

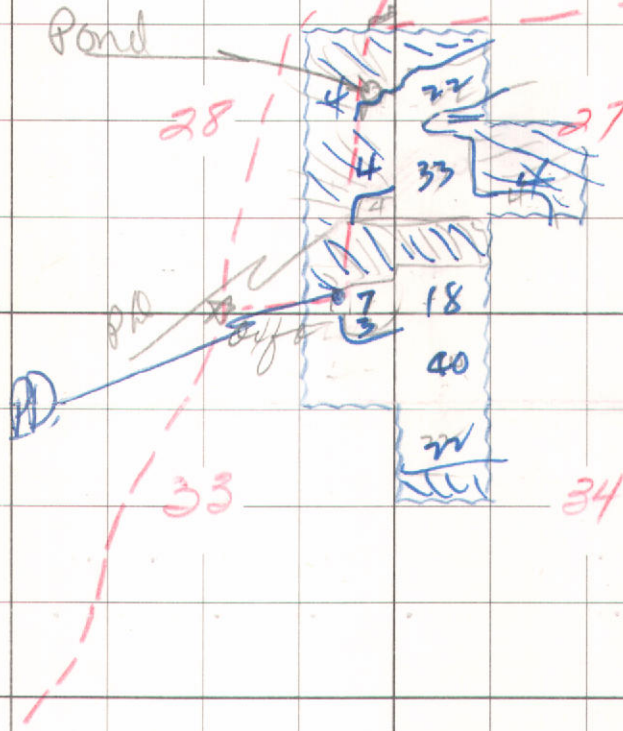
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R 38

US Hwy 251

Pond



$\frac{1}{26}$
~~41~~
 25
 43
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 157

Subdivisions 9

AREA. 157 acres

Q: 1.66 afs 83 inches

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

RECEIVED
OCT 21 1966

Department of Reclamation

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

Two 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

September 1, 1966, 19 *66*, and ending

with the issue of *September 8, 1966*.

Wayne D. Bell

Fees, \$ *9.89*

Subscribed and sworn to before me this *20th* day

of *September*, 19 *66*.

Beverly W. Martensen

Notary Public, Residing at Preston, Idaho

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

Public Notice

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Preston Citizen on July 29, August 5, 12, 19, 1965 showing that Russell A. Koller was to make proof of completion of works and beneficial use of water September 1, 1965, on Permit G-29011 was in error, and that the point of diversion was given as NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T 13 S., R 38 E., B.M., whereas, the actual point of diversion is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T 13 S., R 38 E., B.M.

That any protests against the approval of the depositions, made September 1, 1965, must be filed in the Department of Reclamation, at Boise, Idaho within forty (40) days from the date of this notice and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 18th day of August, 1966.

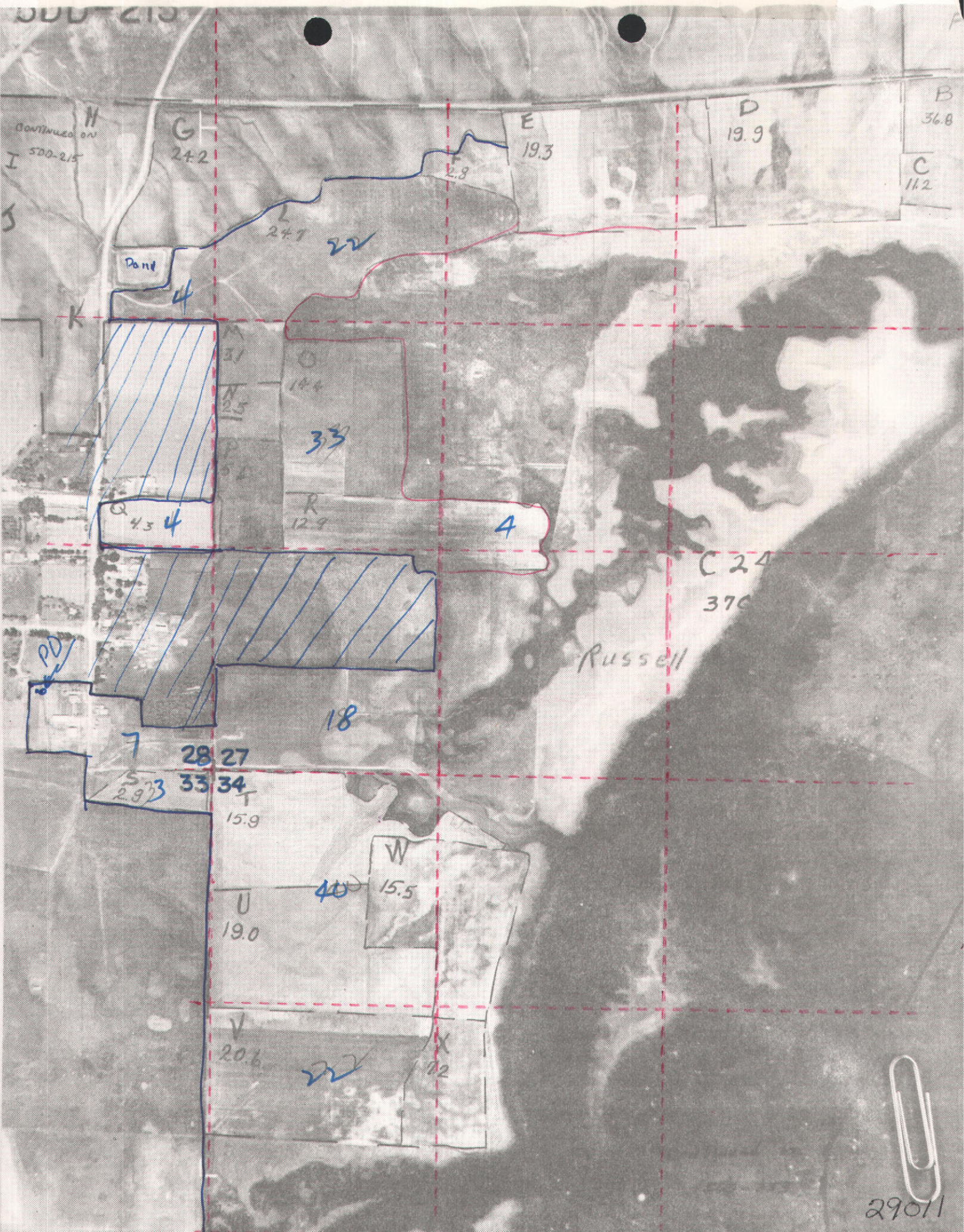
R. Keith Higginson,
Deputy State
Reclamation Engineer

Date of First Publication
September 1, 1966

Date of Last Publication
September 8, 1966

Last Date for Protest, September 27, 1966

Legal No. 1119



CONTINUED ON
500-215

A 36.8
B 36.8
C 11.2
D 19.9
E 19.3
F 2.8
G 24.2
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Russell



29011

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

RECEIVED
SEP 2 1965

Department of Reclamation

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

July 29, 19 65, and ending with the issue of August 19, 19 65.

Fees, \$ 29.15

Subscribed and sworn to before me this 1st day of September, 19 65.

Severly W. Mortensen

Notary Public, Residing at Preston, Idaho

My Commission Expires 1 Dec, 19 68.

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

Notice is hereby given that at 10 A.M., on the first day of September, 1965, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at his office in Larsen Building, Preston, proof will be submitted of the completion of works for the diversion of three cubic feet per second of underground water from a well, and the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29011, 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 Russell A. Koller, Oxford, 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 three 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 three cubic feet per second.

4. The point of diversion of said water is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28, Twp. 13S, Range 38 E.B.M., County of Franklin.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33 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 28; SW $\frac{1}{4}$ 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 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, Township 13 South, Range 38 E.B.M. establish is September 12,

6. The date of priority which said user is prepared to establish is September 12, 1960.

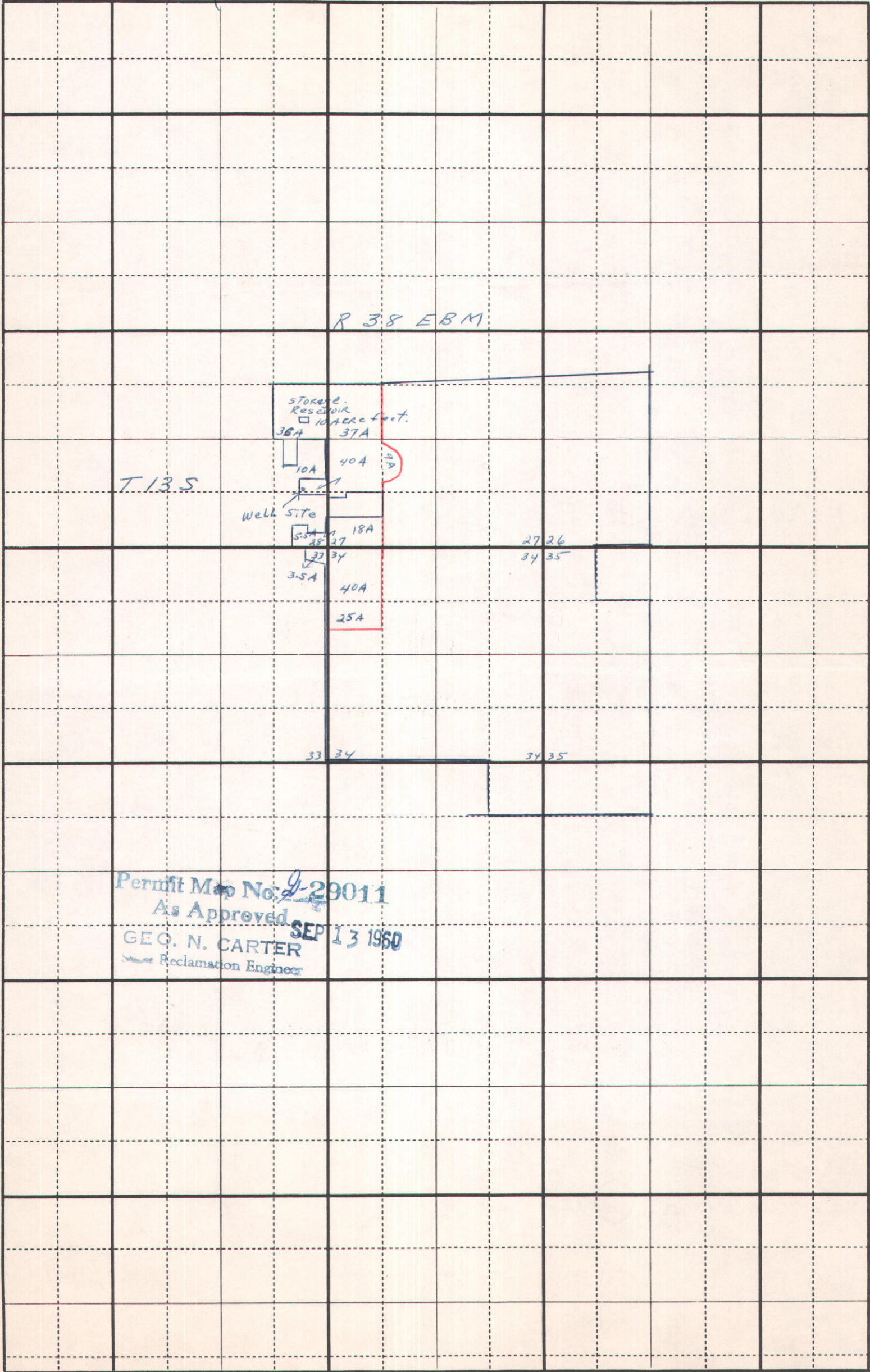
CARL E. TAPPAN
State Reclamation
Engineer.

No. 924 — Pub. July 29, 1965 to August 19, 1965.

29011

NAME OF APPLICANT Russell A. Zoller

Form No. 0



Permit Map No. 29011
As Approved
SEP 13 1960
GEO. N. CARTER
Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. G-29011

Amount 1.66 c.f.s.

Water District No.

Priority September 12, 1960

THIS IS TO CERTIFY that RUSSELL A. KOLLER
of Oxford, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 12, 1960; that Permit No. G-29011
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.66 second feet, was issued thereunder on December 20, 1966, showing that said works
were completed on the 1st day of September, 1965; and that on the 1st
day of September, 1965,

RUSSELL A. KOLLER

of Oxford, 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-29011 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 8627, on the 20 day of December, 1966;
The right hereby confirmed dates from September 12, 1960;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 28, Tp. 13 S, R. 38 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 1.66 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	38 E	27	SW¼ NW¼	37	22
			NE¼ SW¼	9	4
			NW¼ SW¼	40	33
			SW¼ SW¼	18	18
		28	SE¼ NE¼	36	4
			NE¼ SE¼	10	4
			SE¼ SE¼	5.5	7
			NE¼ NE¼	3.5	3
		33	NW¼ NW¼	40	40
		34	SW¼ NW¼	25	22
Total number of acres to be irrigated:				157	

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
20th day of December, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

(SEAL)

Russell A. Keller
Oxford, Idaho.

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-37001
Permit No. G-29011
District No.

1. Name of Applicant: **Russell A. Keller**

Postoffice address: **Oxford**

County: **Franklin**

State: **Idaho**

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second **4.48** or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: **Irrigation well**

4. Location of point of diversion or well is in the **NE 1/4** of the **SE 1/4** of Section **28**
Twp. 13 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 **1/4** of the **1/4** of Section **28**, Twp. **13 S**, Rge. **38 E**, B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the **1/4** of the **1/4** of Section **28**, Twp. **13 S**, Rge. **38 E**, B.M.

7. Kind of works: **Turbine pump**

8. Estimated cost of works: **\$12,000 - includes pump and motor and pipe installation to field and reservoir.**

9. (a) Is reservoir to be used? **Yes**

(b) Capacity of reservoir: **10 acre feet (built to ASC & SCS Specifications)**

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:

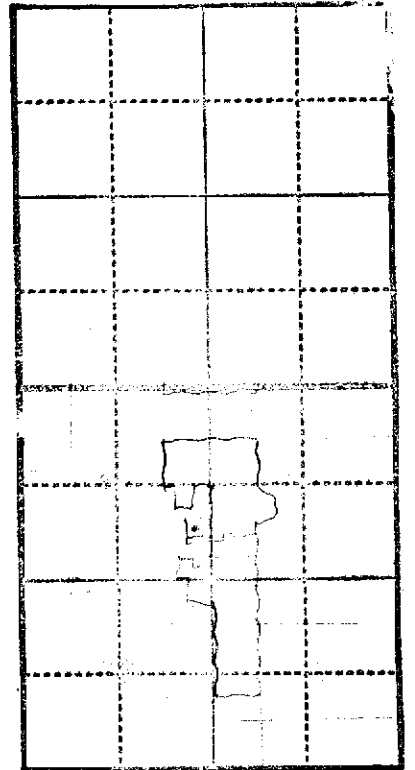
(d) Other resources:

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: **169 shares in Oxford Creek**

(a) **4.48** (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: The existing water right I have in Oxford Creek is fair in the spring of the year, but soon diminishes. I need additional water to keep my crops from burning.

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

s/ Russell A. Koller Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 2:30 P.M. September 12, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29011

Recorded in Book 102 Page 29011 Approved September 13, 1960

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 ^{March} 13, 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 **September 13, 1965**

Witness my hand this 13th day of September, 1960

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 13th
day of September, 19 60

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

12.

[illegible]

POINT OF DIVERSION AMENDMENT ✓

Comes now Russell A. Koller 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-29011. That the point of diversion is described in said permit as being located: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T 13 S., R 38 E.B.M.. That he now requests that the point of diversion be changed to a point located: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T 13 S., R 38 E.B.M.. That the reason for desiring to make such change is as follows: The first description was in error. That no one will be injured by such change, and that such change will be made at permit holder's own risk. Signed at Oxford, Idaho this 1st day of Sept., 1966
/s/ RUSSELL A. KOLLER

Date of receipt at Department of Reclamation: September 2, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, 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-29011. 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/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded in book 102 of permits, at page G-29011
September 7, 1966

Permit No. G-29011
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RUSSELL A. KOLLER of Oxford, County of Franklin, State of Idaho, the holder of Permit No. G-29011, issued upon Application No. G-37001 bearing date of priority of September 12, 1960, authorizing the diversion of 4.48 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 1.66 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 13 S., R. 38 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: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, T. 13 S., R. 38 E., B.M.

Proof of Completion of Works Made: September 1, 1965

Witness my hand this 20th day of December, A. D. 1966

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 1.66 SEC. FT.
LICENSE PAGE NO. 8627

MEMORNADUM

RE: Russell Koller Permit No. G-29011

On March 20, 1967 a field examination was made of the protest to the Russell Koller well and Permit No. G-29011. I visited with Mr. Cox and Mr. Hatch, domestic well owners that signed the protest.

I pointed out that Mr. Koller's water right had been established and his certificate and license had been issued. However if they felt their rights were being damaged they could either request that a ground water board be formed through the state department of reclamation, or they could take the matter to the district court. They indicated that they would advise our office as to their decision after meeting with other protestants. I later talked with Mr. Koller and advised him of the protests and told him there would be no additional action from our office unless the protestants wanted to pursue the matter further.

It was observed that late in the winter or in early spring the Koller well has enough artesian pressure to flow. Mr. Koller's well is not equipped to control the artesian flow and at the time of the field examination a small amount of water was flowing out under the pump and appeared to be wasting. Koller stated that his well is over 200 feet deep and was not perforated until 120 feet.

29011

MEMORANDUM

RE: Russell Koller Permit No. G-29011

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Permit No. G-29011

Certificate of Completion
of Works

Dated December 20, 1966

Stream subterranean

County Franklin

Amount 1.66 c.f.s.

Date of Priority September 12, 1960

Recorded in Book 102

of Permits, page 29011

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that RUSSELL A. KOLLER
 of Oxford, County of Franklin, and State of
Idaho, the holder of Permit No. G-29011, issued upon
 Application No. G-37001 bearing date of priority of September 12, 1960, authorizing the
 diversion of 4.48 second feet of waters of a well

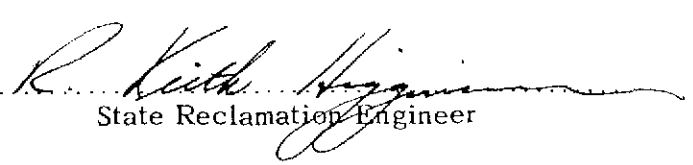
County of Franklin, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 1.66 second feet of the waters of a well, tributary of
subterranean flow;

that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 13 S, R. 38 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: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, T. 13 S, R. 38 E, B.M.

Proof of Completion of Works Made: September 1, 1965.

Witness my hand this 20th day of December, A. D. 19 66


 State Reclamation Engineer

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-29011

To Russell A. Koller
Oxford, Idaho

Source of Supply subterranean

Franklin County

Amount 1.66 Sec. Ft.

Point of Diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28,

T. 13 S, R. 38 E, B.M.

Place of Use SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,

Sec. 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28;

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34,

T. 13 S, R. 38 E, B.M.

Purpose irrigation

Date of Priority September 12, 1960

Recorded December 20, 1966

in Book 14 of Licenses, Page 8627

State of Idaho

License and Certificate of Water Right

Water License No. G-29011 Priority September 12, 1960 Amount 1.66 c.f.s.

THIS IS TO CERTIFY that

RUSSELL A. KOLLER

of Oxford, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 12, 1960; that Permit No. G-29011 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.66 second feet, was issued thereunder on December 20, 1966, showing that said works were completed on the 1st day of September, 1965; and that on the 1st day of September, 1965

RUSSELL A. KOLLER

of Oxford, 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-29011 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 8627, on the 20th day of December, 1966.

The right hereby confirmed dates from September 12, 1960.

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 28, Twp. 13 S, R. 38 E, B.M. Franklin County.

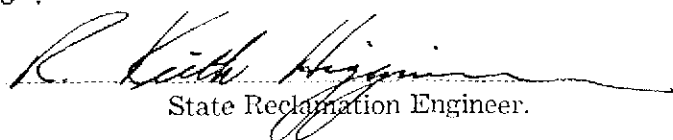
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.66 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Early-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S	38 E	27	SW $\frac{1}{4}$ NW $\frac{1}{4}$	37	22
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	9	4
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	33
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	18	18
		28	SE $\frac{1}{4}$ NE $\frac{1}{4}$	36	4
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.5	7
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.5	3
		33	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	25	22
		34			
			Total number of acres to be irrigated:		157

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 20th day of December, 1966.


State Reclamation Engineer.

XXXXXXXXXX

December 20, 1966

Re: Permit No. G-29011

Russell A. Koller
Oxford, Idaho

Dear Mr. Koller:

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

Also enclosed is departmental receipt No. G-11053 in
the amount of \$23.00 covering the fees.

Very truly yours,


M. Russell Bosch
Office Manager

MRB:mr

Enc.

29011

State of Idaho.
Dept. of Reclamation
M. Russell Bosch:

Oxford, Ide.
Oct. 31-66

Enclosed, is my Check of twenty-three dollars, the fee you requested for statutory fees to cover the costs of completion of works for 1.66 C.F.S. and the License and Certificate for water Right for 1.66 C.F.S.

Thank you,

Russell A. Zoller

Permit No. G-29011

RECEIVED
NOV 1 1966

Department of Reclamation

29011

October 28, 1966

RE: Permit No. G-29011

Russell A. Koller
Oxford, Idaho

Dear Mr. Koller:

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-29011 shows the well(Σ) is ~~capable~~ capable of conveying 83 miner's inches, or 1.66 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 \$ 23.00 , we will issue the Certificate of Completion of Works for 1.66 c.f.s. and the License and Certificate of Water Right for 1.66 c.f.s. confirming the right, with priority of September 12, 1960 , to the use of subterranean water with the point of diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, for irrigation of 157 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 13 S, R. 38 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29011

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

Permit No. G-29011 ✓

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

1. Name of applicant Russell A. Koller ✓

2. Source of water supply: Subterranean ✓

3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 28 ✓

T. 13 S ✓ R. 38 E.B.M. County of Franklin ✓

4. Describe works as they exist, giving dimensions and capacities of same: 40 HP U.S. Electric Motors Inc. #1225673, Western Turbine Pumps #13766, 10" discharge to open ditch

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 1/4 NE 1/4 Sec. 33., SW 1/4 NW 1/4, NE 1/4 SW 1/4, W 1/4 SW 1/4 Sec. 27., SE 1/4 NE 1/4, E 1/4 SE 1/4 Sec. 28., W 1/4 NW 1/4 Sec. 34., all in Twp. 13 S., Rge. 38 E.B.M. (224 acres)

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

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

Remarks: Mr. Russell Koller and Son along

Aug 1 PD at 1500 m NE SE corner of 1/4 NE 1/4 SE 1/4 Sec. 28.
SE 1/4 E 1/4 Sec. 28.
Supplemental to Oxford Creek Right.

Sparling Meter. 5R. 5'-24" x 107 = 1.66 cfs.

This examination was made on the 17th day of July, 1966

(Signed) Lynn Johnson Examiner.

h: 46-50' *Flaming*
Russell A. Keller ✓ *OD*
Oxford, Idaho — 218' x 14"
(Using all corners but for
200' x 100')

Permit No. G-29011 ✓

Examination for Completion of Works & Beneficial Use

County Franklin ✓
Sec. 28 T138 R 36 E20

Quantity: *4.48 cfs*

Source: *well*

P.D.: *NE 1/4 Sec 14*
Dec 28 - 713 S, R 38 E
Use: *Irrigation*

Extension: —

Protest: —

Completion of Works: —

Other Rights: *169 shares in*
"Oxtoid Co. (Dec
Filed: "Remarks" on G29011.)

Due: *Sept. 12, 1960*

Sept. 13, 1965
Made: *Sept. 1, 1965*
Priority: *Sept. 12, 1960*

INSTRUCTIONS TO EXAMINERS

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29011

REPORT ON PROOF OF Completion of Works & Beneficial Use

C-20

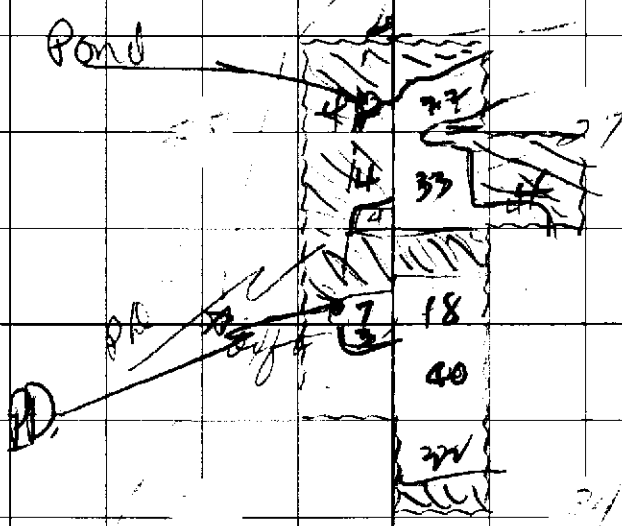
500 255

Following
M. & M.

150
Following
SR

Pond

T
12
S

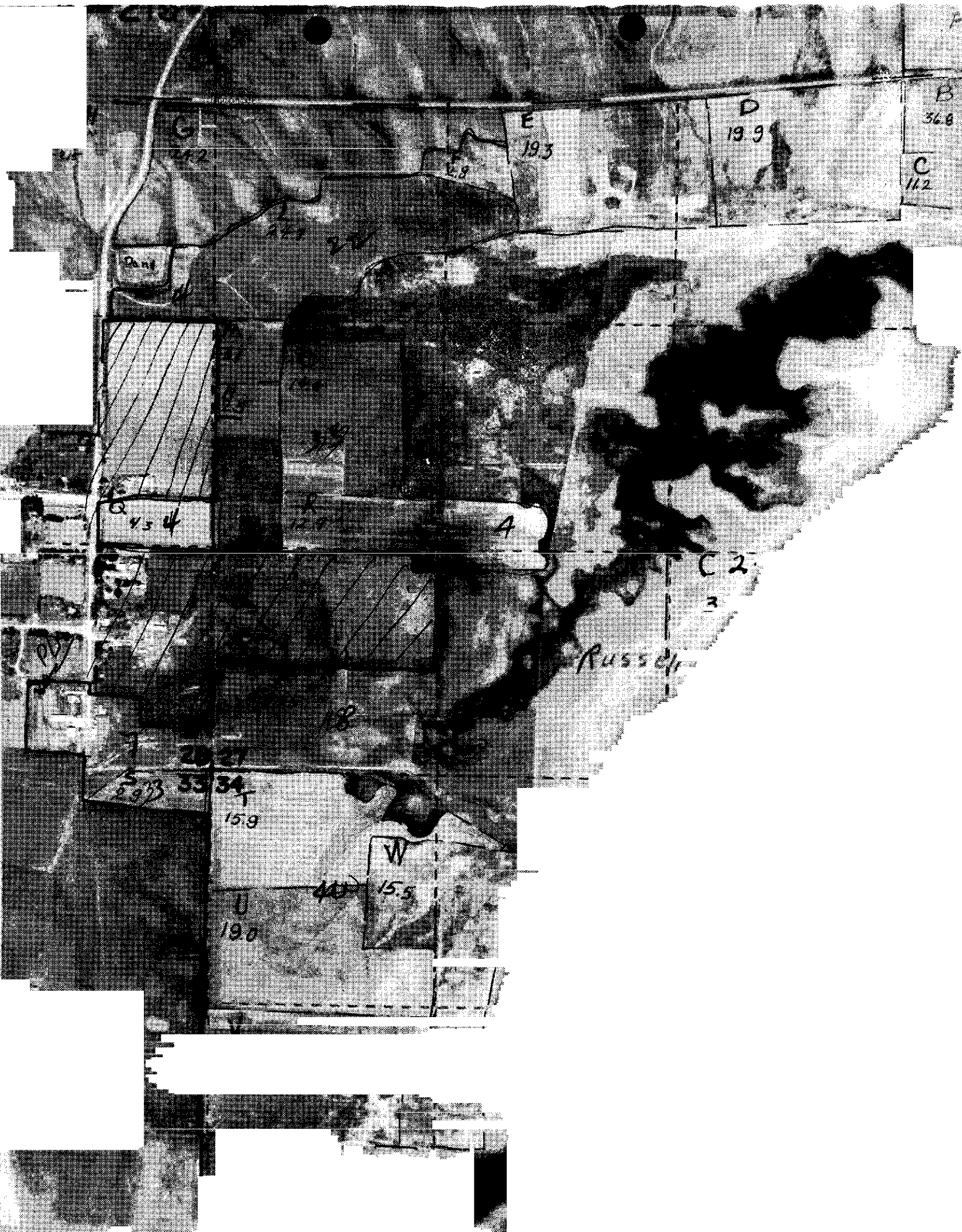


~~26~~
41
25
43
22
~~157~~
157

Subdivisions 9

AREA. 157 acres

Q: 1.66 cfs 83 inches



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

Two 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

September 1, 1966, 19 *66*, and ending with the issue of *September 8, 1966*.

Fees, \$ *9.89*

Subscribed and sworn to before me this *20th* day of *September*, 19 *66*.

Beverly W. Martensen

Notary Public, Residing at Preston, Idaho

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

Public Notice

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE PROVISIONS OF SECTIONS 42214, 42215, IDAHO CODE

Notice is hereby given that the legal notice printed in the Preston Citizen on July 29, August 1, 19, 1965 showing that Lowell A. Koller was to make proof of completion of works and beneficial use of water September 1, 1965, on Permit G-29011 was incorrect, and that the point of diversion was given as N 1/4, Section 28, T 13 S., R 33 E., B.M., whereas, the actual point of diversion is S 1/4, Section 28, T 13 S., R 33 E., B.M.

That any protests against the approval of the depositions, made September 1, 1965, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Witness my hand this 18th day of August, 1966.

R. Keith Higginson,
Deputy State
Reclamation Engineer
First Publication
August 1, 1966
Date of Last Publication
September 8, 1966
Last Date for Protest, September 27, 1966
Legal No. 1119

ROBERT E. SMYLIE
Governor



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 18, 1966

RECEIVED
OCT 21 1966
Department of Reclamation

RE: Permit No. G-29011

Russell A. Koller
Oxford, Idaho

Dear Mr. Koller:

On August 18, 1966 you were notified that you would have to amend the point of diversion on the above numbered permit as it was not the same as shown on your permit and in the legal notice. At the same time a legal notice was sent to you with instructions to have it published. See the enclosed copy of our letter. The notice was evidently never published. The amendment has been recorded and returned to you.

Since the Attorney General's Office has ruled that the point of diversion and place of use on all permits must be advertised correctly this readvertising must be done before you can be issued the final license for the water. We would suggest, if you want a finalized water right, that you contact this office promptly in regard to the matter.

Very truly yours,

M. Russell Bosch
M. Russell Bosch
Office Manager

MRB:mr

Enc. copy of letter

I'm sorry I overlooked sending the Affidavit of Publication to you. It states thereon when it was published. Hope this will take care of the matter. Sincerely,

Russell A. Koller
29011

September 27, 1966

Marion Olson
Oxford, Idaho

Dear Mr. Olson:

We are in receipt of the letter of September 20 concerning the protest of the diversion of water by a Russell Koller in Section 28 of Township 13 South, Range 38 East.

I anticipate being in the area in a few weeks and feel that perhaps we could best discuss the problems you might be having with your ability to divert water from your wells at that time. If this is a satisfactory arrangement I will contact you before I leave Boise to make arrangements to meet with you.

As your signature appears first on the letter I assume that you act as spokesman for the group. If this is not correct please notify us as to the name of the person we should correspond with.

Very truly yours,

Jack A. Barnett
Assistant State Reclamation Engineer

JAB:mr

29011

RECEIVED

SEP 22 1966

Department of Reclamation

Oxford, Idaho
Sept 20, 1966

Dear Sirs;

We wish to protest the diversion of water from SE $\frac{1}{4}$, SE $\frac{1}{4}$ section 28, T 13 S, R 38 E. B. M. or on lot 3 block 9 of Oxford townsite owned by Russell Koller.

Reason for protest is it draws from culinary wells. And has dried some up. location of these wells are;

Lot 5 block 9 owned by Marion Olson
Lot 6 block 9 owned by Ernest A. Olson
Lot 2 block 5 owned by Curtis Coy
Lot 5 block 2 owned by Henry A. Hatch
Lot 4 block 7 owned by Cliff M. Kendall.

We would like some one to investigate and make recommendation.

Marion Olson
Curtis Coy
Henry A. Hatch
Cliff M. Kendall
Ernest A. Olson

September 7, 1966

RE: Permit G-29011

Russell A. Koller
Oxford, Idaho

Dear Mr. Koller:

Enclosed is amendment to point of diversion which has been recorded in this office under the above referenced permit.

Also enclosed is departmental receipt No. G-10811 in the amount of \$1.00 which covers the fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment
Receipt

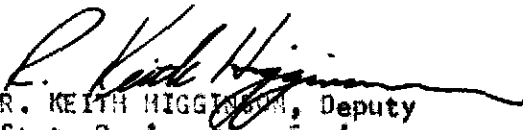
29011

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Preston Citizen on July 29, August 5, 12, 19, 1965 showing that Russell A. Koller was to make proof of completion of works and beneficial use of water September 1, 1965, on Permit G-29011 was in error, and that the point of diversion was given as NE1SE1/4, Section 28, T 13 S., R 38 E., B.M., whereas, the actual point of diversion is SE1SE1/4, Section 28, T 13 S., R 38 E., B.M.

That any protests against the approval of the depositions, made September 1, 1965, must be filed in the Department of Reclamation, at Boise, Idaho within forty (40) days from the date of this notice and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 18th day of August, 1966.


R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest _____ September 27, 1966 _____

August 18, 1966

RE: Permit G-29011

Russell A. Koller
Oxford, Idaho

Dear Mr. Koller:

Our field examiner has been out and examined your proofs on your permit. He finds that the point of diversion as listed and published does not agree with the actual point of diversion. Therefore, this requires that an amendment be completed and the enclosed notice published in the newspaper in your county for two (2) consecutive weeks.

Please complete the amendment form to agree with the legal notice, which is enclosed, and return to our department along with \$1.00 for the recording fee. Next, take the legal notice to the newspaper and have it published. Upon completion of the publication return the publication affidavit from the newspaper office to this department and we will issue your license for this permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment form
Notice of Correction

29011

September 15, 1965

Re: Permit No. 29011

Russell A. Koller

Oxford, Idaho

Dear Mr. Koller:

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. 29011

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:

29011

September 3, 1965

RE: Permit No. G-29011
Rurrell A. Koller

Rurrell A. Koller
Oxford,
Idaho

Dear Mr. Koller:

Proofs under subject permit returned herewith
for corrections as noted in red pencil.

Kindly make corrections and return all papers
promptly to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. PETRI
Office Manager

HPict
Enc. Proofs

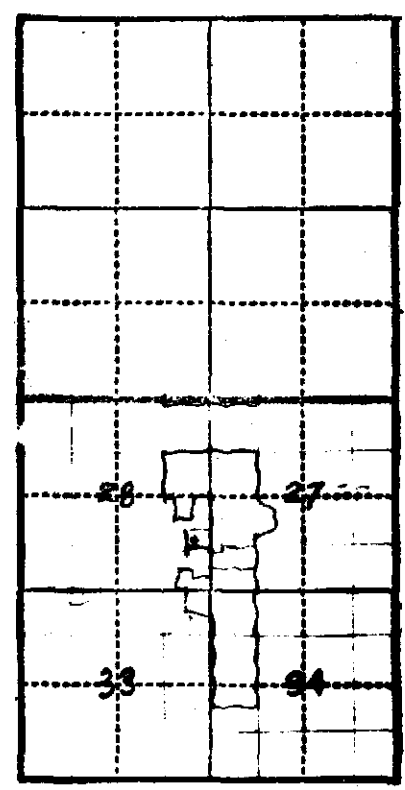
29011

Russell A. Keller
Oxford, Idaho.

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

Application No. G-37001
Permit No. G- 29011
District No.

1. Name of Applicant: **Russell A. Keller**
Postoffice address: **Oxford** County: **Franklin** State: **Idaho**
2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second **4.48** or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Irrigation well**
4. Location of point of diversion or well is in the **NE 1/4** of the **SE 1/4** of Section **28**
Twp. **13 S** , Rge. **36 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 **1/4** of the **1/4** of Section , Twp. , Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the **1/4** of the **1/4** of Section , Twp. , Rge. , B.M.
7. Kind of works: **Turbine pump**
8. Estimated cost of works: **\$12,000 - includes pump and meter and pipe installation to field and reservoir.**
9. (a) Is reservoir to be used? **Yes**
(b) Capacity of reservoir: **10 acre feet (built to ASC & SCS Specifications)**
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: **169 shares in Oxford Creek**
(a) **4.48** (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: The existing water right I have in Oxford Creek is fair in the spring of the year, but soon diminishes. I need additional water to keep my crops from burning.

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.

s/ Russell A. Keller Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 2:30 P.M. September 12, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29011

Recorded in Book 102 Page 29011 Approved September 13, 1960

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 March 13, 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 September 13, 1965

Witness my hand this 13th day of September, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 13th day of September, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE
Governor

12.

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 $\frac{1}{4}$	
13 S	36 E	33 27 28 34	3.5	37 40 25	9 40 18	10 5.5	3.5 104 51.5 65.0 224.0

29011

POINT OF DIVERSION AMENDMENT ✓

Comes now Russell A. Koller 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-29011. That the point of diversion is described in said permit as being located: NE~~W~~SE~~W~~, Section 28, T 13 S., R 38 E.B.M.. That he now requests that the point of diversion be changed to a point located: SE~~W~~SE~~W~~, Section 28, T 13 S., R 38 E.B.M.. That the reason for desiring to make such change is as follows: The first description was in error. That no one will be injured by such change, and that such change will be made at permit holder's own risk. Signed at Oxford, Idaho this 1st day of Sept., 1966

/s/ RUSSELL A. KOLLER

Date of receipt at Department of Reclamation: September 2, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, 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-29011. 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/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded in book 102 of permits, at page G-29011
September 7, 1966

Permit No. G-29011
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RUSSELL A. KOLLER of Oxford, County of Franklin, State of Idaho, the holder of Permit No. G-29011, issued upon Application No. G-37001 bearing date of priority of September 12, 1960, authorizing the diversion of 4.48 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 1.66 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters SE~~W~~SE~~W~~, Sec. 28, T. 13 S., R. 38 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: SW~~W~~SW~~W~~, NE~~W~~SW~~W~~, SW~~W~~SW~~W~~, Sec. 27; SE~~W~~NE~~W~~, E~~W~~SE~~W~~, Sec. 28; NE~~W~~NE~~W~~, Sec. 33; W~~W~~SW~~W~~, Sec. 34, T. 13 S., R. 38 E., B.M.

Proof of Completion of Works Made: September 1, 1965

Witness my hand this 20th day of December, A. D. 1966

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 1.66 SEC. FT.
LICENSE PAGE NO. 8627

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

September 3, 1965

RE: Permit No. G-29011
Russell A. Koller

Russell A. Koller
Oxford,
Idaho

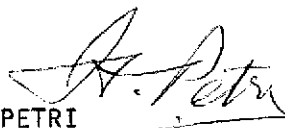
Dear Mr. Koller:

Proofs under subject permit returned herewith
for corrections as noted in red pencil.

Kindly make corrections and return all papers
promptly to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer


H. PETRI
Office Manager

HP:ct
Enc. Proofs

29011

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

July 29, 1965, and ending with the issue of August 19, 1965.

Fees, \$29.15

Subscribed and sworn to before me this 1st day of September, 1965.

Severly W. Mortensen

Notary Public, Residing at Preston, Idaho

My Commission Expires Dec, 1968.

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

Notice is hereby given that at 10 A.M. on the first day of September, 1965, at Preston, County of Franklin, State of Idaho, before M. Condie, Notary Public, at his office in Laramie Building, Preston, proof will be submitted of the completion of works for the diversion of three cubic feet per second of underground water from a well, and the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29011, 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 Russell A. Koller, Oxford, 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 three 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 three cubic feet per second.

4. The point of diversion of said water is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28, Twp. 13S, Range 38 E.B.M., County of Franklin.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33 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 28; SW $\frac{1}{4}$ 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 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, Township 13 South, Range 38 E.B.M. establish is September 12,

6. The date of priority which said user is prepared to establish is September 12, 1960.

CARL E. TAPPAN
State Reclamation
Engineer.

No. 924 — Pub. July 29, 1965 to August 19, 1965.

29011

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29011

RECEIVED
SEP 2 1965
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: Russell A.

Koller, residence: Oxford, Idaho, farmer, P. O. address: Oxford, 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: ~~Sept 12, 1960~~
G 29011, approved Sept 13, 1960, date of priority Sept. 12, 1960

Ques. 4. State source of water supply: irrigation well
Give location of point of diversion, showing subdivision, section, township and range
in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28, Twp. 13 S., Range 38 E. B. M., Franklin County.

Ques. 5. Describe your works of diversion: Turbine pump, 660 feet of 14 inch pipe,
40 feet 8 inch pipe, with valves, empties into irrigation ditch.
; state amount of water they are capable of con-

veying from point of diversion to place of use: 3 cfs.; Give name of canal or ditch
or other works by which water is conducted to such place of use: use old creek bed for
400 feet; if a well, state depth of well 218 feet; depth and size of
casing 14 inch; at present it is flowing
depth to water 40-50 feet; if pump is used,
state discharge of pump: 3 cfs; tell how it was measured or determined
tested by Charles Gardner, driller, if sprinkler irrigation, give number and size
of nozzles and operating pressure: do not sprinkle

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:

3.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, 25 acres in
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34; 36 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; 60 acres in SW $\frac{1}{4}$ Sec. 27
Total 164.5 acres

18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and

33 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, total 60 acres.

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

Increased yield of crops

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Charles Gardner, Malad, 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Irrigation season of 1961- Time used since first use:

Have used this water each irrigation season since.

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

Oxford Creek Water, which ordinarily is only early water, week turn in spring, later cut to 5 days, 3 or four second feet in spring, cuts to second foot.

(sign) Russell R. Zoller

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 first ✓ day of September, A. D. 1965.

D. M. Gordon
Notary Public, Preston, Idaho.

My commission expires: Nov. 29, 1966.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
SEP 2 1965

Boise, Idaho

Department of Reclamation

Permit No. G 29011

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Location 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:

George A. Redington, 70 years old, residing at Oxford, Idaho, P. O. address
Oxford, Idaho, retired farmer.

Ques. 2 Are you acquainted with Russell A. Koller, the holder of
Permit No. G 29011? How long have you known him and where does he reside?

Yes, thirty years, he resides in Oxford, Idaho.

Ques. 3. Have you read or heard said Permit No. G 29011 read, and are you familiar
with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: irrigation well

Give location of place of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Tp. 13 South, Range 38 E. B. M. Franklin County.

Describe works for conveying water to place of use: Turbine pump, 660 feet 14 inch
pipe, 40 feet 8 inch pipe, with valves; empties into irrigation ditch
which ~~XXXX~~ conveys water to place of use.

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:

3.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, and 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
of Sec. 34; 36 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; 60 acres in SW $\frac{1}{4}$ Sec. 27, Tp. 13 S.
Range 38 E. B. M.

18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and

33 acres in N W $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, total 60 acres.

29011

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.
and red clay
Black loam soil, requires all of the water available from this source for
profitable irrigation.

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? During summer of 1961, several time.
Other times you have seen such use: Have seen this water used on this land during
each year of 1962, 1963, 1964, 1965.

(Signed):

Geo. H. Doughton

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

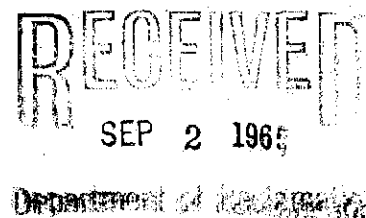
 , County of Franklin, State of Idaho, on
this first day of September, A. D. 1965.

A. M. Lander

Notary Public for the State of Idaho
Residing Preston, Idaho

My commission expires Nov. 29, 1966.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29011



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Construction 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:

Fred L. Coburn, age 73 years, resides at Oxford, Idaho, which is P. O.

Address, farmer.

Ques. 2 Are you acquainted with Russell A. Koller, the holder of Permit No. G 29011? How long have you known him and where does he reside?

Yes; 22 years; he resides in Oxford, Idaho.

G 29011

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

Ques. 4. State source of water supply: Well

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Tp. 13 South, Range 38 E. B. M., Franklin County.

Describe works for conveying water to place of use: Turbine pump, 660 feet of 14 inch pipe, 40 feet 8 inch pipe, with valves, empties into irrigation ditch which conveys water to place of use.

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

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

3.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, and 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 34; 36 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; 60 acres in SW $\frac{1}{4}$ Section 27, Tp. 13 S., R. 38 E. B. M.

18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and

33 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, total 60 acres.

29011

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.

Red clay and black loam soil, requires all of the water available from this well for profitable irrigation.

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? During summer of 1961, several times. Well is close to my ~~house~~ property. Pipe runs close to my house.
Other times you have seen such use: _____

Have seen the water used each year 1962, 1963, 1964, 1965.

(Signed):

Lred & Colburn

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 first day of September, A. D. 19 65.

J. M. Meade

Notary Public for the State of Idaho

Residing Preston, Idaho

My commission expires Nov. 29, 1966.

Application for Amendment
POINT OF DIVERSION
Permit No. G-29011

RECEIVED
SEP 2 1966
Department of Reclamation

Comes now Russell A. Koller
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-29011.

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T 13 S., R 38 E., B.M.,

That he now requests that the point of diversion be changed to a point
located:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T 13 S., R 38 E., B.M.

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

The first description was in error.

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

Signed at Bozeman, Idaho this 1st day of Sept, 1966

Russell A. Koller

Date of Receipt at Department of Reclamation: September 2, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, P. Keith Higgins, 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-29011. 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 102 of
Permits, at Page G-29011
September 2, 1966

P. Keith Higgins
State Reclamation Engineer

29011

July 20, 1965

Re: Permit No. G-29011

Mr. Russell A. Koller,
Oxford, Idaho.

Dear Mr. Koller:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-29011. The proofs are to be made at 10:00 o'clock A.M., on the 1st day of September, 1965, before P.M. Gendle, Larson Building, 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

29011

Re: Permit No. G-29011
Russell A. Koller

Date: July 20, 1965

Preston Citizen,
Preston, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to September 1, 196
the date set for proof; the expense of the publication is to be paid
by the applicant Russell A. Koller
of Oxford, 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

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

Department of Reclamation

Notice is hereby given that at 10 A. M., on the first day of September,
19 65, at Preston, County of Franklin, State of Idaho
before P. M. Condie, Notary Public, at (address) office in
Larson Building, Preston, Franklin County, Idaho, proof will be submitted of the completion
of works for the diversion of three 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. G29011, 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 Russell A. Koller, Post Office: Oxford, 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 three 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
5 cubic feet per second.

4. The point of diversion of said water is in N E $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28, Twp. 13 S.
Rge 38 E. B. M. County of Franklin.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28;
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28; SW $\frac{1}{4}$ 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 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, Township 13 South, Range 38 E. B. M.

6. The date of priority which said user is prepared to establish is September 13,
1960.

CARL E. TAPPAN

State Reclamation Engineer

29011

RECEIVED
JUL 19 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Russell A. Zoller

(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

29011

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29011

July 1, 1965

Russell A. Keller
Oxford, Idaho

Dear Mr. Keller:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29011 are due not later than **September 13, 1965.**

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.

cc:

29011

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	3	sail		
3	12	clay		
12	21	gravel		
21	102	clay (blue)		
102	145	gravel	yes	yes
145	169	gravelly clay	yes	yes
169	175	clay (blue)		
175	177	gravelly clay	yes	yes
177	178	gravel	yes	yes
178	183	clay		
183	186	gravel	yes	yes
186	189	clay		
189	192	gravel	yes	yes
192	194	gravelly clay	yes	yes
194	212	gravel	yes	yes
212	218	gravelly clay	yes	yes
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

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

Signed Charles B. Gardner

By _____

Dated Feb 20, 1961.

License No. 63

WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

RECEIVED
FEB 22 1961
Department of Reclamation

Permit No. 29011 Well No. _____ County Franklin
Owner Russell A Keller
Address Oxford, Idaho
Driller Charles B. Gardner
Address Malad, Idaho
Well location NE 1/4 SE 1/4 Sec. 28, T. 13 N. S. R. 38 E. 1/4
Size of drilled hole 14"

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Total depth of well 218'

Give depth to standing water from the ground 1' Water temp. _____ °Fahr.

On "Pumping Test" delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make test not tested

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per lineal foot _____

Thickness of casing 1/4" Casing material steel
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 218' 14" 14" OD
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
14" OD	0	218	218	

Number and size of perforations 7 per 1 3/8" x 3" located _____ feet to _____ feet from ground

Perforated opposite all gravel & gravelly clay from 102' to 218'

Date of commencement of well Jan. 1961 Date of completion of well Jan. 1961

29011

September 22, 1960

Re: Permit No. G-29011

Mr. Russell A. Keller,
Oxford, Idaho.

Dear Mr. Keller:

We enclose Permit No. G-29011 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-5206 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

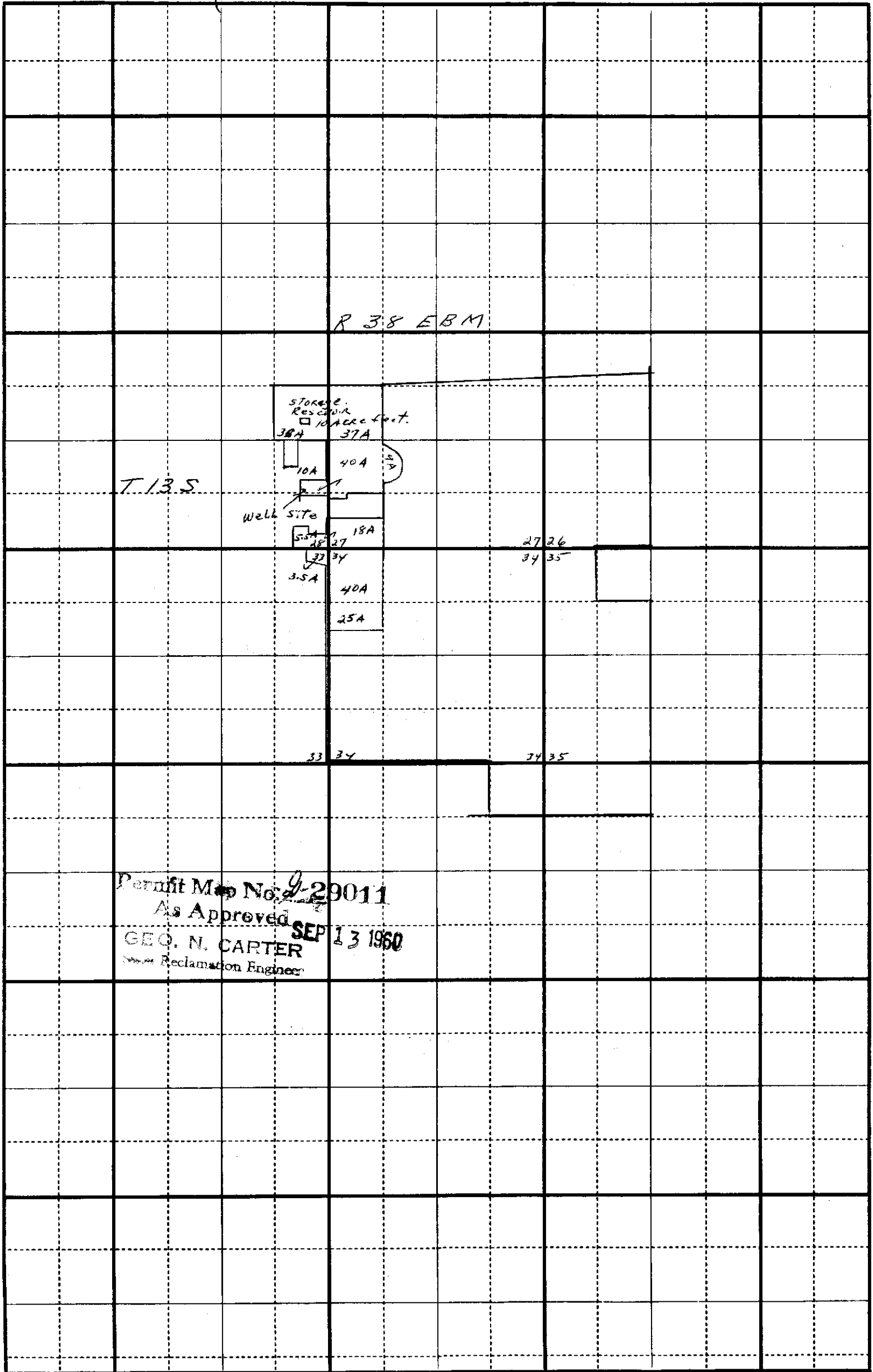
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
RPR:psk

29011

NAME OF APPLICANT Russell H. Koller

Form No. 0



Permit Map No. 29011
As Approved
GEO. N. CARTER
Reclamation Engineer
SEP 13 1960

September 7, 1960

Re: Application for Permit

Mr. Russell A. Koller
Oxford, Idaho

Dear Mr. Koller:

Returned herewith your application for water permit for the following reasons:

No filing fee submitted

Only one sketch map sent in - two maps are required - drawn in ink, and must show place where the well is located.

Location of reservoir and dam dimensions must be shown on maps.

Land list entered under item 12 show 22 1/2 acres to be irrigated. Idaho Statutes allows One inch of water per acre making 22 1/2 inches the maximum quantity of water to be entered under item 2. This is written in as 4.48 c.f.s.

We enclose another application form which you should complete where you find check marks (✓). Then sign, attach your filing fee of \$6.00 and make out two sketch maps in ink which shows the land by 40-acre subdivision and also shows location of the well and reservoir within the 40-acre tract.

Prompt return of the corrected application to this office will ensure earlier priority date.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:ew

Enc. original application
blank forms 3 & 0

29011

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

Notice is hereby given that at 10 A.M., on the first day of September, 1965, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at his office in Larsen Building, Preston, proof will be submitted of the completion of works for the diversion of three cubic feet per second of underground water from a well, and the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29011, 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 Russell A. Koller, Oxford, 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 three 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 three cubic feet per second.

4. The point of diversion of said water is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28, Twp. 13S, Range 38 E.B.M., County of Franklin.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33 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 28; SW $\frac{1}{4}$ 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 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, Township 13 South, Range 38 E.B.M. establish is September 12,

6. The date of priority which said user is prepared to establish is September 12, 1960.

CARL E. TAPPAN
State Reclamation
Engineer.

No. 924 — Pub. July 29, 1965
to August 19, 1965.

29011