

AFFIDAVIT OF PUBLICATION

RECEIVED
JUL 5 1961
Department of Reclamation

STATE OF IDAHO,

ss.

County of Franklin

Dean E. Smith

being duly sworn,

deposes and says:

That he is the *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

June 1, 19 *61*, and ending with the issue of *June 22*, 19 *61*.

Fees, \$ *2.19*

Subscribed and sworn to before me this *3rd* day

of *July*, 19 *61*.

Dean E. Smith
Notary Public, Residing at Preston, Idaho

My Commission Expires *Nov. 29 - 62*

Legal Notices

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

Notice is hereby given that at nine A.M., on the third day of July, 1961, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at Preston, Idaho, proof will be submitted of the completion of works for the diversion of 0.08 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. G28798, 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 Lester D. Lowe, Franklin, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.08 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock watering purposes, and the amount applied to beneficial use is 0.08 cubic feet per second.

4. The point of diversion of said water is in SW 1/4 of NW 1/4 of Section 21, Twp. 16 South, Range 40 East of Boise Meridian,

County of Franklin.

5. The place where said water is used is SW 1/4 of NW 1/4, Sec. 21, Twp. 16 South, Range 40 E. B. M.

6. The date of priority which said user is prepared to establish is June 14, 1960.

GEO. N. CARTER

State Reclamation Engineer

First Pub. June 1, 1961

Last Pub. June 22, 1961

28798

NAME OF APPLICANT Lester Lowe

Form No. 0

Dot represents location of well
Land to be irrigated surrounds well

Sec. 21, Tp. 16 S.
Range 40 East B. M.

Permit Map No. 28798
As Approved
GEO. N. CARTER JUN 24 1960
Reclamation Engineer

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

Notice is hereby given that at nine A.M., on the third day of July, 1961, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at Preston, Idaho, proof will be submitted of the completion of works for the diversion of 0.08 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. G28798, 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 Lester D. Lowe, Franklin, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.08 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock watering purposes, and the amount applied to beneficial use is 0.08 cubic feet per second.

4. The point of diversion of said water is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Twp. 16 South, Range 40 East of Boise Meridian, County of Franklin.

5. The place where said water is used is SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 21, Twp. 16 South, Range 40 E. B. M.

6. The date of priority which said user is prepared to establish is June 14, 1960.

GEO. N. CARTER
State Reclamation Engineer
First Pub. June 1, 1961

Last Pub. June 22, 1961 798

State of Idaho
License and Certificate of Water Right

Water License No. G-28798 Amount 0.08 c.f.s.
Water District No. Priority June 14, 1960

THIS IS TO CERTIFY that LESTER D. LOWE
of Franklin, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 14, 1960; that Permit No. G-28798
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.08 second feet, was issued thereunder on October 12, 1961, showing that said works
were completed on the 3rd day of July, 1961; and that on the 3rd
day of July, 1961, LESTER D. LOWE

of Franklin, 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 & stock
watering, under Use Permit No. G-28798 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
11 of Licenses at page 7182, on the 12 day of October, 1961;
The right hereby confirmed dates from June 14, 1960;

The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 21, Tp. 16 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 0.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S	40 E	21	SW 1/4 NW 1/4	3	3

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
12th day of October, 1961.

(SEAL) RALPH W. THOMAS
Deputy State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. G-27506

Amount 1.75 c.f.s.

Water District No. _____

Priority August 1, 1958

THIS IS TO CERTIFY that DONALD E. and HELEN L. TIEGS
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 1, 1958; that Permit No. G-27506
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.75 second feet, was issued thereunder on October 12, 1961, showing that said works
were completed on the 26th day of July, 1961; and that on the 26th
day of July, 1961,

DONALD E. and HELEN L. TIEGS
of Nampa, 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-27506 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
11 of Licenses at page 7181, on the 12 day of October, 1961;
The right hereby confirmed dates from August 1, 1958;

The Point of Diversion is located
in the SW 1/4 NE 1/4, Sec. 8, Tp. 1 N, R. 2 W., B. MCanyon 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 1.75 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	8	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	35
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	5
			SE 1/4 NW 1/4	40	10
			NE 1/4 SE 1/4	40	30
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		280

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
12th day of October, 1961.

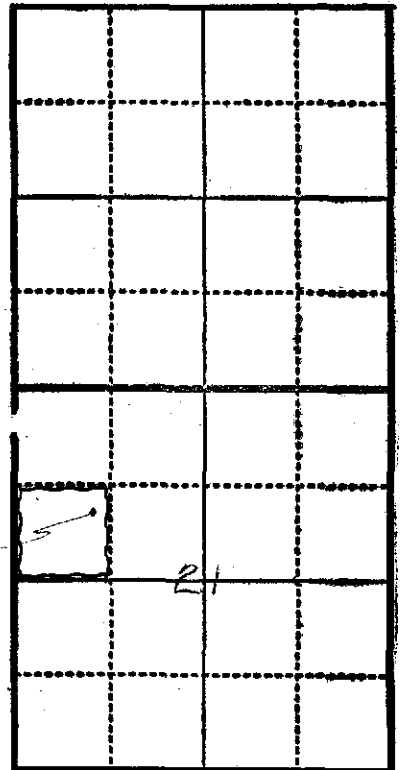
RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

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

Application No. G- 36777
Permit No. G- 28798
District No.

1. Name of Applicant: **Lester D. Lowe**
Postoffice address: **Franklin** County: **Franklin** State: **Idaho**
2. Quantity of water claimed: **0.08 c.f.s.**
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches **4** 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 **SW** $\frac{1}{4}$ of the **NW** $\frac{1}{4}$ of Section **21**
Twp. 16 S, Rge. **40 E**, B.M., County of **Franklin**
5. Water is to be used for: **Irrigation and stock watering**
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 **21**, 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 **21**, Twp., Rge., B.M.
7. Kind of works: **a driven well with pump and sprinkling system**
8. Estimated cost of works: \$ **1200.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir: **none**
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: **Early right in Franklin Pioneer Irrigation Company, so far as water available. Usually stream runs dry by or before June 1st.**
(a) **.06** (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: Applicant needs this water particularly for use of livestock and mink as no other water is available for this purpose, also for irrigation of the land described.

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.

Applicant.

Agent.

Date of first receipt at Department of Reclamation: June 14, 1960 - 9:00 A.M.

Returned to applicant for correction: June 14, 1960

Corrected application received: June 22, 1960

Approval of State Reclamation Engineer

The number of this permit is G— 28798

Recorded in Book 101 Page 28798 Approved June 24, 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 December 24, 1962

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 June 24, 1965

Witness my hand this 24th day of June, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLOW, Acting, Governor of the State of Idaho,
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 24th
day of June, 19 60

STATE OF IDAHO

By s/ W. E. DREVLLOW,
Acting Governor

Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
16 S	40 E	21		3			3
Permit No. G-28798 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that LESTER D. LOWE, of Franklin, County of Franklin, and State of Idaho, the holder of Permit No. G-28798, issued upon Application No. G-36777 bearing date of priority of June 14, 1960, authorizing the diversion of 0.08 second feet of waters of a well, County of Franklin, State of Idaho, for irrigation and stock watering 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 0.08 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SW¹/₄NW¹/₄, Sec. 21, T. 16 S., R. 40 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 3 acres in SW¹/₄NW¹/₄, Sec. 21, T. 16 S., R. 40 E., B. M. Witness my hand this 12th day of October A. D., 1961. RALPH W. THOMAS, Deputy State Reclamation Engineer Proof of Completion of Works Made: July 3, 1961 LICENSE ISSUED FOR 0.08 SEC. FL. <i>Page 7182</i>							

478-107700
RECEIVED
OCT 10 1961

Department of Reclamation

Franklin Idaho.
Oct, 7, 1961

Department Of Reclamation
Boise Ida.

Dear Sir:

Inclosed find check for \$7.00 statutory fees, to cover the final cost for certificate confirming my right to use of subterranean water. Permit No.G-28798

Sincerely

Lester D. Lowe
Lester D. Lowe

28798

October 4, 1961

RE: Permit No. G-28798

Lester D. Lowe
Franklin, Idaho

Dear Mr. Lowe:

Our field engineer'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-28798 shows the well is capable of conveying 4 miner's inches, or .08 c.f.s. of water for stock watering and irrigation of 3 acres.

Upon receipt of the statutory fees, totaling \$7.00, we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$2.00, based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of June 14, 1960 to the use of .08 second foot of subterranean water with the point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21 for stock watering and irrigation of 3 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 16 South, Range 40 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

28798 21

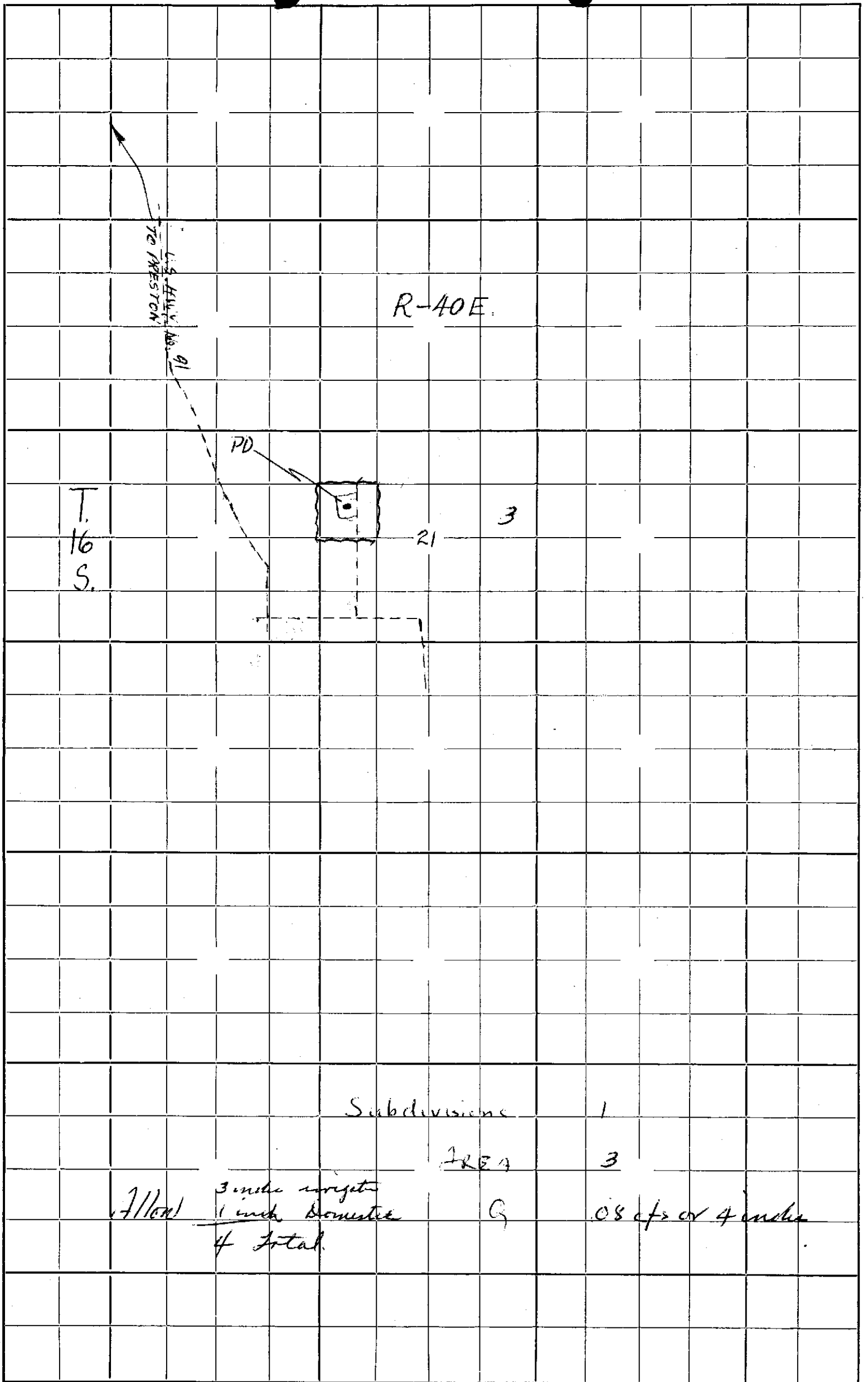
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO G-28798

Lester D. Lowe
Franklin, Idaho

REPORT ON PROOF OF Completion of Works & Beneficial Use



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28798

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

1. Name of applicant Lester D. Lowe, Franklin, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21

T. 16 S. R. 40 E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: 1 H.P. Century Motor Model CS-68LV-FYM1-1A1-Ruth Berry pump. Inlet double jet. Top 1" to 1 1/4", outlet 1 1/2" well 87' X 6" cased all the way down. Perforated. h: 6' very little draw down.

5. Water is used for: irrigation and stock watering

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):

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 16 S., R. 40 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: Mr. Lowe along.

Stock watering consists of 2 Horses & cows and 3,000 Minks (This is primarily a Mink Ranch.)

Rated @ 2200 GPH

This examination was made on the 27th day of September, 19 61

(Signed)

Layne Johnson

Examiner.

28798

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

OCT 3 1961

Department of Reclamation

44-2216
Lester D. Lowe
Franklin, Ida.

Permit No. 28798

Completion of Works
Examination for and Beneficial Use

County Franklin

Sec. 21 T. 16S R. 40E

Quantity: 40 c.f.s.

Source: Well

P.D.: SW. 1/4, Sec. 21, T. 16S., R. 40E. BM.

Use: Irrigation & stock water

Filed: June 14, 1960

Due: June 24, 1965

Extension: —

Completion of Works: —

Other Rights: Early rights in Franklin
Pioneer Dig. Co.
Driller Ronald Dugan
Protest None

October 12, 1961

RE: Permit No. G-28798

Lester D. Lowe
Franklin, Idaho

Dear Mr. Lowe:

Enclosed are Certificate of Completion of Works and License
and Certificate of Water Right on Permit No. G-28798.

Also enclosed is departmental receipt No. G-6604 in the
amount of \$7.00 covering the fees for the Certificate and
License.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. license
certificate
receipt

28798

July 18, 1961

Re: Permit No. G-28798

Lester D. Lowe
Franklin, Idaho

Dear Mr. Lowe:

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.

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28798

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

deposes and says:

being duly sworn,

That he is the 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 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

....., 19....., and ending with the issue of 19.....

Fees, \$.....

Subscribed and sworn to before me this day

of 19.....

Notary Public, Residing at Preston, Idaho

My Commission Expires 19.....

Legal Notices

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

Notice is hereby given that on the third day of July, 1961, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public at Preston, Idaho, proof was submitted of the completion of works for the diversion of 0.08 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. G28798, 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 Lester D. Lowe, Franklin, 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 0.08 cubic feet per second.

3. Said water is to be used for stock watering purposes, and the amount applied to beneficial use is 0.08 cubic feet per second.

4. The point of diversion of said water is in SW¼ of NW¼ of Section 21, Twp. 16 South, Range 40 East of Boise Meridian,

County of Franklin.

5. The place where said water is used is SW¼ of NW¼, Sec. 21, Twp. 16 South, Range 40 E. B. M.

6. The date of priority which said user is prepared to establish is June 14, 1960.

GEO. N. CARTER

State Reclamation Engineer

First Pub. June 1, 1961

Last Pub. June 22, 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 5 1961
Department of Reclamation

Permit No. G 28798

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.

Ans. Lester D. Lowe, residence and post office: Franklin, Idaho,
occupation: farmer and mink breeder.

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

Ans.

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

Ans. G 28798, dated June 24th, 1960 ~~which~~ date of priority 6-14-60

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

Ans. Well; point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Township
16 South, Range 40 East of Boise Meridian, Franklin County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well is 83 feet deep; there is Ruth Berry pump, 200 feet of pipe 1 $\frac{1}{2}$
inch with sprinkler connections.

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

Ans. Water livestock (including mink) and for irrigation. Irrigate three
acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Tp. 16 South, Range 40 E. B. M.
Have irrigated said land during 1961; said land is natural meadow
pasture, which has resulted in a good pasture.

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

Ans. Ronald Dursteler residing at Preston, RFD. drilled the well.

2760

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

Ans. Use it to water mink and cattle; have 3000mink and 3 cows, two horses.

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

Ans. Four miners inches.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. Began to use this well in April, 1961, and the same has been ~~used~~ used since that time and the four miners inches applied for has been used for the purposes above mentioned.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. A small amount of supplemental water from Franklin Pioneer Irrigation Company has been used for irrigation of three acres mentioned; this is a highwater right.

(Sign) _____

Lester D. Lowe

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 third day of July, A. D. 1961.

F. M. Moondie
Notary Public.

My commission expires Nov. 29, 1962.

RECEIVED
JUL 5 1961STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G 28798

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.

Ans. Joseph Davis, age 30 years, residence and post office: Franklin, Idaho, occupation laborer.

Ques. 2. Are you acquainted with Lester D. Lowe, the holder of Permit No. G 28798? How long have you known him and where does he reside?

Ans. Yes. Have known him for four years.

Ques. 3. Have you read or heard read said Permit No. G 28798, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Well; point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 21, Tp. 16 South, Range 40 E. R. M., in Franklin County, Idaho.

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

Ans. Four miners inches; and I have seen that much water used from said source for the purposes mentioned in the permit. I have turned pump on.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Four miners inches, and I have seen that much water or more used from said well; I estimate it on the basis of experience and watching the pump operate. Pump has capacity of from 60 to 80 gals. per minute.

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is being used for watering mink, cows and horses and also
for irrigating three acres of natural meadow land, resulting in good
natural pasture.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land is black loam and it requires all the water from said source
which is available.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None whatever.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have ~~the~~ seen the pump in operation and the water being used during
the season of 1961 for the purposes mentioned in the permit; I work
on the Lowe property; and in my opinion the full amount of four miners
inches is being so used at the present time.

(Signed) _____

Joseph Davis

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 3rd day of July,
A. D. 19 61.

J. M. Landis
Notary Public.

My commission expires Nov. 29, 1962.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED

Department of Reclamation

Permit No. G 28798

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.

Ans. Reuben Lowe, age 75 years, residence and post office Address: Preston, Idaho, occupation retired.

Ques. 2. Are you acquainted with Lester D. Lowe, the holder of Permit No. G 28798? How long have you known him and where does he reside?

Ans. Fifty years; he resides in Franklin, Idaho.

Ques. 3. Have you read or heard read said Permit No. G 28798, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Well; point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 21, Tp. 16 South, Range 40 E. R. M., in Franklin County, Idaho.

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

Ans. Four miners inches, and I have seen that much used from said source for the purposes for which said permit was granted.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Have seen the pump on full force and at least four miners inches being used; estimate the amount from experience in using irrigating water. as a farmer.

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is being used for watering mink, cows and horses, and also for irrigating three acres of natural meadow land. Good pasture has resulted from such irrigation.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Black loam soil and the land being irrigated requires all water available from said source.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None whatever.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have worked on said project, installing pipe line, and have seen the pump in operation at full capacity and the water being used to water mink and livestock, and for irrigating the land mentioned above.

(Signed) _____

Burton Lavee

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 3rd day of July,
A. D. 1961...

J. M. Leardie
Notary Public.

My commission expires Nov. 29, 1962.

RECEIVED
MAY 24 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 23rd, 1961

(P. O.) Franklin, 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.

Franklin Co.

Lester W. Lower

(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.

28798

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

Department of Reclamation

Notice is hereby given that at nine A. M., on the third day of July, 1961, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at (address) Preston, Idaho, proof will be submitted of the completion of works for the diversion of 0.08 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. G28798, 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 Lester D. Lowe, Franklin, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.08 cubic feet per second.
3. The use to which said water has been applied is irrigation and stock watering purposes, and the amount applied to beneficial use is 0.08 cubic feet per second.
4. The point of diversion of said water is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Twp. 16 South, Range 40 East of Boise Meridian, County of Franklin.
5. The place where said water is used is SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 21, Twp. 16 South, Range 40 E. B. M.
6. The date of priority which said user is prepared to establish is June 24th, 1960.

Lester D. Lowe

State Reclamation Engineer

28798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28798
Lester D. Lowe

Date: May 24, 1961

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **July 3, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

Lester D. Lowe

of

Franklin, 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,



GEO. N. CARTER
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

Encl.

28798

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

May 24, 1961

Re: Permit No. G-28798

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Mr. Lester D. Lowe,
Franklin, Idaho.

Dear Mr. Lowe:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28798. The proofs are to be made at 9:00 o'clock A.M., on the 3rd day of July, 1961, ~~1960~~, before P. M. Gendie, Preston, Idaho, Notary Public.

As of this date we have mailed the Notice to the Preston Citizen with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Walters~~
Chief Clerk

Encl.

EPR: ~~mak~~

cc: Notary

28798

July 1, 1960

Re: Permit No. G-28798

Mr. Lester D. Lowe,
Franklin, Idaho.

Dear Mr. Lowe:

We enclose Permit No. G-28798 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. G-4898, which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit, was mailed to you with our letter of June 14, 1960.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

28798

• Dot represents location of well
Land to be irrigated surrounds well

Sec. 21, Tp. 16 S.
Range 40 East R. M.

Permit Map No. 28798
As Approved
GEO. N. CARTER JUN 24 1960
Reclamation Engineer

June 14, 1960

RE: Application No. G-36777

Lester D. Lowe
Franklin, Idaho

Dear Mr. Lowe:

Returned herewith is your application for permit to appropriate subterranean water, with receipt No. G-4898 in the amount of \$5.00 for the filing fee attached.

You claim 0.5 c.f.s. of water to irrigate 3 acres of land and for stock watering. Usually the amount allowed is one fiftieth c.f.s. per acre and one fiftieth c.f.s. for stock watering or a total of 0.08 c.f.s. in your case. That allows 13,000 gallons per day for stock watering which should be sufficient for all the stock you could raise.

Kindly show reason why more water is necessary or change the amount to 0.08 c.f.s. and return the application to this office within 60 days.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

HT:EPR:mr
Enc. application
receipt

28798 R1

a lot of water to irrigate
3 acres of land & stock

See remarks

should be reduced ^{total 4 inches} for irrig of
3 acres
G 28798 Ranch
think maybe OK
GMB

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

Notice is hereby given that at nine A.M., on the third day of July, 1961, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at Preston, Idaho, proof will be submitted of the completion of works for the diversion of 0.08 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. G28798, 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 Lester D. Lowe, Franklin, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.08 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock watering purposes, and the amount applied to beneficial use is 0.08 cubic feet per second.

4. The point of diversion of said water is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, Twp. 16 South, Range 40 East of Boise Meridian, County of Franklin.

5. The place where said water is used is SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 21, Twp. 16 South, Range 40 E. B. M.

6. The date of priority which said user is prepared to establish is June 14, 1960.

GEO. N. CARTER
State Reclamation Engineer
First Pub. June 1, 1961
Last Pub. June 22, 1961, 98