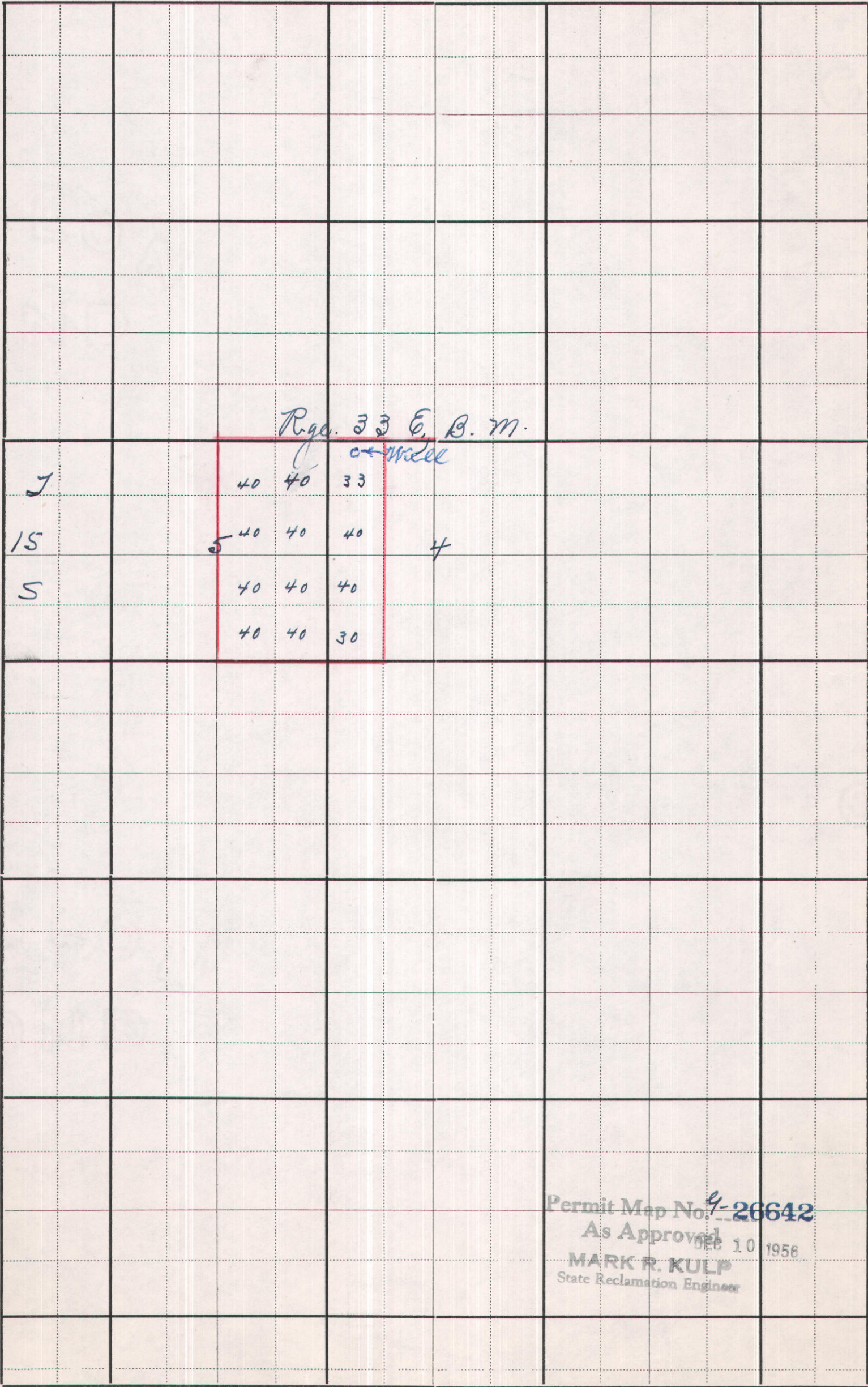




Permit Map No. 9-26642
As Approved
DEC 10 1956
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. G-26642Amount 0.26 c.f.s.

Water District No. _____

Priority November 29, 1956

THIS IS TO CERTIFY that COLEN H. & MARY C. SWEETEN
 of Malad, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated November 29, 19 56; that Permit No. G-26642
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.26 second feet, was issued thereunder on December 14, 19 61, showing that said works
 were completed on the 1st day of December, 19 61; and that on the 1st
 day of December, 19 61, COLEN H. & MARY C. SWEETEN

of Malad, 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-26642 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
12 of Licenses at page 7228, on the 14th day of December, 19 61;
 The right hereby confirmed dates from November 29, 19 56;

The Point of Diversion is located
 in the NW 1/4 NW 1/4, Sec. 4, Twp. 15 S, R. 33 E, B. M. Oneida 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 0.26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	33 E	4	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33	33
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	30	30
		5	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		453

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
14th day of December, 19 61.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 21210 (Part) Amount .02 c.f.s.
Water District No. Priority October 21, 1951

THIS IS TO CERTIFY that JAMES D. CHAPMAN and GLADYS WAYNE
of Lowman, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 22, 1949; that Permit No. 21210
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.7 second feet, was issued thereunder on August 30, 1954, showing that said works
were completed on the 26th day of August, 1954; and that on the 1st
day of November, 1960, JAMES D. CHAPMAN, Assignee -
DALE & ETHEL LOWE
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Emma Creek
, a tributary of So. Fk. Payette River, for the purpose of domestic use
, under Use Permit No. 21210 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
12 of Licenses at page 7227, on the 12 day of December, 1961;
The right hereby confirmed dates from October 21, 1951;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 33, Tp. 5 N., R. 8 E., B. M. Boise 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 .02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	8 E.	33	Tract No. 6 of Survey No. 60653-107 of H. E. S. No. 248	FOR DOMESTIC USE	

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 December, 1961.

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

APPLICATION FOR PERMIT 17-20

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34529
 Permit No. G- 26642
 District No.

Colen H. Sweeten
 142 Bannock St. 167N 100W St.
 Malad City, Idaho

1. Name of Applicant: COLEN H. & MARY C. SWEETEN
 Postoffice address: 142 Bannock St., Malad County: Oneida State: Idaho
2. Quantity of water claimed: 13 miner's inches
 - (a) Rate of withdrawal in cubic feet per second. 0.26 or Idaho
 Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a drilled well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4
 Twp. 15 S. , Rge. 33 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: Pump and ditches
8. Estimated cost of works: \$ See Permit No. G-24061
9. (a) Is reservoir to be used? Just an overnight reservoir. Stores about 8 acre feet.
 (b) Capacity of reservoir: 8 Acre Feet
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: See License No. G-24061.
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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/ COLEN H. & MARY C. SWEETEN.
Applicant.

By /s/ COLEN H. SWEETEN, JR. Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-26642

Recorded in Book 94 Page 26642 Approved December 10, 1956

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 June 10, 1959.

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **December 10, 1961.**

Witness my hand this 10th day of December, 1956.

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, 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 10th
day of December, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
15 S	33 E	5 4	40	40	40	40					33	40			40	30			40	40	40	40	320 143
Total number of acres to be irrigated 463																							
Permit No. G-26642																							
CERTIFICATE OF COMPLETION OF WORKS																							
TO ALL WHOM IT MAY CONCERN:																							
This is to certify that COLEN H. & MARY C. SWEEPEN of Malad, County of Oneida, and State of Idaho, the holder of Permit No. G-26642, issued upon Application No. G-34529 bearing date of priority of November 29, 1956, authorizing the diversion of 0.26 second feet of waters of a well County of Oneida, 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 work of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the point of intended use 0.26 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is NW¼NW¼, Sec. 4, T. 15 S., R. 33 E., B.M. and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: 453 acres in W½W½, Sec. 4; E½, Sec. 5, T. 15 S., R. 33 E., B.M.																							
Witness my hand this 14th day of December, A.D. 1961.																							
/s/ RALPH W. THOMAS Deputy State Reclamation Engineer																							
Proof of Completion of Works Made: December 1, 1961																							
LICENSE ISSUED FOR 0.26 SEC. FL page 7228																							

December 14, 1961

RE: Permit No. G-26642

Colan H. Sweeten
167 N 100 W Street
Malad City, Idaho

Dear Mr. Sweeten:

Enclosed are Certificate of Completion of Works and License
and Certificate of Water Right on Permit No. G-26642.

Also enclosed is departmental receipt No. G-6734 in the
amount of \$13.00 covering fees for the Certificate and the
License.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
certificate
receipt

18-26642

December 4, 1961

Re: Permit No. G-26642; G-24061

Colen H. Sweeten
142 Barnock St.
Malad, Idaho

Dear Mr. Sweeten:

We have received your depositions and affidavit of publication in regard to Permit No. G-26642.

Your application for a change in place of use of water under Water License No. G-24061 has been approved and the certificate will be mailed to you as soon as it has been recorded in this office. That certificate makes the licensed water right appurtenant to the W¹/₂SW¹/₄, Sec. 4; E¹/₂, Sec. 5, T. 15 S., R. 33 E., B. M.

Upon receipt of the statutory fee of \$13.00, we can issue the Certificate of Completion of Works (\$5.00 fee) and the License and Certificate of Water Right, fee \$8.00 (2.00 for each 40-acre subdivision for the W¹/₂SW¹/₄, Sec. 5) under Permit No. G-26642 for 0.26 cubic feet per second from a well in NW¹/₄SW¹/₄, Sec. 4, for irrigation of 453 acres in W¹/₂SW¹/₄, Sec. 4; E¹/₂, Sec. 5, T. 15 S., R. 33 E., B. M., with a priority of November 29, 1956.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

824061

826642

RECEIVED
DEC 4 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G 26642

Proof of Application of Water to Beneficial Use

Deposition of Holder and Completion of Works

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

Ans. Colen H. Sweeten 142 Bannock st. Malad, Idaho
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 26642 Dec. 10, 1956 Priority Nov. 29, 1956

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

Ans. Drilled well NW1 NW1 sec 4 Twp 15 So. Range 33 EBM

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. Overnight storage reservoir and surface ditches. 1300 feet
of underground concrete pipe

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, NW1 sec 5 Twp 15 Range 33 EBM

All of said land has been irrigated. This application is in
connection with license G-24061 which didnot include sufficient
acorage. This is to secure right to the remaining .26 cubic feet
of water.

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

Ans. Albert Dalton, Salt Lake City, Utah

G26642

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. _____

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. All the water has been used upon the above described lands
for a period of more than five years for the purpose of irrigating
crops.

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) Coleman H. Sweeten

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 Malad County of Oneida, State of Idaho, on this ✓ 1st day of ✓ December, A. D. 1961.

My commission expires

Nov. 29, 1964

✓ Jno. B. Jones

826642

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 26642

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. M. C. Grover Malad Idaho
County Extension Agent

Ques. 2. Are you acquainted with Colen H. Sweeten, the holder of Permit No. G 26642? How long have you known him and where does he reside?

Ans. Yes 25 years Malad, Idaho

Ques. 3. Have you read or heard read said Permit No. G26642, 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. drilled well, overnight reservior, pine line and
open ditches.

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. 612 cu. ft. same

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. about 6 cu. ft. estimate

G 26642

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. Irrigation, W¹E¹sec 5 twp 15 S Rge. 33 EBM
cultivated land. All watered and raised grain and alfalfa.

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. Medium soil, leveled land. This water is sufficient when
used with water previously claimed from same well.

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

Ans. no

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. As part of my work I have observed the use of water on said
land for the past five years. The use of the water has in-
creased the production of the farm.

(Signed) M. C. Strawn

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
County of Oneida, State of Idaho, on this 1st day of December
A. D. 1961.

Gas B Jones
Notary Public.
My commission expires Nov. 20, 1964

26642

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 26642

Proof of Application of Water to Beneficial Use

Deposition of ~~Witness~~ Completion of Works

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. S. L. Smith Malad, Idaho
farmer 90 E. 100 N. st. Malad, Idaho

Ques. 2. Are you acquainted with Colen H. Sweeten, the holder of Permit No. G 26642? How long have you known him and where does he reside?

Ans. 50 years Malad, Idaho

Ques. 3. Have you read or heard read said Permit No. G 26642, 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. Drilled well, overnight Reservoir, pipe line and
open ditches.

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. 6.12 cu ft. same

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. About 6 cu ft. estimate

B26642

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. Irrigation. W¹/₂E¹/₂ sec 5 twp 15 S rge. 33 EBM Cultivated land
All watered and raised grain and alfalfa.

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. Medium soil leveled land. This water is sufficient when used
with water previously claimed from same well.

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

Ans. no

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. As a neighbor I have observed the use of water on said
land for the past five years. Crops raised have increased the
value of the farm.

(Signed)

Stephen L. Smith

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
County of Oneida, State of Idaho, on this 1st day of December
A. D. 1961.

Gas B. Jones
Notary Public.

My commission expires Nov 20, 1964

826642


No Engr. Report
Necessary

See report in File
G-24061

G 26642

G 26642

RECEIVED
OCT 6 1961
DEPARTMENT OF RECLAMATION

Affadavit of Publication

State of Idaho
County of Oneida, ss.

Matthews being first duly sworn on
his oath, states: That he is *Chief Clerk*

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 *26th* day of *October*, 19*61*... the date of the last publication being the *16th* day of *November* 19*61*...

Matthews

Subscribed and sworn to before me this *28* day of

Nov, 19*61*

Colin H. Sweeten Jr.

Notary Public, residing at Malad, Idaho
Clerk of the district court

My Commission expires the *12* day of *June*, 19*63*.

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)

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 1st day of December, 1961, at Malad, County of Oneida, State of Idaho, before James B. Jones, Notary Public, at 15 N. Main St., proof will be submitted of the completion of works for the diversion of 0.26 cubic feet per second of underground water from a well, and of the application of beneficial use of said water, in accordance with the terms and conditions of Permit No. *6-26642*, 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 *Colin H. and Mary C. Sweeten, 167 N. 100 W. St., Malad, 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 *6.12* 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 *0.26* cubic feet per second.

The point of diversion of said water is *NW 1/4 NW 1/4 Sec. 4 Twp. 15 S. Rge. 33 EBM.*

5. The place where said water is used is *W 1/2 E 1/2 Sec. 5, Twp. 15 S. Rge 33 E.B.M.*

6. The date of priority which said user is prepared to establish is *Nov 20, 1956.*

GEO. N. CARTER
State Reclamation Engineer
10-26 11-18 64

626642

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26642
Colen H. and Mary C. Sweeten

Date: Oct. 20, 1961

Idaho Enterprise,
Malad, Idaho.

Gentlemen:

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

Colen H. & Mary C. Sweeten of **167 N. 100 W. St., Malad, 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
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.

S 26642

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

October 20, 1961

Re: Permit No. G-26642

DEPARTMENT OF RECLAMATION
BOISE, IDAHO
OCTOBER 20, 1961

Colan H. & Mary C. Sweeten,
167 N. 100 W. St.,
Malad, Idaho.

Dear Mr. & Mrs. Sweeten:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26642. The proofs are to be made at 10:00 o'clock A.M., on the 1st day of December, 1961, ~~before~~ before James B. Jones, 15 N. Main St., Malad, Notary Public.

As of this date we have mailed the Notice to the Idaho Enterprise 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. ^{Rule} ~~Stark~~
Chief Clerk

Encl.
EPR: pmk
cc: Notary

826642

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 1st day of December 1961, at Malad, County of Cnada, State of Idaho, before James B. Jones, Notary Public, at (address) 15 N. Main st., proof will be submitted of the completion of works for the diversion of 0.26 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. 26642, 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 Colen H. and Mary C. Sweeten, 167 N. 100 W. St., Malad, 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 6.12 cubic feet per second.

3. The use to which said water has been applied is irrigation of grain, alfalfa, potatoes and pasture purposes, and the amount applied to beneficial use is 0.26 cubic feet per second.

4. The point of diversion of said water is NW 1/4 NW 1/4 Sec. 4, Twp. 15 S. Rge. 33 ERM

5. The place where said water is used is W 1/4 Sec. 5, Twp. 15 S. Rge 33 E.B.M.

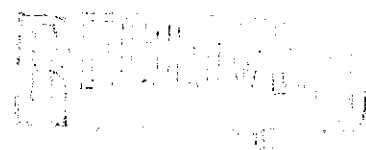
6. The date of priority which said user is prepared to establish is Nov. 29, 1956 ~~Apr 11 28, 1953~~

Geo. A. Carter

State Reclamation Engineer

26642

D



Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 17, 1961
(P. O.) 167 N. 100 W. st. Malad, 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
Idaho Enterprise of Malad, Idaho published in
the county in which the works are situated. *Oreida Co.*

Colen H. Sweeten

By Colen H. Sweeten Jr.

(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.

S26642

October 18, 1961

RE: Permit No. G-26642
License No. G-24061

Colen H. Sweeten, Jr.
167 N 100 W Street
Malad, Idaho

Dear Mr. Sweeten:

Enclosed is receipt No. G-6617 for \$1.50 fee for copy of Permit No. G-26642. Also enclosed is Form 11.

The notice for publication of your proposed change in place of use is prepared in this office and mailed direct to the paper. You may complete the Form 11 showing the name of the county paper you wish to carry the notice. In your case it appears that the Malad paper is the only one in Oneida County.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. Form 11
receipt

26642

RECEIVED
OCT 16 1967

Department of Reclamation

Dear Mr Thomas;

Thank you very much for your prompt reply to my inquiry on permit # G-26642. You will find my check inclosed to cover cost of the copy which you sent to me. I think that the information you sent will enable us to accomplish what we had in mind and we appreciate your service.

Now I would like to have you send me a form for publishing notice of change of use to use in connection with form 20. If such a form is available I can send in all the papers at once. Form 20 applies to License G- 24061.

sincerely,

Colin H. Sweeten Sr.

167 N. 100 W. st.
Malad, Idaho

G26642

October 12, 1961

Re: Permit No. G-26642

Colen H. Sweeten, Jr.
167 N. 100 W. St.
Malad City, Idaho

Dear Mr. Sweeten:

As requested in your letter received today, we are enclosing a copy of the permit. Also enclosed is Form 20.

Water License No. G-24061 was issued for 5.86 cubic feet per second, 293 miners inches, to irrigate 293 acres in the W¹/₂ E¹/₂, Sec. 4; E¹/₂ E¹/₂, Sec. 5, T. 15 S., R. 33 E., B. M. The engineer's report shows you were also irrigating 160 acres in the W¹/₂ E¹/₂, Section 5. Under the license you have one miner's inch per acre of land which is the maximum allowable.

This permit claims 13 miner's inches, the difference between quantity produced by the well, 306 inches, and the amount allowable on the license, 293 inches. We cannot allow any additional water to the land under license without exceeding the 1 miner's inch per acre, so the water would have to be appurtenant to the 160 acres of land in the W¹/₂ E¹/₂, Section 5.

To show an equal priority and quantity of water on all of your land, you can complete the Form 20, changing the place of use of the water under License No. G-24061 to W¹/₂ E¹/₂, Sec. 4; and E¹/₂ E¹/₂, Sec. 5, T. 15 S., R. 33 E., B. M. It would be necessary to have a legal notice in two weekly issues of your county newspaper, at your expense. Provided no valid protest is received in regard to the request for change of place of use, this office could then issue a certificate showing the new place of use of the 5.86 cubic feet per second of water upon payment of the \$1.00 fee, and the Water License No. G-26642 could be issued for 13 inches of water to irrigate the 453 acres of land as shown on the engineer's report for Permit No. G-24061.

There is a fee of \$1.50 for copy of the permit which you may remit to this office at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26642

RECEIVED
OCT 12 1961

Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter;

Thank you for your letter of Oct. 2nd notifying of time to present final proof on permit No. G-26642. We are unable to locate the permit at this time. I beleive I helped my parents fill out the application and as I remember it the permit was to add lands that had been unintentionaly left out of the original permit # G-24061. The water is from the same well and would bethe part not alowable under the maximum in permit # G-24061.

The ground covered should be all of the west half of the east half of Sec.5 twp.15 S. Rge. 33 E.B.M. The Attorney who helped us with the first application left out part of the description and we didn't find it out until time for proof and that time thought it best to prove as it was and do the other later.

If you could send a copy of the permit I would be glad to pay the charge, or any other help you can give that would enable us to do this properly will be greatly appreciated.

sincerely,

Colen H. Sweeten Jr.

Colen H. Sweeten Jr.

P 26642

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26642

Date: Oct. 2, 1961

Colen H. & Mary C. Sweeten
142 Bannock St.
Malad City, Idaho

Dear Mr. & Mrs. Sweeten:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-26642 are due not later than **December 10, 1961.**

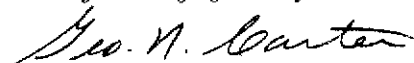
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken 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 that 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 of, or points of diversion; and the location of use of 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 Form 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,



GEO. N. CARTER

State Reclamation Engineer

Enclosures 36 - 11

826642

January 4, 1957

Re: Permit No. G-26642

Mr. Colen H. Sweeten, Jr.
142 Bannock Street
Malad, Idaho

Dear Mr. Sweeten:

We enclose Permit No. G-26642 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-2310 for \$5.00 filing fee in connection with the above captioned permit is enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:ab
Encls.

G26642

LEN H. SWEETEN & MARY C. SWEET

[illegible]

Permit Map No. **4-26642**
As Approved **DEC 10 1956**
MARIC P. KULA
State Geologist, Arizona

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

826642

RECEIVED
NOV 29 1956



The
LAMPOST

Hotel Boise, Boise, Idaho
Department of Information

Enclosed is Check for \$5.00 for
filing fee on transfer of water rights
for Coleman H. & Mary C. Sweeten as taken up
on my visit to the office on Nov. 26th

Sincerely

Coleman H. Sweeten Jr.

266642



Honolulu, T. H.: Hawaiian Village

Seattle: Olympic, Benjamin Franklin, Roosevelt; Spokane, Wash.: Davenport; Tacoma: Winthrop; Wenatchee, Wash.: Cascadian;
Bellingham, Wash.: Leopold; Salt Lake City: Newhouse; Vancouver B. C.: Georgia; Portland: Multnomah, Benson;
Boise, Idaho: Boise, Owyhee; Pocatello, Idaho: Bannock; Billings, Montana: Northern; Denver, Colorado: Cosmopolitan;
San Francisco: St. Francis, Sir Francis Drake, Maurice; Los Angeles: Mayfair; Palm Springs: The Oasis;
Great Falls, Montana: Rainbow; Butte, Montana: Finlen

**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 1st day of December, 1961, at Malad, County of Oneida, State of Idaho, before James B. Jones, Notary Public, at 15 N. Main St., proof will be submitted of the completion of works for the diversion of 0.26 cubic feet per second of underground water from a well, and of the application of beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26642, 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 Colen H. and Mary C. Sweeten, 167 N. 100 W. St., Malad, 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 6.12 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 0.26 cubic feet per second.

The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4 Twp. 15 S. Rge. 33 EBM.

5. The place where said water is used is W $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 5, Twp. 15 S. Rge 33 E.B.M.

6. The date of priority which said user is prepared to establish is Nov. 29, 1956.

GEO. N. CARTER
State Reclamation Engineer
10-26 11-16 t4

RECEIVED

OCT 24 1961

Department of Reclamation

[Handwritten signature]