 1/4	40	21
			SE 1/4 SE 1/4	40	22
	40 E.	30	NE 1/4 NE 1/4	40	11
			NW 1/4 NE 1/4	40	37
			SW 1/4 NE 1/4	40	9
			NE 1/4 NW 1/4	40	14
			SW 1/4 NW 1/4	40	28
			SE 1/4 NW 1/4	40	35
			NE 1/4 SW 1/4	40	8
			NW 1/4 SW 1/4	40	24
			SW 1/4 SW 1/4	40	11
			Total number of acres to be irrigated:		220

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 29th day of March, 1967.

R. Keith Higgins
State Reclamation Engineer.

29565

Permit No. G-29565.....

**Certificate of Completion
of Works**

Dated ... March 29, 19 67.....

Stream Well.....

County Franklin.....

Amount 2.22 c.f.s.....

Date of Priority March 14, 1961.....

Recorded in Book ... 104.....

of Permits, page 29565.....

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that Mack D. Hymas
 of Preston, County of Franklin, and State of
Idaho, the holder of Permit No. G-29565, issued upon
 Application No. G-37568 bearing date of priority of March 14, 1961, authorizing the
 diversion of 5.0 second feet of waters of a well,

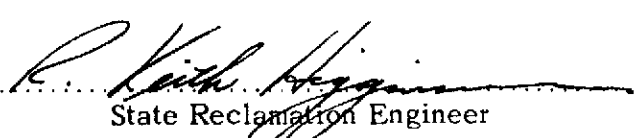
County of Franklin, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.22 second feet of the waters of a well, tributary of
subterranean flow

that the point of diversion of said waters is in the SW 1/4, Sec. 30, T. 13 S.,
R. 40 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
T. 13 S., R. 39 E., B.M.
 described as follows, to-wit: E 1/2 SE 1/4, Sec. 25, NE 1/4 NE 1/4, W 1/2 NE 1/4, NE 1/4 NW 1/4, S 1/2 NW 1/4,
NE 1/4 SW 1/4, W 1/2 SW 1/4, Sec. 30, T. 13 S., R. 40 E., B.M.

Proof of Completion of Works Made: March 7, 1966.

Witness my hand this 29th day of March, A. D. 19 67


 State Reclamation Engineer

March 29, 1967

Re: Permit No. G-29565

Mr. Mack D. Hymas
Star Route
Preston, Idaho 83263

Dear Mr. Hymas:

Enclosed is your Certificate of Completion
of Works and License and Certificate of Water
Right on the above numbered permit.

Also enclosed is departmental receipt No.
G-11444 in the amount of \$27.00 covering the
fees.

Thank you.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:dj

Enc: Certificates
Receipt for \$27.00

29565

Department of Reclamation

N^o G-11444Boise, Idaho, March 14, 1961RECEIVED
FROMMack D. Hymas of Preston, Idaho, 27⁰⁰
Twenty Seven Dollars and 00/100 DOLLARS

FOR

Well Driller's License Fee	- \$	
Application No.	- \$	
Proofs <u>4/14, 27/11</u>	- \$	<u>27⁰⁰</u>
Certified Copy <u>A-29565</u>	- \$	
Recording Assignment	- \$	
TOTAL	- \$	<u>27⁰⁰</u>

Mary Leader
STATE RECLAMATION DEPARTMENT

Mack D. Hymas
Star Route
Preston, Idaho

Dear Mr. Hymas:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29565 shows the well(s) is (~~are~~) capable of conveying 111 miner's inches, or 2.22 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 27.00, we will issue the Certificate of Completion of Works for 2.22 c.f.s. and the License and Certificate of Water Right for 2.22 c.f.s. confirming the right, with priority of March 14, 1961, to the use of subterranean water with the point of diversion in SW¹/₄NE¹/₄, Sec. 30, T. 13 S, R. 40 E, B.M., for irrigation of 220 acres in E¹/₄SE¹/₄, Sec. 25, T. 13 S, R. 39 E, B.M.; NW¹/₄NE¹/₄, SW¹/₄NE¹/₄, NE¹/₄NW¹/₄, SW¹/₄NW¹/₄, NW¹/₄SW¹/₄, SW¹/₄SW¹/₄, Sec. 30, T. 13 S, R. 40 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:rw

29565

RECEIVED

MAR 14 1967

Department of Reclamation

October 7, 1966

RE: Permit No. G-29565

Mack D. Hyman
Star Route
Preston, Idaho

Dear Mr. Hyman:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29565 shows the well(3) is (~~2.22~~) capable of conveying 111 miner's inches, or 2.22 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 27.00, we will issue the Certificate of Completion of Works for 2.22 c.f.s. and the License and Certificate of Water Right for 2.22 c.f.s. confirming the right, with priority of March 14, 1961, to the use of subterranean water with the point of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 13 S, R. 40 E, B.M., for irrigation of 220 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25, T. 13 S, R. 39 E, B.M.; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 13 S, R. 40 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

Enclosed is a photo copy of a letter we sent you on October 7, 1967. Please send the statutory fee's totaling \$27.00, so that we may clear our records.

29565

October 7, 1966

RE: Permit No. G-29565

Mack D. Hyman
Star Route
Preston, Idaho

Dear Mr. Hyman:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29565 shows the well(S) is (S) capable of conveying 111 miner's inches, or 2.22 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 27.00 , we will issue the Certificate of Completion of Works for 2.22 c.f.s. and the License and Certificate of Water Right for 2.22 c.f.s. confirming the right, with priority of March 14, 1961 , to the use of subterranean water with the point of diversion in SW1/4, Sec. 30, T. 13 S, R. 40 E, B.M., for irrigation of 220 acres in NW1/4, Sec. 25, T. 13 S, R. 39 E, B.M.; NW1/4, SW1/4, NW1/4, SW1/4, Sec. 30, T. 13 S, R. 40 E, B.M.

Very truly yours,

M. Russell Booth
Office Manager

REB:rw

29565

March 8, 1966

Re: Permit No. G-29565

Mack D. Hymas
Star Route
Preston, Idaho

Dear Mr. Hymas:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the PRESTON CITIZEN, all submitted in proof of completion of works and beneficial use on Permit No. G-29565.

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 tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: P. S. We are enclosing the statement of cost for the publication as it is not necessary for our file.

29565

RECEIVED
MAR 8 1966

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G-29565

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: _____

Mack D. Hymas Star Route, Preston, Idaho Farmer

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:

no

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

G-29565 March 30, 1961 March 14, 1961

Ques. 4. State source of water supply: Underground water from a well
Give location of point of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 Twp 13 SR 40 EBM

Ques. 5. Describe your works of diversion: Pump and sprinkler system

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 3cfs ; Give name of canal or ditch

or other works by which water is conducted to such place of use: none

_____ ; if a well, state depth of well 295 feet ; depth and size of casing 60 feet 14 inch ; depth to water 7 feet ; if pump is used,

state discharge of pump: 3 cfs ; tell how it was measured or determined _____

Flow and drop of discharge out of a pipe ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 130 - 8 gallon Jets

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:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30, Twp 13 SR 40 EBM, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25

Twp 13 SR 39 EBM.

No log

29565

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

All new land brought under irrigation from this well

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Andrews Drilling Company Idaho Falls, 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:

no

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:

no

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May 18, 1962 - Time used since first use:

Regularly from that date till now during the irrigation season

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

none

(sign) Mark D. Hyman

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

Preston, County of Franklin

State of Idaho, on this 7th day of March, A. D. 19 66.

My commission expires: May 12, 1966

Red B. Larsen

29565

RECEIVED
MAR 8 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G-29565

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Raymond Sant 47 Star Route Preston, Idaho Farmer

Ques. 2 Are you acquainted with Mack D. Hymas, the holder of Permit No. G-29565? How long have you known him and where does he reside?

41 years Star Route Preston, Idaho

Ques. 3. Have you read or heard said Permit No. G-29565 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: underground water from a well

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

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Twp 13 SR 40 EBM

Describe works for conveying water to place of use: Pump and sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 3 cfs How much water have you seen being so conveyed? 3 cfs

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30 Twp 13 SR 40 EBM, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25
Twp 13 SR 39 EBM.

29565

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

none

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.

Black Mountain Loam 3 acre foot per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? May 18, 1962

Other times you have seen such use: Continuously during each irrigation season from that date.

(Signed):

Raymond Sant

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 7th day of March, A. D. 1966

Red B. Larsen

Notary Public for the State of Idaho

Residing Preston, Idaho

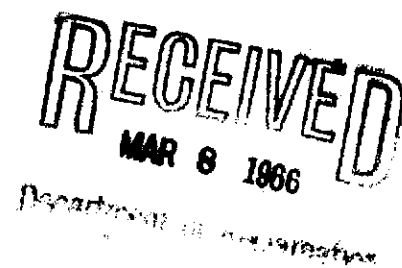
My commission expires May 12, 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29565

* * * * *



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:

Norman Ross Smith 32 Thatcher, Idaho Calcite Plant Manager

Ques. 2 Are you acquainted with Mack D. Hymas, the holder of

Permit No. G-29565? How long have you known him and where does he reside?

15 years Star Route Preston, Idaho

Ques. 3. Have you read or heard said Permit No. G-29565 read, and are you familiar

with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Underground water from a well

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

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 Twp 13 SR 40 EBM

Describe works for conveying water to place of use: Pump and sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 3cfs How much water have you seen being so

conveyed? 3cfs

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

full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30, Twp 13 SR 40 EBM, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25

Twp 13 SR 39 EBM.

29565

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

none

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.

Black Mountain Loam

3 acre foot per acre

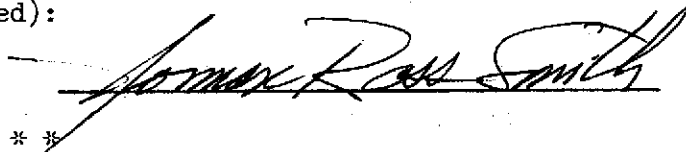
Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? May 18, 1962

Other times you have seen such use: Continuously during each irrigation season
from that date.

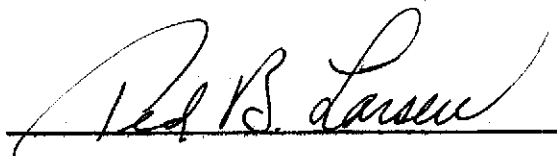
(Signed):



* * * * *

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 7th day of March, A. D. 19 66



Notary Public for the State of Idaho

Residing Preston, Idaho

My commission expires May 12, 1966

29565

No 1014

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

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

February 10, 19*66*, and ending with the issue of *March 3,* 19*66*.

Fees, \$ *26.66*

Subscribed and sworn to before me this *28th* day of *February*, 19*66*.

Beverly W. W. J. J. J.

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 at 10:00 A.M., on the 7th day of March 1966, at Preston, County of Franklin, State of Idaho, before Ted B. Larsen, Notary Public, at 10 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 5.0 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-29565, 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 Mack D. Hymas, Star Route, Preston, 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 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 3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 Twp 13 SR 40 EBM.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30 Twp 13 SR 40 EBM, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 25 Twp 13 SR 39 EBM.

6. The date of priority which said user is prepared to establish is March 14, 1961.

CARL E. TAPPAN
State Reclamation Engineer
No. 1014-Pub. February 10, 17, 24, 1966; March 3, 1966.

29565

BEFORE THE STATE RECLAMATION ENGINEER

RE: Permit No. G29565
Mack D. Hymas
Star Route
Preston, Idaho

RECEIVED
MAR 2 1966

Department of Reclamation

P R O T E S T

The undersigned, President of Strongarm Irrigation District, does hereby protest to the State Reclamation Engineer the granting of a permit as above named with date of priority as of March 14, 1961, for the following reasons:

1. The well supplying the water involved here was not even commenced by Ronald Durstellar until February 1962. Finish work was done by Andrews Drilling Company.

2. The power for the pump on this well was first furnished on May 18, 1962, according to information from Utah Power & Light Co.

3. From the observations and personal knowledge of the undersigned, I can state that beneficial use of the water claimed in this instance was not commenced until on or after May 18, 1962.

This Affidavit and Protest is made in support of a Protest of the priority date applied for and in support of the granting of a priority date not earlier than May 18, 1962, and subsequent to the priority date established by the Strongarm Irrigation District on its well.

Joseph Hedin
Joseph Hedin

STATE OF IDAHO)
 : ss.
County of Bannock)

On this 28th day of February, 1966, before me, a Notary Public in and for said State, personally appeared JOSEPH HEDIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Frederick K. Lee
Notary Public for Idaho
Residence: Pocatello, Idaho

(SEAL)

29565

March 2, 1966

RE: Permit No. G-29565

Mr. Mack D. Hymas
Star Route
Preston, Idaho

Dear Mr. Hymas:

Enclosed you will find a copy of a protest received by this office with regard to the priority you propose to establish under your Permit No. G-29565. The Strongarm Irrigation Company indicates that you started on the well in February, 1962, and that power was supplied to the pump on May 18, 1962. If this information is correct and it would appear that you have complied with the provisions of the law relative to completion of 1/5 of the necessary work in 1/2 the time or on or before September 20, 1963.

We will await the receipt of your affidavit which is to be taken on March 7, 1966, and will thereafter make what further investigations appear warranted.

Very truly yours,

R. KEITH HIGGINSON, Assistant
State Reclamation Engineer

KRH:ejw

cc: Ted B. Larsen
cc: Strongarm Irrigation Company

Encl: Copy of protest

29565

Preston, Idaho
March 1, 1966

Carl E Tappan
107 State House
Borise, Idaho

Dear Mr. Tappan,

Please find enclosed
a protest which we wish
to file with you,

Very truly yours

Lustine A. Hedlin Sr.
Shingam Res. Dir. Dist.

RECEIVED

MAR 2 1966

Department of Reclamation

29565

February 17, 1966

RE: Permit No. G-29565
Mack D. Hymas

Mr. Ted B. Larsen
J. N. Larsen Company
10 West Oneida Street
Preston, Idaho

Dear Mr. Larsen:

This is in reply to your letter of February 16, 1966. Since Mr. Mack D. Hymas complied with the provisions of his permit; i.e. completion of 1/5 of the work by September 20, 1963 and final proof prior to March, 1966, his priority date will be March 14, 1961, the date his application was received in this office as set forth in the Idaho Code, Section 42-219.

If the Stongarm Irrigation District desires to protest this permit they must comply with the provisions of Section 42-224 of the Idaho Code in that they must file a statement with this department on or before the date set for such proof, stating the reason, for such protest and stating clearly the reason, if any, why a license should not be issued confirming the right claimed.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl:

29565

MAR 14, 1966

20 Feb 63

J. N. LARSEN COMPANY

LAND TITLES
10 WEST ONEIDA STREET
PRESTON, IDAHO
Phone 852-0546



Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

FEB 17 1966

February 16, 1966

Department of Reclamation

Gentlemen:

In reference to Permit No. G-29565 belonging to Mr. Mack D. Hymas, we have been informed of the following information:

1. That there is a question as to the priority date. The Power Company shows that the power hook-up to the well was not made until May 18, 1962.

Would you advise us as to what date should be used, and if the second date is to be used, just what procedure do we go through to get it corrected.

Notice has been given our office that the Strongarm Irrigation District will protest this proof of use if we use the date that is now being advertised.

Yours very truly,

J. N. LARSEN COMPANY

By

Ted B. Larsen
Ted B. Larsen

TBL/s

29565

THE PRESTON *Citizen*

Phone 852-0155

Published Thursdays

PRESTON, IDAHO

RECEIVED

FEB 8 1966

Department of Reclamation

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 Mar 3.

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 No:
E-29565

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 7th day of March 1966, at Preston, County of Franklin, State of Idaho, before Ted B. Larsen, Notary Public, at 10 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 5.0 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-29565, 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 Mack D. Hyman, Star Route, Preston, 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 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 3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 Twp 13 SR 40 E2M.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30 Twp 13 SR 40 E2M, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 25 Twp 13 SR 29 E2M.

6. The date of priority which said user is prepared to establish is March 14, 1961.

CARL E. TAPPAN
State Reclamation Engineer
No. 1014—Exp. February 10,
17, 24, 1966; March 3, 1966.

29565

January 21, 1966

RE: Permit No. G-29565

Mr. Mack D. Hymas
Star Route
Preston, Idaho

Dear Mr. Hymas:

Enclosed is your Amendment to the Point of Diversion on the above referenced permit. This amendment has been recorded in the office of the Department of Reclamation.

Also enclosed is departmental receipt No. G-10098 in the amount of \$1.00 covering the fee.

Very truly yours,

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ejw
Encs: Receipt
Amendment

29565

January 20, 1966

Re: Permit No. **G-29565**

Mr. Mack D. Hymas,
Star Route,
Preston, Idaho.

Dear Mr. Hymas:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-29565**. The proofs are to be made at **10:00** o'clock **A.M.** on the **7th** day of **March**, 19**66**, before **Ted B. Larsen, 10 West Oneida, Preston, Idaho**, Notary Public.

As of this date, we have mailed the Notice to the **Preston Citizen** **Preston, Idaho**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

29565

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 20, 1966

Re: Permit No. G-29565

Date:

Mack D. Hymas

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to March 7, 1966 the date set for proof; the expense of the publication is to be paid by the applicant Mack D. Hymas of Star Route, Preston, 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 or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

29565

RECEIVED

JAN 20 1966

RECEIVED

JAN 14 1966

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

Notice is hereby given that at 10:00AM., on the 7th day of March
19 66, at Preston, County of Franklin, State of Idaho
before Ted B. Larsen, Notary Public, at (address) _____
10 West Oneida, Preston, Idaho, proof will be submitted of the completion
of works for the diversion of 8.50 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-29565, 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 Mack D. Hymas Star Route Preston, 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 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
3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 Twp 13 SR 40 EBM

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30 Twp 13 SR 40 EBM, and
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 25 Twp 13 SR 39 EBM.

6. The date of priority which said user is prepared to establish is March 14, 1961

CARL E. TAPPAN

State Reclamation Engineer

29565

RECEIVED

JAN 14 1966

DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 13, 1966(P. O.) Star Route, Preston, 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 Preston Citizen of
Preston, Idaho Published in
the county in which the works are situated.

Mack D. Hyman

(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

29565

Application for Amendment

POINT OF DIVERSION

Permit No. G-29565

RECEIVED

JAN 20 1966

Department of Reclamation

Comes now Mack D. Hymas and
represents to the State Reclamation Engineer of the State of Idaho:

That he is (~~am~~) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29565.

That the point of diversion is described in said Permit as being located:

SE 1/4 NW 1/4 section 30 Twp 13 SR 40 EBM

That he now requests that the point of diversion be changed to a point
located: SW 1/4 NE 1/4 Section 30 Twp 13 SR 40 EBM

That the reason for desiring to make such change is as follows:

First point of diversion was typographical error on permit.

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

Signed at Preston, Idaho, this 19th day of January 1966

Mack D. Hymas

Date of Receipt at Department Of Reclamation: January 20, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

Carl E. Tappan

I, ~~X~~ ~~SE~~ ~~1~~ ~~N~~ ~~1~~ ~~X~~ ~~S~~ ~~E~~ ~~R~~ ~~T~~ ~~E~~ ~~R~~, 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. G-29565. 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.

Recorded in Book 104 of
Permits, at Page G-29565
January 20, 1966

Carl E. Tappan
State Reclamation Engineer

29565

January 17, 1966

RE: Permit No. G-29565

Mr. Mack D. Hymas
Star Route
Preston, Idaho

Dear Mr. Hymas:

Returned herewith is your Notice of Publication for the above referenced permit. As you have indicated in your letter of January 13, 1966. The permit is in error, therefore, an amendment to the point of diversion will be required. The fee for each amendment is \$1.00 and the forms are enclosed. Due to this delay, a new date to appear before Notary Public Ted Blarson must be set. Please bear in mind this date must be 40 days subsequent to receipt of the Notice of Publication and amendment to the Point of Diversion, by this office. Please make the necessary corrections and/or amendment and return promptly.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Notice of Publication

29565

RECEIVED
JAN 14 1966
DEPARTMENT OF RECLAMATION

Department of Reclamation
State of Idaho
State House
Room 107
Boise, Idaho

January 13, 1966

Gentlemen:

Re: Permit No. G-29565
Mack D. Hymas
Franklin County, Idaho

Enclosed herewith papers in connection with the proof of filing of the above Permit.

On paragraph 4 of permit the point of diversion is in error due to a typographical error. It now reads "in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ " and it should read "in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ ".

Could you please make this correction, or if necessary send me the papers so that I may make the correction.

Yours very truly,

Mack D Hymas
Mack D. Hymas

P/S: The proof of filing papers show the point of diversion as it should be.

29565

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 1, 1966

Re: Permit No. G - 29565

Mack D. Hymas
Preston, Idaho

Dear Mr. Hymas:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29565 are due not later than **March 20, 1966.**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Forms 36 and 11

cc:

29565

Preston, Idaho
January 18, 1962

State of Idaho
Department of Reclamation
State House
Boise, Idan.

Re: Permit No. G 29565

Gentlemen:

Mr. Mack D. Hymas, holder of the subject permit has mortgaged the rights thereunder to the United States and agreed that he will not assign or amend the permit without the written consent of the Farmers Home Administration.

Will you please acknowledge receipt of this notice on the copy of this letter.

Very truly yours

W. C. Maughan
County Supervisor

Date 1-19-62

A copy of the above notice is hereby acknowledged.

Returned January 19, 1962 *BR*

Ralph H. Thomas

29565

March 28, 1961

Re: Permit No. G-29565

Mr. Mack D. Hymas,
Star Route,
Preston, Idaho.

Dear Mr. Hymas:

We enclose Permit No. G-29565 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-5771 which was issued covering payment in the amount of \$6.00 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

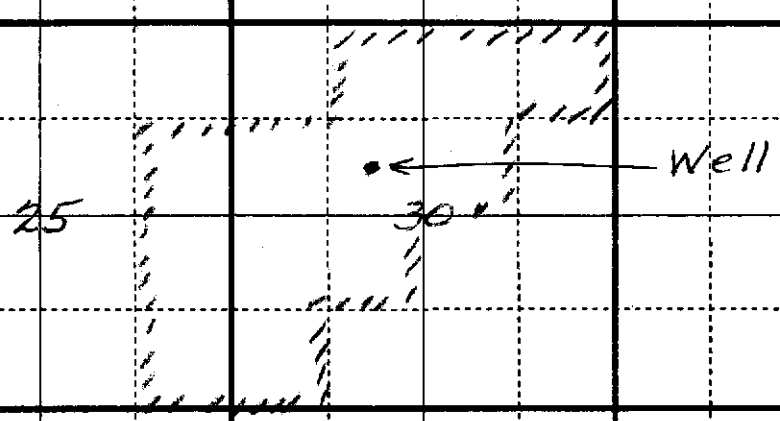
Encl.
EPR:pmk

29565

NAME OF APPLICANT Mack D. Hyman

Form No. 0

T13S R39E T13S R40E



Permit Map No. 29565
As Approved
GEO. N. CARTER MAR 20 1961
Reclamation Engineer