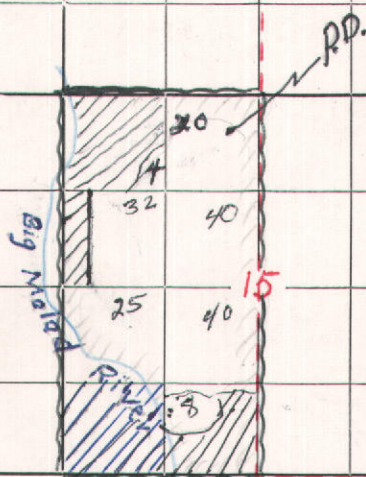


R-35 E.

T.
14
S.



24
20
72
45
8

14

13

TO MALAD CITY →

~~165~~
169

Subdivisions 7

area ⁹~~165~~ acres

Q 1.04 CFS OR 52 inches

State of Idaho
Department of Water Administration
WATER RIGHT LICENSE

License of Water Right No. 27817/15-2051 Priority March 9, 1959 Amount 1.04 cfs

THIS IS TO CERTIFY, that Delmar Asay & Kent Asay
of Malad, Idaho, have ~~xhas~~ complied with the terms and conditions of Permit
No. 27817/15-2051 issued pursuant to Application for Permit dated March 9, 1959,
and has submitted proof to the Department of Water Administration on March 16, 1961,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.04 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>1.04</u> cfs and <u>0.4 acre feet</u>			
<u>Irrigation</u> from <u>April 1</u> to <u>Nov. 1</u> at <u>1.04</u> cfs and <u>441 acre feet or</u>			
from _____ to _____ at _____ cfs and <u>3.5 af per acre</u>			
(both dates inclusive)			

Subject, however, to the condition that no more than 1.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
441.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15,
Twp. 14 S, Rge. 35 E, B.M., in the County of Oneida

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 $\frac{1}{4}$	
14 S	35 E	15					20	4	32	40	40	25		8					169

Total number of acres irrigated 169

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 14 day of
June, 19 74.

Director

15-2051

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

Application No. G- 35758
Permit No. G- 27817
District No.

Delmar Asay
RFD # 1,
Malad, Idaho

1. Name of Applicant: DELMAR ASAY and KENT ASAY
Postoffice address: RFD # 1, Malad County: Oneida State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second four or Idaho
Miners' inches 200 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean or underground water supply tapped by well.
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15
Twp. 14 S. , Rge. 35 E. , B.M., County of Oneida
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 , 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 and overnite reservoir
8. Estimated cost of works: \$ 9,000.00
9. (a) Is reservoir to be used? Yes (overnite Reservoir)
(b) Capacity of reservoir: 4 Acre feet (approximately)
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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 4 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

/s/ Kent Asay
Applicant.
/s/ Delmar Asay
~~Agent.~~

By

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 27817

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 11, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 11, 1964

Witness my hand this 11th day of March, 1959

/s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. MYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of March, 1959.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ ARNOLD WILLIAMS
Secretary of State.

By /s/ ROBERT E. SMYLLIE
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		
14 S	35 E.	15					35	15	40	40			40	25	3	35				233

LICENSE ISSUED FOR 1.04 SEC. FT.
LICENSE PAGE NO.

LICENSE ISSUED FOR 7.0 SEC. FI.
 LICENSE PAGE NO. _____

June 17, 1974

Re: Permit No. 27817/15-2051

Mr. Delmar Asay
Route 1
Malad, Idaho 83252

Dear Mr. Asay:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

We are also enclosing Receipt #14516 in the amount of \$19.00 covering the licensing fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jfr

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2215

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

May 29, 1974

Re: Permit No. 27817/15-2051

Mr. Delmar Asay
Route # 1
Malad, Idaho 83252

Dear Mr. Asay:

We have, this date, received the licensing fee due under the above referenced permit.

As this permit covers stockwatering, we need to know the approximate number of stock watered before a water license can be issued.

Upon receipt of this information, a license will be issued and a copy forwarded to you.
Thank you for your cooperation in this matter.

Sincerely,

D. Darlene Reich
D. Darlene Reich
Water Rights Supervisor

RECEIVED
June 10 - 1974
J

25 heads watering at the well

ddr

RECEIVED

May 29, 1974

Re: Permit No. 27817/15-2051

Mr. Delmar Assay
Route # 1
Malad, Idaho 83252

Dear Mr. Assay:

We have, this date, received the licensing fee due under the above referenced permit.

As this permit covers stockwatering, we need to know the approximate number of stock watered before a water license can be issued.

Upon receipt of this information, a license will be issued and a copy forwarded to you.
Thank you for your cooperation in this matter.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

RECEIVED
MAY 17 1974
DEPARTMENT OF WATER ADMINISTRATION
Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

May 15, 1974 CERTIFIED MAIL

Re: Permit No. 27817 (New No. 15-2051)

Delmar Asay & Kent Asay
Route 1
Malad, Idaho 83252

Gentlemen:

We don't know what this is for, and didn't know we owe'd it, and the first billing we have got that we know of. So am inclosing a check for \$19.00. If this is not O.K. let us know.

It appearing to the Department of Water Administration that the terms and conditions of Permit No. 27817/15-2051 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of \$19.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before June 24, 1974, why said permit should not be cancelled.

Permit No. 27817/15-2051 claims the use of 4.0 cubic feet per second of water from a ground water source (well), the point of diversion was to be located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15, Twp. 14 S, Rge. 35 E, B.M. and the permit was approved March 11, 1959.

R. Keith Higginson
R. KEITH HIGGINSON
Director
#14516

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)



Show address
where delivered



Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

32088

1

Delmar & Kent Assay

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

Mrs. Delmar Assay

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

5/16/74

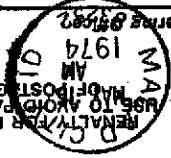
3

MICROFILMED

15-2081

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

Postmark of Delivering Office



RENTAL/FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300

SENDER INSTRUCTIONS

- Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
 - Moisten gummed ends and attach to back of article.

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

MICROFILM MEN

RETURN
TO

RECEIVED

MAY 1974

Department of Water Administration

May 15, 1974

CERTIFIED MAIL

32088

Re: Permit No. 27817 (New No. 15-2051)

Delmar Asay & Kent Asay
Route 1
Malad, Idaho 83252

Gentlemen:

It appearing to the Department of Water Administration that the terms and conditions of Permit No. 27817/15-2051 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of \$19.00, you are hereby notified that under the

provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before June 24, 1974, why said permit should not be cancelled.

Permit No. 27817/15-2051 claims the use of 4.0 cubic feet per second of water from a ground water source (well),

the point of diversion was to be located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15,

Twp. 14 S, Rge. 35 E, B. M.

and the permit was approved March 11, 1959.

R. Keith Higginson

R. KEITH HIGGINSON
Director

500 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
August 13, 1962

Re: Permit No. G-27817

Delmar And Kent Assay
Rt 1
Malad, Idaho

Dear Sirs:

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-27817 shows the well is (275) capable of conveying 52 miner's inches, or 1.04 c.f.s. of water for the irrigation of 169 acres.

Upon receipt of the statutory fees, totaling \$19.00, which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$14.00 - 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 March 9, 1959 to the use of 1.04 second feet of subterranean water with the point of diversion in the NE¹/₄ NW¹/₄, Sec. 15 for stock watering and irrigation of 169 acres in the NW¹/₄, NE¹/₄ SW¹/₄, Sec. 15, T. 14 S., R. 35 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

27817

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

Notice is hereby given that at 1:00 P.M., on the 16th day of March, 1961, at Malad City, County of Oneida, State of Idaho, before Bill Fallis, Probate Judge, at Probate Courtroom, Courthouse, proof will be submitted of the completion of works for the diversion of 4 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 condition of Permit No. G-27817, 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 Delmar Asay and Kent Asay, RFD No. 1, Malad.

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 4 cubic feet per second.

3. The use to which water has been applied is Irrigation and Stock Watering purposes, and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, TWP 14 S. R. 35 EBM.

5. The place where said water is used is W $\frac{1}{2}$ Sec. 15, TWP 14 S. R. 35 EBM.

6. The date of priority which said user is prepared to establish is March 9, 1959.

GEO. N. CARTER

State Reclamation Engineer

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27816
Howard F. & Verl J. Andrew

Date: December 27, 1962

Rigby Star,
Rigby, Idaho.

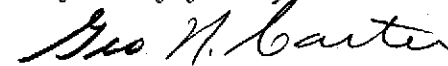
Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **January 28, 1963** the date set for proof; the expense of the publication is to be paid by the applicant

Howard F. & Verl J. Andrew of **1268 E. 17th St., Idaho Falls, 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.

27816

DEC 27 1962
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Dec. 27, 1962

(P. O.) 1268 E 17th St, Idaho Falls

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Bigby Star of Bigby, Idaho published in
the county in which the works are situated. Jefferson Co.

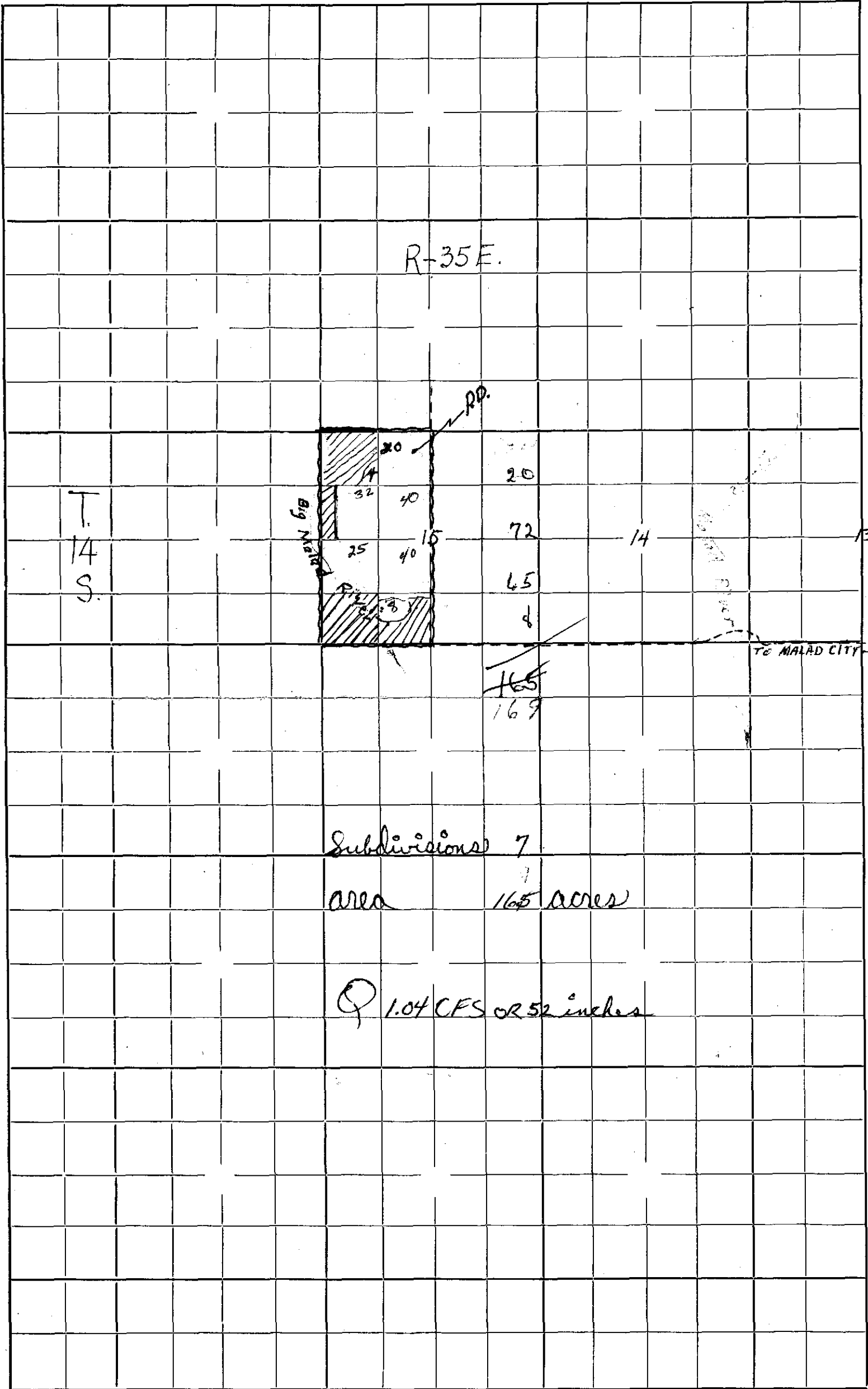
Howard F. Andrew and Verly J. Andrew
By Howard F. Andrew

(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.

27816



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27817

REPORT ON PROOF OF Completion of Works & Beneficial Use

Delmar and Kent Asay, Rt. #1, Malad, Idaho

27817

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

Permit No. G-27817

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

1. Name of applicant Delmar and Kent Asay
2. Source of water supply: Subterranean or underground water supply tapped by well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15
T. 14 S R. 35 E.B.M. County of Oneida

4. Describe works as they exist, giving dimensions and capacities of same: 30 HP Westinghouse Motor #1733833 HPM Pearkers Pump #147131 6" X 220 Column 18' X 130' casing 16" X 250' casing h: 140' DP: 96' Well depth 375' 8" X 48' of discharge pipe into pond

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):

233 acres in W $\frac{1}{2}$ Sec. 15., Twp. 14 S., Rge. 35 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: Delmar and Kent Asay along

Measurement was made with cippolette weir
29 over 2' weir = 52 inches

This examination was made on the 2nd day of August, 1962

(Signed)

Ron Weber

Examiner.

27814

Delmar and Kent Asay
Rt. #1, Malad City, Idaho

Permit No. G-27817

Examination for Completion of Works & Beneficial Use

County Oneida

Sec. 15 T. 14 S. R. 35 E. B. 11

Quantity: 4.0 cfs

Source: WJL

P.D.: Mr. Wm. Lewis, T. 14 S. R. 35 E. B. 11

Use: Irrigation & Stock

Filed: March 7, 1959

Due: March 11, 1964

Extension: —

Completion of Works: —

Other Rights: none

Driller - Jenkins - Howard Vandeventer
and Jones

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 10 1962

Department of Reclamation

27816

March 21, 1961

Re: Permit No. G-27817

Messers, Delmar and Kent Asay
Route #1
Malad City, Idaho

Gentlemen:

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-27817.

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:

27817

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

Notice is hereby given that at 1:00 P.M., on the 16th day of March, 1961, at Malad City, County of Oneida, State of Idaho, before Bill Fallis, Probate Judge, at Probate Courtroom, Courthouse, proof will be submitted of the completion of works for the diversion of 4 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 condition of Permit No. G-27817, 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 Delmar Asay and Kent Asay, RFD No. 1, Malad.

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 4 cubic feet per second.

3. The use to which water has been applied is Irrigation and Stock Watering purposes, and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE 1/4 NW 1/4 Sec. 15, TWP 14 S. R. 35 EBM.

5. The place where said water is used is W 1/2 Sec. 15, TWP 14 S. R. 35 EBM.

6. The date of priority which said user is prepared to establish is March 9, 1959.

GEO. N. CARTER

State Reclamation Engineer
2-9 3-2 t4

Affadavit of Publication

State of Idaho
County of Oneida, ss.

Mary A. Matthews being first duly sworn on her oath, states: That *she* 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 as 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 *9th* day of *February*, 19*61*. the date of the last publication being the *2nd* day of *March*, 19*61*.

Mary A. Matthews

Subscribed and sworn to before me this *13th* day of

March, 19*61*

Notary Public, residing at Malad, Idaho

My Commission expires the *14* day of *May*, 19*62*.

Costs: *50* lines at 13c per line first insertion \$ *6.50*

10c per line each subsequent insertion \$ *15.00*

TOTAL \$ *21.50*

(Rates for legal notices are fixed by Idaho law)

27817

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 17 1961
Department of Reclamation

Permit No. G27817

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. Delmar Asay and Kent Asay, Rt. 1, Malad City, 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. Not acting in behalf of corporation

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

Ans. G27817, March 11, 1959, priority date March 9, 1959

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

Ans. The point of diversion of said water is the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, TWP 14 S. R. 35 E. B.M. The source of the water is subterranean or underground supply tapped by well.

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. Deep well with pump and motor, storage reservoir, ditches carry the water from the reservoir to the land. Depth of Well 375, size of casing 16", depth to water 150. The discharge of the pump is 75 miner inches. It was measured with a guage.

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 and stock watering purposes, TWP 14 S. R. 35 E. Sec. 15 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15, NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 35; Total 233. All the land is cultivated.

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

Ans. Mountain State Drilling Co. Owners of said company are Jenkin Jones and Howard Vanderwood, Malad City, Idaho

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

Ans. Just Irrigation and stock watering purposes. No power generated.

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

Ans. None for horse power.

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. Original owners of permit G27817.

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

Ans. Started to use water June 15, 1959, water was pumped from a deep well into a storage reservoir from the reservoir the water was carried by ditches to the land. All the water is used. That is four cubic feet per second.

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. Kent Asay owns two shares of the capital stock of the St. John Irrigating Co.

(Sign)

Kent Asay

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 City, County of Oneida, State of Idaho, on this 16th day of March, A. D. 1961.

Bill Allen

Probate Judge

My commission expires _____

27817

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 1 1911

Department of Reclamation

Permit No. G27817.....

Proof of Application of Water to Beneficial Use
Deposition of Witness and 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. Kenneth Blaisdell, age 35, Rt. 1, Malad City, Idaho, Farmer.

Ques. 2. Are you acquainted with Delmar Asay and Kent Asay....., the holder of Permit No. G27817.....? How long have you known him and where does he reside?

Ans. I have known Delmar Asay and Kent Asay for 12 years. They reside at Rt. 1, Malad City, Idaho

Ques. 3. Have you read or heard read said Permit No. G27817....., 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. Subterranean or underground water supply tapped by well, place of diversion NE 1/4 NW 1/4 of Section 15, Twp. 14 S. Rge 35 East, B.M., County of Oneida. The works for conveying the water from the point of diversion is by pumping the water from the well into a storage reservoir; then the water is turned into ditches, and then the land is flooded.

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 cubic feet per second or Idaho Miners inches 200

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. 75 miner's inches, it was measured with a gauge.

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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 and stock watering purposes. Twp. 14 S. Range 35 Sec 15 NE¹/₄NE¹/₄ 35; NW¹/₄NW¹/₄ 15; NW¹/₄SW¹/₄ 40; NW¹/₄SE¹/₄ 40; NW¹/₄NE¹/₄ 40; SW¹/₄NW¹/₄ 25; SW¹/₄SW¹/₄ 3; SW¹/₄SE¹/₄ 35; Total 233
~~All the land is cultivated.~~

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

Ans. Just for irrigation and stock watering purposes.

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. The land is a sandy loam. Four cubic feet per second is required for profitable cultivation.

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. All the water has been put to beneficial use.

(Signed) Kenneth B. Blaisdell

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 16th day of March, A. D. 1961.

[Signature]

Probate Judge

Notary Public

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED

MAR 17 1961

Department of Reclamation

Permit No. G27817.....

Proof of Application of Water to Beneficial Use
Deposition of Witness ~~and~~ 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. Dale L. Harrison, age 42, Rt. 1, Malad City, Idaho, Farmer

Ques. 2. Are you acquainted with Delmar Asay and Kent Asay....., the holder of Permit No. G27817.....? How long have you known him and where does he reside?

Ans. Have known Delmar Asay and Kent Asay ^{for 12 years} They reside at Rt. 1, Malad City, Idaho

Ques. 3. Have you read or heard read said Permit No. G27817....., 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. Subterranean or underground water supply tapped by well, place of diversion NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, Twp. 14 S. Rge 35 East, B.M., County of Oneida. The works for conveying water from point of diversion is by pumping the water from the well into a storage reservoir, then the water is turned into ditches, and the land is flooded.

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 cubic feet per second or Idaho Miners inches 200

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. .75 miner's inches. It was measured with a guage

27817

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 and Stock Watering purposes. The place where said water is used is the West 1/2 Sec. 15, Twp. 14 S. R. 35 E. B.M. Twp 14 S. R. 35 E. Sec. 15, NE 1/4 NE 1/4 35; NW 1/4 NW 1/4 15; NW 1/4 SW 1/4 40; NW 1/4 SE 1/4 40; NW 1/4 NE 1/4 40; SW 1/4 NW 1/4 25; SW 1/4 SW 1/4 3; SW 1/4 SE 1/4 35 Total 233. This all cultivated land.

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

Ans. Just for irrigation and stock watering purposes.

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. The land is a sandy loam. Four cubic feet per second is required for profitable cultivation.

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. All the water has been put to beneficial use.

(Signed) Dale L. Harrison

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 16th day of March, A. D. 19.....

Probate Judge Notary Public

My commission expires.....

RECEIVED

MAR 17 1961

Department of Reclamation

March 16, 1961

Rt. 1, Malad City, Idaho

Geo. N. Carter
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit G27817

Dear Mr. Carter:

Enclosed are affidavits of publication, deposition of holder, deposition of witnesses and deposition of holder.

Yours truly,

Delmar Asay
Delmar Asay

Kent Asay

27817

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

Notice is hereby given that at 1:00 P. M., on the 16th day of MARCH
1961, at MALAD CITY, County of ONEIDA, State of Idaho,
before BILL FALLIS, PROBATE JUDGE, ~~Notary Public~~, at (address) PROBATE COURTROOM
COURTHOUSE, MALAD, IDAHO, proof will be submitted of the completion of
works for the diversion of 4 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-27817, 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 DELMAR ASAY and KENT ASAY R7D#1, Malad
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 4 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 4 cubic feet per second.
4. The point of diversion of said water is NE 1/4 NW 1/4 Sec. 15, Twp 14 S. R. 35 E BM
5. The place where said water is used is W 1/4 SEC 15, Twp 14 So. R. 35 E. B. M
6. The date of priority which said user is prepared to establish is MARCH 9, 1959.

Geo. W. Keaster

State Reclamation Engineer

27817 B

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

February 6, 1961

Re: Permit No. G-27817

Delmar & Kent Asay,
RFD #1,
Malad, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27817. The proofs are to be made at 1:00 o'clock P.M., on the 16th day of March, 1961, ~~1960~~, before Bill Fallis, Probate Judge, Courthouse, Malad City, Idaho.

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. ~~Ball~~
Chief Clerk

Encl.

EPR: ~~pmk~~

cc: Notary

27817

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27817

Date: Feb. 6, 1961

Idaho Enterprise,
Malad City, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **March 16, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

Delmar and Kent Asay

of RFD #1, 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
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.

27817

FEB 6 1961
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

IDAHO ENTERPRISE of Malad City published in
the county in which the works are situated.

Delmar Asay

(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.

27817

November 29, 1960

Re: Permit No. G-27817
Delmar & Kent Asay

Ray and Scott
Attorneys at Law
Malad City, Idaho

Attn: E. L. Scott

Dear Mr. Scott:

Enclosed herewith are the forms preliminary
to making the proofs under Permit No. G-27817, as you requested
by letter dated November 28th.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:
EP:rew

27817

RECEIVED
NOV 29 1960
Department of Reclamation

Ray & Scott
Attorneys
Maad City
Idaho

November 28, 1960

Department of Reclamation
Room 107, State House
Boise, Idaho

Gentlemen:

Re: Permit No. G-27817
Delmar and Kent Asay

Delmar and Kent Asay, the holders of Permit No. G 27817 would like to make proof of completion of works and application of water to beneficial use under the said permit.

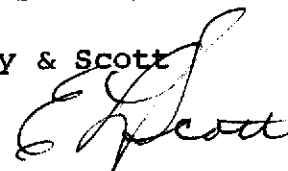
Would you kindly send me the necessary forms by which we might proceed?

Thanking you kindly, I remain,

Very truly,

Ray & Scott

BY



27817

March 19, 1959

Re: Permit No. G-27817
Delmar and Kent Asay

Ray & Scott
Attorneys At Law
Malad City, Idaho

Attention: E. L. Scott

Dear Mr. Scott:

We enclose the above listed permit, 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, 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 the proofs may be made at any time you are prepared to do so within that time.

We also enclose departmental receipt No. G-3918, which was issued covering payment in the amount of \$5.75, for the filing fee of the above listed permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (2)
cc: Delmar and Kent Asay
RFD # 1, Malad, Idaho

27817

Ray & Scott
Attorneys
Malad City
Idaho

RECEIVED
MAR 9 1959
Department of Reclamation

March 6, 1959

State of Idaho
Department of Reclamation
State Reclamation Engineer
Boise, Idaho

Gentlemen:

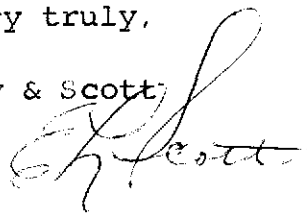
Please find enclosed Application of Delmar Asay and Kent Asay to appropriate the underground waters of the State of Idaho, together with their check in sum of \$5.75, representing filing fee based upon 4 c.f.s. of water.

Delmar Asay, one of the applicants, was also an applicant under Permit No. G-25931. The applicants under said Permit No. G-25931 never did follow through on their application, and have abandoned their rights under this permit.

Please issue Permit and oblige.

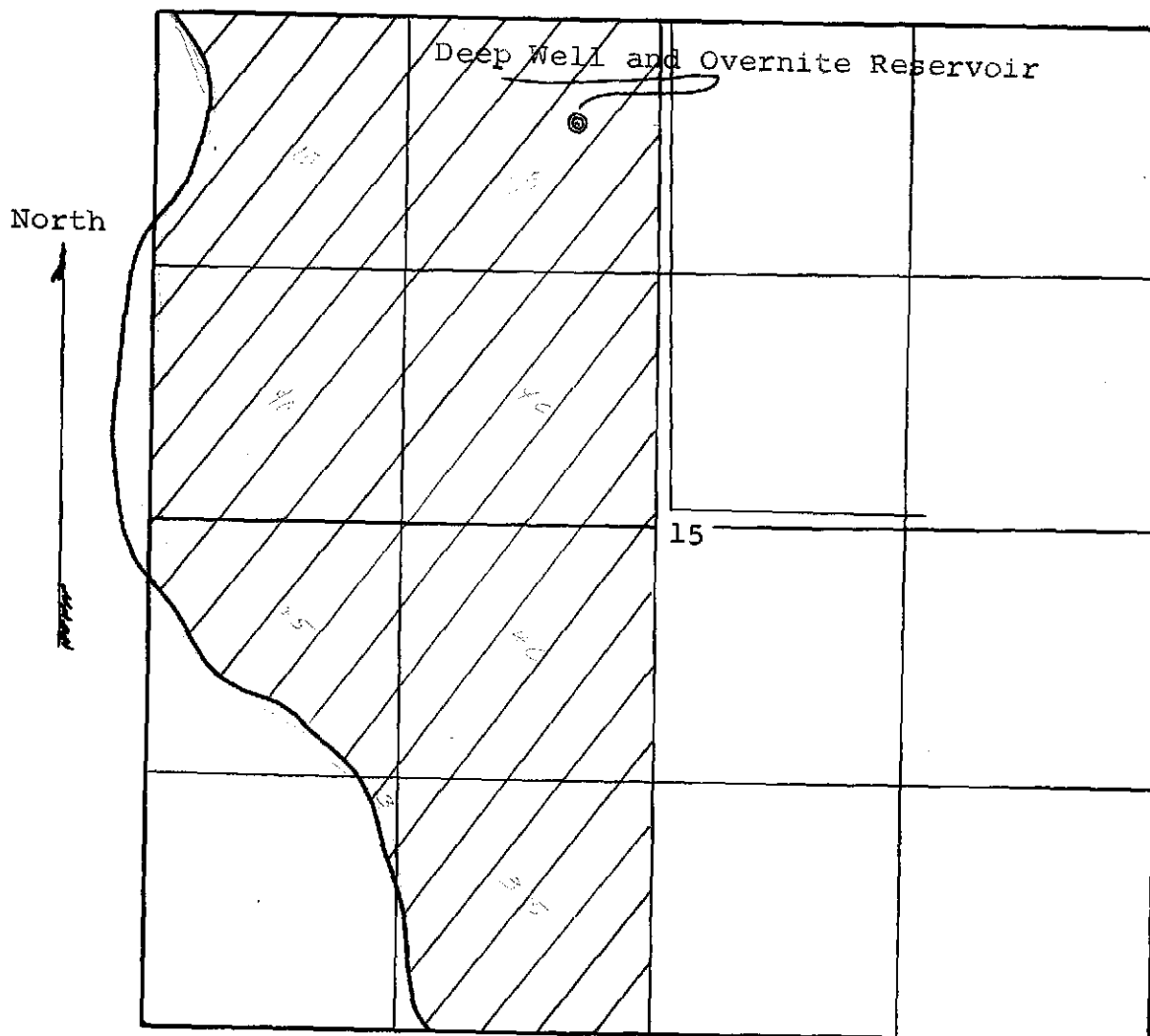
Very truly,

Ray & Scott

By 

27817

NAME OF APPLICANT:
Delmar Asay
Kent Asay



Scale: 1 inch = 60 rods

Section 15, Township 14 South, Range 35 East,
Boise Meridian, Oneida County, Idaho

Permit Map No. *4*-27817
As Approved **MAR 11 1959**
GEO. N. CARTER
State Reclamation Engineer

27817