

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 27600/17-2041 Priority Oct. 22, 1958 Amount 3.85 cfs

THIS IS TO CERTIFY, that DARRELL B. TOMLINSON
of Brigham City, Utah, has complied with the terms and conditions of Permit
No. 27600/17-2041 issued pursuant to Application for Permit dated October 22, 1958,
and has submitted proof to the Department of Water Administration on October 23, 1963,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.85 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 3.85 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 3.85 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp. 16 S, Rge. 32 E, B.M.

in the county of Oneida; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,096.5 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

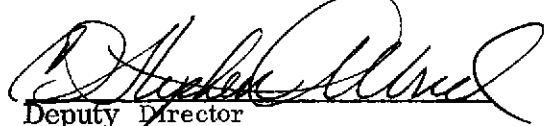
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 S	32 E	16		39	40	40	40	40	40	40	40	40	40	40	40	40	40	40	599

Total number of acres irrigated 599

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19th day of

December, 19 72.


Deputy Director

17 2041

Department of Water Administration

DEC 4 1972

ASSIGNMENT OF PERMIT

Department of Water Administration
Western District OfficeI, Merrill J. Laub, hereby assign to Darrell B. Tomlinsonof Rt. 2, Box 322 Brigham City, Utah 84302,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-27600/17-2041 to appropriate the public waters of the State of Idaho.☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40-acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage.)

_____Made this 30TH day of NOVEMBER, 19 72.Merrill Laub
Permit Holder_____
Spouse of Permit HolderState of UTAH
Idaho)
County of BOX ELDER) ss.On this 30TH day of NOVEMBER, 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.Delmer Foley
Notary Public residing at
Summit UtahMy commission expires: 4-23-74

17 2041

APPLICATION FOR PERMIT

To appropriate the Subterranean Waters of The State of Idaho

ASSIGNED TO: Darrell B. Tomlinson
Route 2, Box 322
Brigham City, Utah 84302

Application No. G- 35536
Permit No. G- 27600
District No.

Merrill J. Laub
Tremonton, Utah

1. Name of Applicant: MERRILL J. LAUB
Postoffice address: Tremonton County: Box Elder State: Utah
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 8 c.f.s. or Idaho
Miners' inches 400 or gallons per minute 3600
 - (b) Annual withdrawal in acre feet per annum 1920
3. Source of water supply: Subterranean waters of the State of Idaho
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16
Twp. 16 S. , Rge. 32 E. , B.M., County of Oneida
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well, cased, with pump
8. Estimated cost of works: \$ 10,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 8 (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSE ISSUED FOR 3.85 SEC. F.
 LICENSE PAGE NO. _____

November 20, 1975

Mr. Keith Anderson
Federal Land Bank
145 W. Main
Tremonton, Utah 84337

Dear Mr. Anderson:

Per your request, attached please find copy of Water License #17-2041 for Darrell B. Tomlinson pertinent to land located in Sec. 16, T16S, R32E.B.M.

The charge for the copy is \$1.00 which you may forward to this office at your earliest convenience (statement copy attached).

If we can be of any further assistance, please advise.

Sincerely yours,

Marcia L. Brown
Records Supervisor

mlb
Enc.

December 22, 1972

Re: Permit No. 27600/17-2041

Mr. Darrell B. Tomlinson
Route 2, Box 322
Brigham City, Utah 84302

Dear Mr. Tomlinson:

Enclosed is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

17 2041

INTER-DEPARTMENT MEMO — 1

DATE December 4, 1972

Department of Water Administration

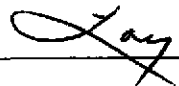
FROM Loy

TO Darlene

SUBJECT Permit No. G27600/17-2041

Attached is all the correspondence we have had with Darrell B. Tomlinson, plus a statement from Mr. Laub, stating he had sent us a check. A copy of our receipt is also attached.

The check was made out to the Department of Water Administration, and signed by Violet D. Morgan. Perhaps you wish to take immediate action on this as they were notified the permit was to be cancelled.



SIGNATURE

17 2041

STATE OF IDAHO
Department of Water Administration

No 7041

Boise, Idaho,

Dec 4

19

72

RECEIVED
FROM

Violet M. Morgan or

\$35.00

Thirty-five and No 100

DOLLARS

FOR

License	\$	35.00
for	\$	
front #	\$	
Q-27600/17-2041	\$	
TOTAL	\$	35.00

for Russell B. Tomlinson
permits - assigned from
muill & Lamb
Gabbie Decker

17 2041

December 4, 1972

Mr. Darrell B. Tomlinson
Route #2, Box 322
Brigham City, UT 84302

Dear Mr. Tomlinson:

Attached herewith is departmental receipt No. 7041 in the amount of \$35.00 for the licensing fee for Permit No. 17-2041.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:BA

Attachment

cc: Ms. Violet D. Morgan
Bar F. Ranch Co.
C/O A. J. Morgan, Manager
Snowville, UT 84336

17-2041

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

RECEIVED

DEC 4 1972

Department of Water Administration
Eastern District Office

November 14, 1972

Mr. Darrell B. Tomlinson
Rt. #2, Box 322
Brigham City, Utah 84302

Dear Mr. Tomlinson:

We are returning your Check No. 97-97 in the amount of \$35.00 to pay for the licensing fee for Permit No. G-27600/17-2041.

Enclosed please find an assignment form for your use. Before we can take action on this permit in the manner you requested, it will be necessary for you to have Merrill J. Laub assign the permit to you, then return the assignment form with the \$35.00 fee and license can be issued in your name. Without the assignment the license would be issued in the name of Merrill J. Laub, the original applicant of the permit.

Please return the assignment and the \$35.00 fee within 10 days, as the permit can be cancelled at any time.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:cw

Enclosure: Assignment Form

Attachment: Ck. No. 97-97

20 Nov. 1972

Enclosed is the above requested Assignment of Permit, and also the required \$35.00 licencing fee.

Respectfully,

Darrell B. Tomlinson

17 2041

~~STANDARD~~ RECEIVED

FROM

Merrill Lamb
Tremonton Utah

DEC 4 1972

Department of Water Administration
Eastern District Office

TO

12
State of Idaho

ADDRESS

Dept of Water Administration
Boise

Dear Sir

This was filled
on 1961 & 1962
By Mr E L Scott at
attorney at malad
city Idaho

I completed
Please go back over
your records,
I had sent you
a check.

I will try &
find it.

Thank you

17 2041

17-2041

November 14, 1972

Mr. Darrell B. Tomlinson
Rt. #2, Box 322
Brigham City, Utah 84302

Dear Mr. Tomlinson:

We are returning your Check No. 97-97 in the amount of \$35.00 to pay for the licensing fee for Permit No. G-27600/17-2041.

Enclosed please find an assignment form for your use. Before we can take action on this permit in the manner you requested, it will be necessary for you to have Merrill J. Laub assign the permit to you, then return the assignment form with the \$35.00 fee and licensing can be issued in your name. Without the assignment the licensing would be issued in the name of Merrill J. Laub, the original applicant of the permit.

Please return the assignment and the \$35.00 fee within 10 days, as the permit can be cancelled at any time.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:cw

Enclosure: Assignment Form

Attachment: Ck. No. 97-97

17-2041

RECEIVED

NOV 14 1972

Department of Water Administration
Eastern District Office

11 Nov. 1972

State of Idaho
Department of Water Administration
Eastern District Office
240 South Holmes Avenue
Idaho Falls Idaho 83401

Re: Permit No. G-27600/17-2041
Your letter of 29 July 1971

Darrell B. Tomlinson
Rt. 2, Box 322
Brigham City, Utah 84302

Dear Sir:

I was advised that permit G-27600/17-2041 is subject to cancellation unless a licensing fee of \$35 is paid. Since my family now controls the water being pumped by this permit, I am enclosing the required fee.

Request that the Certificate of Completion of Works and Certificate of Water Right be sent to me.

Respectfully,

Darrell B. Tomlinson

Darrell B. Tomlinson

17 2041

July 29, 1971

Re: Application for Permit No. 17-7013
Permit No. 17-2041

Darrell B. Tomlinson
Route #2, Box 322
Brigham City, Utah 84302

Dear Mr. Tomlinson:

In reviewing your application for permit No. 17-7013, we find also covering Sec. 16, a Permit No. G-27600/17-2041 in the name of Merrill J. Laub. Mr. Laub's permit provides water rights for a well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, and is for the irrigation of 599 acres in Section 16. The permit will be subject to cancellation unless a licensing fee requested of Mr. Laub in 1964 in the amount of \$35 is paid. Once the licensing fee is submitted, the Department can issue the license and then since you now control the land, this water right will also be under your control. Obtaining Mr. Laub's water right would have an advantage in that the priority would be October 22, 1958.

We are enclosing a copy of the permit and our fee letter dated 1964. Your assistance in this matter is greatly appreciated.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enc: Copy of Permit No. 17-2041
Copy of fee letter

17-2041

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

Notice is hereby given that at 11:00 A.M., on the 23rd day of October, 1933, at Malad City, County of Oneida, State of Idaho, before E. L. Scott, Notary Public at 26 Court St., proof will be submitted of the completion of works for the diversion of 8 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27600, 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 Merrill J. Laub, Tremonton, Utah.

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 8 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 8 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, Township 16 South, Range 32 East, Boise Meridian.

5. The place where said water is used is Section 16, Township 16 South, Range 32 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is October 22, 1958.

CARL E. TAPPAN
State Reclamation Engineer

19-19-26 10-3-10 t4

State of Idaho

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 6, 1964

Re: Permit No. G-27600

Merrill J. Lamb
Tremonton, Utah

Dear Mr. Lamb:

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-27600 shows the well is (~~3.85~~) capable of conveying 198.5 miner's inches, or 3.85 c.f.s. of water for the irrigation of 599 acres.

Upon receipt of the statutory fees, totaling \$ 35.00, which consists of a Completion of Works fee of \$ ----- and License and Certificate of Water Right fee of \$ ----- based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of October 22, 1958 to the use of 3.85 second feet of subterranean water with the point of diversion in the SW 1/4, Sec. 16 for irrigation of 599 acres in the W 1/2, NE 1/4, S 1/2, E 1/2, Sec. 16, T. 16 S., R. 32 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Bule
Chief Clerk

EPR:mr

27600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27600

REPORT ON PROOF OF Completion of Works and Beneficial Use
Perrill J. Laub
Tremonton, Utah

27600

$\frac{1}{4} = .19 = 2.88$
 $\frac{1}{2} = .38 = 5.76$

3.85 cts

R 32 E

T
 16
 S.

PO $\rightarrow$

40	40	39	
40	40	40	40
40	40	40	40
40	40	40	40

119

160

160

160

599

Subdivisions

15

AREA

599 acs.

$\phi = 3.85$ cts or $192\frac{1}{2}$ inches

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

Permit No. G-27600This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Merrill J. Laub2. Source of water supply: well3. Location of point of diversion: Is in the SW 1/4 of Section 16T. 16 S R. 32 E County of Oneida4. Describe works as they exist, giving dimensions and capacities of same: RP M-M

Butane (6 cyl.) Engine Model # 800 6A, Ser # 06602617, - US Holman-4
Gear Drive # 1112607 - 2:3 Ratio, Wintcoth Pump # 9307, 10" x 10'
discharge pipe to concrete spillbox to open ditches - (There is a V8
Chrysler industrial Butane Engine with direct coupled to a 5" x 6" Centrifugal
pump that pumps out of the ditches into a portable sprinkler system.)

5. Water is used for: Irrigation6. 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):

Sec. 16, T. 16 S., R. 32 E., B.M. LESS NINE

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

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

Remarks: No one around

(celebrating July 24)

Measured by California pipe method.

This examination was made on the 24th day of July, 1964

(Signed) _____

Larry Johnson

Examiner.

27600

Merrill J. Laub
Tremonton, Utah

Permit No. G-27600

Examination for Completion of Works & Beneficial Use

County.....Oneida.....

Sec. 16 T. 16S R. 32E

Quantity: 800 ft

Source: Well

P.D.: Section 16-16S-32E

Use: Irrigation

Filed: 10-22-58

Due: 11-7-63

Extension:

Completion of Works:

Other Rights:

INSTRUCTIONS TO EXAMINERS

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

RECEIVED

AUG 7 1961

Department of Reclamation

27600

1M April 1962

XXXXXXXXXX

November 1, 1963

Re: Permit No.

G-27600

Merrill J. Laub
Tremonton, Utah

Dear Mr. Laub:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Idaho Enterprise, all submitted in proof of completion of works and beneficial use on Permit No. G-27600.

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,

~~WILLIAM H. CARTER~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: ~~mr~~

27600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-27600

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Merrill J. Laub Tremonton, Utah Merchant & Tremonton, Utah
Farmer

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-27600 Nov. 7, 1958 Oct. 22, 1958 November 7, 1958

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

Ans. Subterranean water The Southwest quarter of the Northwest quarter of Section 16, Township 16 South, Range 32 East, Boise Meridian, County of Oneida

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. 315 Feet Depth 215' depth 16" casing 65 feet

400 Idaho Miner's inches, Deep Well 315 ft. deep, 215 feet of 16" casing, with Turbine Type Pump, open ditch from pump to place of use, capable of conveying 8 c.f.s. of water. Static water level 65 feet.

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. Irrigation, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (40A.)
NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ SW $\frac{1}{4}$
(40 A.), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.)
SW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.) Cultivated all in Section 16
16 South, Range 32 East, Boise Meridian, County of Oneida

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

Ans. J. J. Burkhardt 169 N. 1st west
Tremonton Utah

27600

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

Ans. _____

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

Ans. Miner's 1" per acre

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. May 1959 for Irrigation purposes

Approximately 8 c.f.s. of water has been used for irrigation purposes during the irrigation seasons since May, 1959

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. None

(Sign) Mervil Lamb

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 Maldad City, County of Oneida, State of Idaho, on this 23rd day of October, A. D. 19 63.

My commission expires May 19, 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-27600

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:

William R. Mills 48 Stone, Idaho, Farmer Stone, Idaho

Ques. 2. Are you acquainted with Merrill J. Laub, the holder of
Permit No. G-27600 ? How long have you known him and where does he reside:

12 Years Tremonton, Utah

Ques. 3. Have you read or heard said Permit No. G-27600 read, and are you familiar
with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: Subterranean water

State place of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF Section 16, Twp. 16 S., Rge. 32 E., B.M.
County of Oneida

Describe works for conveying water to place of use: Turbine Type Pump, Ditches
for conveying

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 8 second feet How much water have you seen being so
conveyed: 8 second feet

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.)
SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.)
SE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.)
of Section 16, Township 16 South, Range 32 East, Boise Meridian, County of
Oneida

27600

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Clay Loan 8 second feet

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

Ques. 10. When did you first see this water used: May 1959

Other times you have seen such use: Summers following 1959

(Signed)

William R. Mills

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 Malad City

 , County of Oneida, State of Idaho, on this 23rd day of October,

A. D., 1962. 1963

E. J. Scott

Notary Public for State of Idaho

Residing:

Malad Idaho

My commission expires: May 19, 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-27600

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

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

T J Burkhart 169 N. 1st West Tremonton, Utah

age 63 Well Digger Tremonton, Utah

Ques. 2. Are you acquainted with Merrill J. Laub, the holder of
Permit No. G-27600 ? How long have you known him and where does he reside:

30 years Tremonton, Utah

Ques. 3. Have you read or heard said Permit No. G-27600 read, and are you familiar
with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: Subterranean water

State place of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Twp. 16 S., Range. 32 E., B.m.
County of Oneida

Describe works for conveying water to place of use: Turbine type Pump, ditches
for conveying

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 8 second feet How much water have you seen being so
conveyed: 8 second feet

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.)
SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.)
SE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 A.)

OF Section 16, Township 16 South, Range 32 East, Boise Meridian, County of
Oneida

27600

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Clay loam 8 second feet

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

Ques. 10. When did you first see this water used: May 1959

Other times you have seen such use: Summers following 1959

(Signed)

J. F. Burkhardt

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 Malad City

 , County of Oneida, State of Idaho, on this 23rd day of October,
A. D., ~~1962~~ 1963

E. J. Scott

Notary Public for State of Idaho

~~Residing~~

Malad Idaho

My commission expires: May 19, 1967

Affadavit of Publication

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

Notice is hereby given that at 11:00 A.M., on the 23rd day of October, 1963, at Malad City, County of Oneida, State of Idaho, before E. L. Scott, Notary Public at 26 Court St., proof will be submitted of the completion of works for the diversion of 8 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27600, 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 Merrill J. Laub, Tremonton, Utah.

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 8 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 8 cubic feet per second.

4. The point of diversion of said water is SW 1/4 NW 1/4 Section 16, Township 16 South, Range 32 East, Boise Meridian.

5. The place where said water is used is Section 16, Township 16 South, Range 32 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is October 22, 1958.

CARL E. TAPPAN
State Reclamation Engineer
9-19-26 10-3-10 t4

State of Idaho
County of Oneida, ss.

Louis H. Evans being first duly sworn on

her oath, states: That *she* is *bookkeeper* of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for *4* successive weekly issues thereof the date of the first publication being the *17* day of *Sept.*, 19*63* the date of the last publication being the *10* day of *Oct.*, 19*63*.

Louis H. Evans
Subscribed and sworn to before me this *23rd* day of *October*, 19*63*

Notary Public, ~~residing~~ at Malad, Idaho

My Commission expires the *19* day of *May*, 19*67*.

Costs: *50* lines at 13c per line first insertion \$ *6.50*
.....lines tabulated at 20c per line \$.....
10c per line each subsequent insertion \$ *15.00*
TOTAL \$ *21.50*

(Rates for legal notices are fixed by Idaho law)

276000

September 10, 1963

Re: Permit No. G-27600

Mr. Merrill J. Laub,
Tremonton, Utah.

Dear Mr. Laub:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27600. The proofs are to be made at 11:00 o'clock A.M., on the 23rd day of October, 19 63, before E. L. Scott, 26 Court St., Malad City, Idaho, Notary Public.

As of this date we have mailed the Notice to the Idaho Enterprise Malad City, Ida. 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,

~~XXXXXXXXXXXX~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

27600

Re: Permit No. G-27600
Merrill J. Laub

Date: September 10, 1963

Idaho Enterprise,
Malad City, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to October 23, 1963 the date set for proof; the expense of the publication is to be paid by the applicant Merrill J. Laub of Tremonton, Utah 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
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.

CET:pmk

27600

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

Notice is hereby given that at 11:00 A.M., on the 23rd day of October
19 63, at Malad City, County of Oneida, State of Idaho,
before E. L. Scott, Notary Public, at (address) 26 Court St.

_____, proof will be submitted of the completion of works for
the diversion of 8 cubic feet per second of underground water from a well, and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G-27600, 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 Merrill J. Laub Tremonton, Utah

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 8 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 _____
cubic feet per second.

4. The point of diversion of said water is SW¹/₄NW¹/₄ Section 16, Township 16 South,
Range 32 East, Boise Meridian

5. The place where said water is used is Section 16, Township 16 South, Range
32 East, Boise Meridian

6. The date of priority which said user is prepared to establish is October 20,
November 1, 1958

CARL E. TAPPAN

State Reclamation Engineer

27600

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 7, 1963

(P. O.) Tremonton, Utah

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Idaho Enterprise of
Malad City, Idaho published in the
county in which the works are situated.

Merrell L. Lusk

(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

27600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 27600

Aug. 30, 1963

Merrill J. Laub
Tremonton, Utah

Dear Mr. Laub:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-27600 are due not later than **Nov. 7, 1963**

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,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures Form 36 - 11

27600

November 14, 1958

Re: Permit No. G-27600
Merrill J. Laub

Ray & Scott
Attorneys At Law
Malad City, Idaho

Attention: E. L. Scott

Dear Mr. Scott:

We enclose Permit No. G-27600, in the name of Merrill J. Laub, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

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

We also enclose departmental receipt No. G-3668, which was issued covering payment in the amount of \$6.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

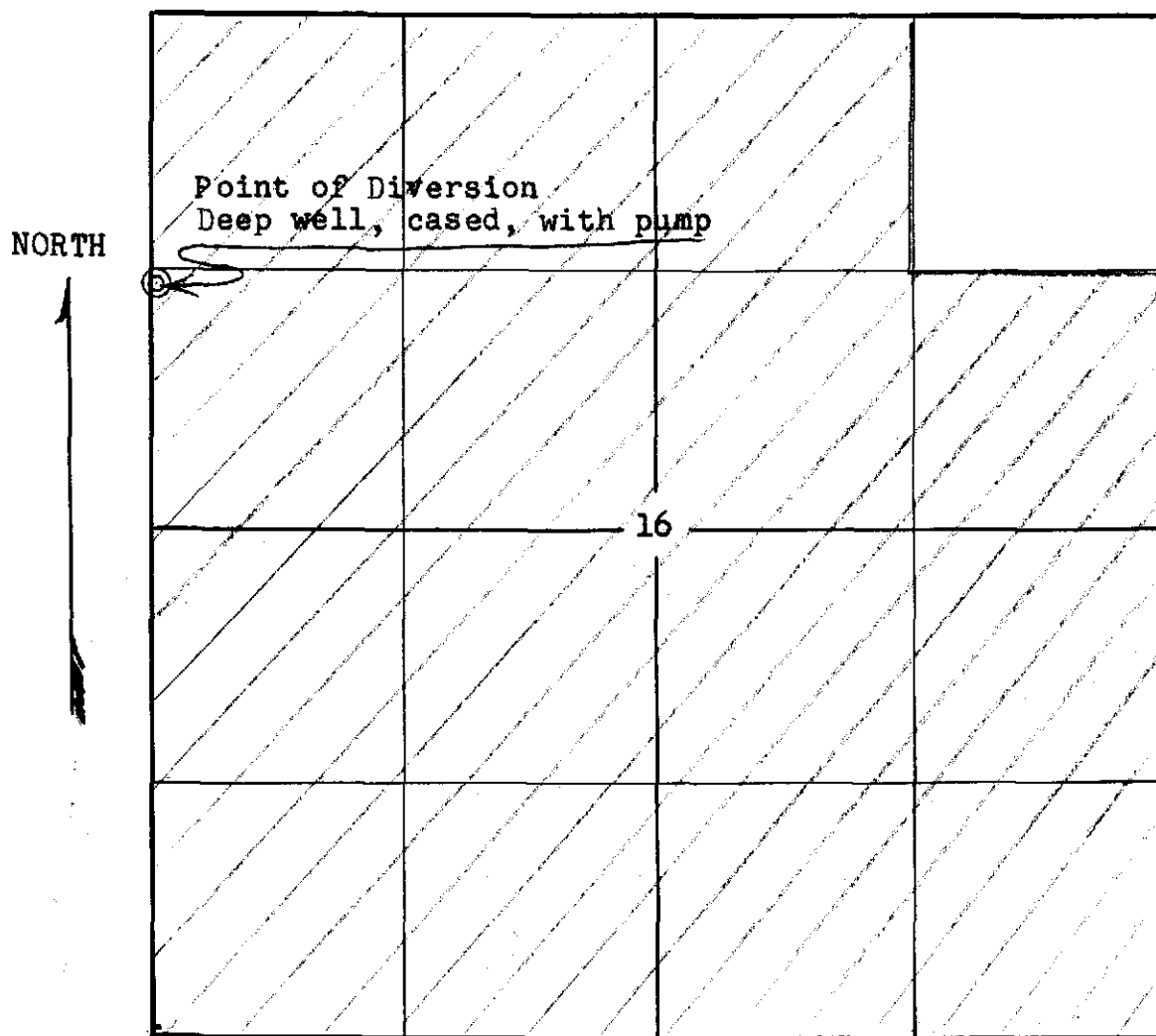
EPR/lw
Encls. (2)
cc: Merrill J. Laub
Tremonton, Utah

27600

NAME OF APPLICANT:

Merrill J. Laub

Section 16
Township 16 South, Range 32 East, Boise Meridian



Scale: 1 inch = 60 rods

Permit Map No. ~~4-11~~ 27600
As Approved NOV 7 1958
GEO. N. CARTER
State Reclamation Engineer

27600

Ray & Scott
Attorneys
Malad City
Idaho

RECEIVED
OCT 28 1958
Department of Reclamation

October 27, 1958

Mr. Geo. H. Carter
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Re: Application for Permit
Merrill J. Laub

Dear Mr. Carter

The 160 shares of the capital stock of the Delmore Canal Co. shown on the above application constitute personal property, and the water represented thereby doesn't become appurtenant to the land upon which it is used.

Would you kindly strike out the "160 shares of the Capital Stock of the Delmore Canal Company" as shown on the application. With this amendment, I believe the balance of the 13th question would be proper.

Thanking you kindly, I remain,

Very truly,

Ray & Scott

By

E. Scott

27600

October 22, 1958

Re: Application for Permit
Merrill J. Laub

Ray & Scott
Attorneys
Malad City, Idaho

Attention: E. L. Scott

Dear Mr. Scott:

The Application for Permit in the name of Mr. Merrill J. Laub was received. At bottom of page two, under 13, there is shown 160 shares capital stock of Delmore Canal Co. as being appurtenant to the lands under the application, however, under 13b, 8 cubic feet per second is shown for new lands. It would appear that one of the statements is in error.

The application with attached checks will be held pending further information concerning existing water rights. If the shares are appurtenant to all of the land, the water under this application would all be supplemental.

Very truly yours,

Geo. N. Carter
State Reclamation Engineer

RT/nls

27600

RT

RECEIVED
OCT 22 1958
Department of Reclamation

Ray & Scott
Attorneys
Malad City
Idaho

October 20, 1958

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Please find enclosed Application of Merrill J. Laub to appropriate the subterranean waters of the State of Idaho, together with his check in sum of \$6.75 based upon application for 8 c.f.s. of water.

Please issue permit and oblige.

Thanking you kindly, I remain,

Very truly,

Ray & Scott

By

E. H. Scott

27600