

Affidavit of Publication

RECEIVED

JAN 3 1974

Department of Water Administration
Eastern District Office

I, L. E. L. Conmash, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated December 20, 1973

and ending with the issue dated Dec. 27, 1973

L. E. L. Conmash

Subscribed and sworn to before me this

31 day of Dec, 1973

O. J. Jones
Notary Public

Residence: Arco, Idaho.

My commission expires Nov-6, 1975

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 33-2137

Notice is hereby given that
Owen A. Romrell, Howe, Idaho
has applied to the Department
of Water Administration for a
change of the point of diver-
sion and place of use of Li-
cense No. 33-2137 from a
ground-water source. The right
is recorded as follows:

Amount: 2.10 cfs

Priority: March 3, 1958

Points of Diversion: NW $\frac{1}{4}$ -
NE $\frac{1}{4}$, Sec. 33, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, T. 6N, R. 29E,
B.M. Butte County;

The water is used for irriga-
tion purposes of 105 acres with-
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28;
N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33,
T. 6N, R. 29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted
from the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28,
T. 6N, R. 29E, B.M. Butte
County; and will be used for
the irrigation of 105 acres with-
in the SE $\frac{1}{4}$, Sec. 28, T. 6N, R.
29E, B.M.

Any protest against approval
of the above proposed change
of water right must be filed
with the Idaho Department of
Water Administration, 1515
Lincoln Road, Idaho Falls, Ida-
ho, 83401, on or before Janu-
ary 7, 1974.

R. KEITH HIGGINSON
Director

Published in the Arco Adver-
tiser, Arco, Idaho on December
20 and December 27, 1973.

33 2137

R-29E,

also PD for G-22874

#1 R.D.

28

Permit # G22874

T.
6
N.

#2 R.D.
No Pump

40

40

30

55

25

10

33

105

G-22874
.5 cts 25 acres

HOWE

G-27266- 3.07
.5
2.57 cts.

Subdivisions 4

AREA 105 acres

Q 210 cfs or 105 in/d

DD 1160
108' x 16' 11" x 160'
60 R = 150-175-175
Helen T. Fowler
P. O. Box 508
Pocatello, Idaho
Permit No. G-27266

d. 855

Examination for Completion of Works & Beneficial Use

County Butte Sec. 28 T. 6 N. R. 29 E. B. M.

Quantity: 400 c.f.s.

Source: Wells.

P. D.: NW. SE., Sec. 28 } T. 6 N. R. 29 E. B. M.
NW. NE. " 33 }

Use: Irrigation

Filed: March 3, 1958

Due: March 4, 1963

Extension:

Protest:

Completion of Works:

Other Rights: none to these
lands - however the P.D. in
Sec. 28 is also in B-22874
license.

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 15 1963

Department of Reclamation

Affidavit of Publication

Department of Reclamation

Department of Reclamation

I, Dolly Cross, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 4 (four) consecutive weeks, commencing
with the issue dated April 13, 1962
and ending with the issue dated May 4, 1962

Dolly Cross

Subscribed and sworn to before me this

9 day of May, 1962

Betty J. Mayo

Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1965

Legal Notice

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

Notice is hereby given that 9 a. m., on the 21st day of May, 1962, at Pocatello, County of Bannock, State of Idaho, before Sara Howell, Notary Public, at 805 N. Arthur, Pocatello, 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-27266 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 Helen T. Fowler, P. O. Box 508, Pocatello, 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 4 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 4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 6 N., R. 29 E., B. M.

5. The place where said water is used is NE $\frac{1}{4}$ Sec. 33, plus SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 6 N., R. 29 E., B. M.

6. The date of priority which

said user is prepared to establish is March 3, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
Pub. April 13 thru May 4, 1962.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPROVED

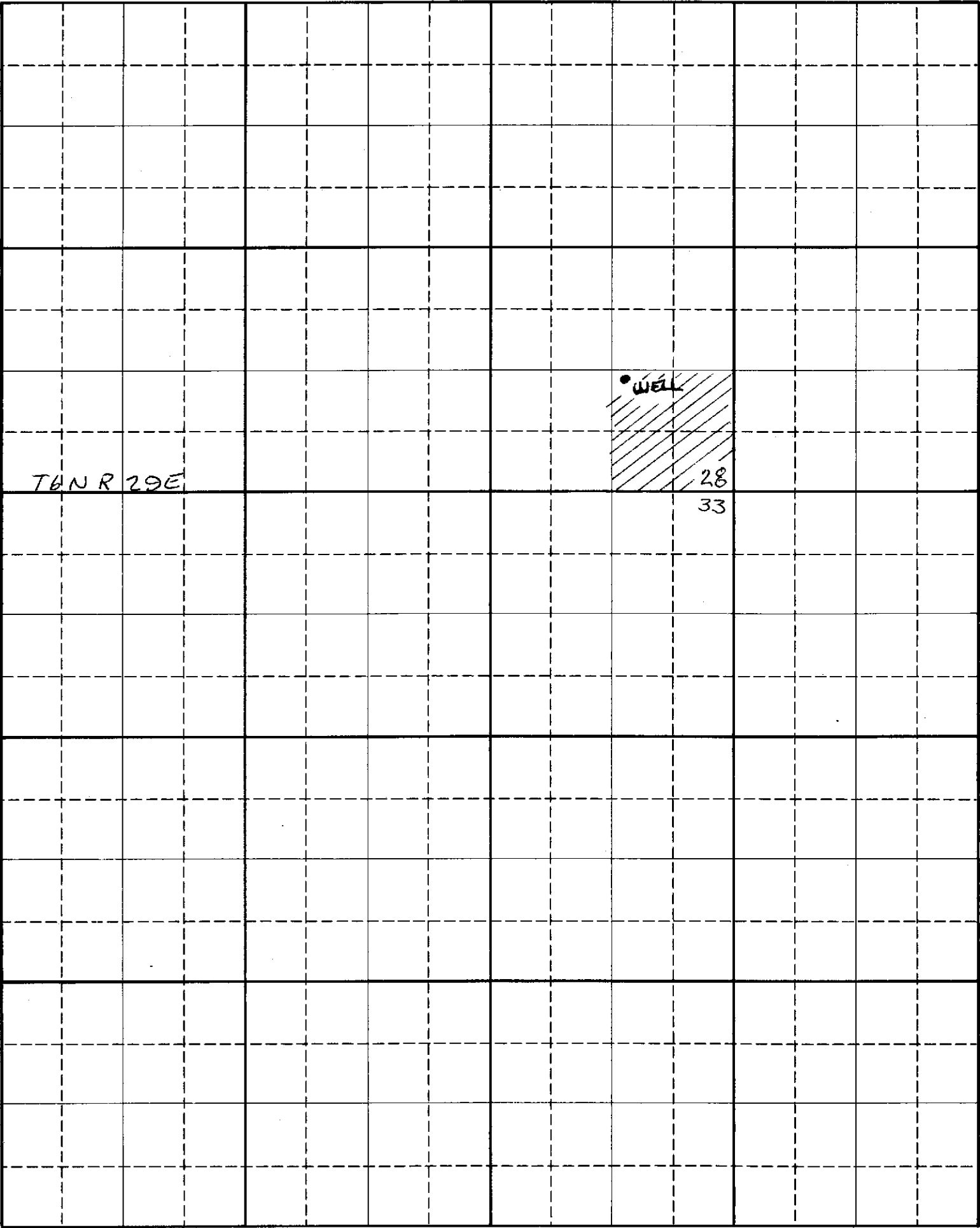
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Owen A. Romrell
- Post office address Howe, Idaho 83244
2. Right obtained by:
- a. Decree to in Case of
- (Name)
- vs. , Dated in
- (Name of Court)
- Court. County of.
- b. License No. 33-2137 issued by the State of Idaho, Department of Reclamation.
3. Source of water Groundwater tributary to - - -
- (Name of stream or source)
4. Date of Priority March 3, 1958
5. Amount of water a. 2.10 c.f.s. and/or
- b. acre feet/annum
6. Water is used for Irrigation from to
- (Month, Day) (Month, Day)
7. Original location of point of diversion is NW 1/4 NE 1/4 of Section 33
- Township 6N , Range 29E , B.M., in Butte County;
- Additional points of diversion, if any NW 1/4 SE 1/4, Sec. 28, T. 6N, R. 29E, B.M.
8. Lands presently irrigated or place of use:

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	
6N	29E	28															40		40
6N	29E	33	25	30		10													65

Total number of acres presently irrigated 105



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: Philip S. York
bought land from Helen Fowler in 1960. Owen A. Romrell is now in the process of
buying land from York.

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 2.10 c.f.s. and/or _____ acre feet

b. New point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 6N
_____, Range 29E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____
Well and pump

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No X

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:
A new application for a well in Section 33 will be for irrigating lands previously
irrigated from this well. New Point of diversion will be the same as license

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
6N	29E	28													15	10	40	40	105

Total number of acres to be irrigated 105

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
No, they will be irrigated with water diverted under Application No. 33-7028.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: License #33-2061 covers different land in the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, T. 6N, R. 29E, B.M., than that herein requested.

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Owen A. Romrell
 (signature of applicant)

Subscribed and sworn to before me this 10TH day of DECEMBER, 1973

Norman C. Young
 (notary public)

My commission expires 6/10/75

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 33-2137,
 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this department shall be
permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 10 day of January, 19 74

L. Keith Higgins
 Director
 Department of Water Administration

FOR DEPARTMENT USE ONLY

Received by MB Date 12-10-73

Protest filed by: _____ Date _____

Prelim. check by NCY Date 12-12-73

Fee received by MB Date 12/10/73 Fee \$30.00

Approved for publication by OB-1/13/74

Published in Pub. Advertiser Dates 12/20 + 12/27/73

Hearing held N.A.

Watermaster Recommendation sent N.A.

State of Idaho
License and Certificate of Water Right

Water License No. G-27266

Amount 2.10 c.f.s.

Water District No. _____

Priority March 3, 1958

THIS IS TO CERTIFY that HELEN T. FOWLER
of Salt Lake City, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 3, 1958; that Permit No. G-27266
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.10 second feet, was issued thereunder on February 14, 1966, showing that said works
were completed on the 21st day of May, 1962; and that on the 21st
day of May, 1962, HELEN T. FOWLER

of Salt Lake City, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
two wells, a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-27266 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
13 of Licenses at page 8447, on the 14 day of February, 1966;
The right hereby confirmed dates from March 3, 1958;

The Point of Diversion is located
in the NW 1/4 SE 1/4 Sec. 33, Section 28 and 33, Tp. 6 N, R. 29 E, B. M. Butte 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 2.10 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	29 E	28	SW 1/4 SE 1/4	40	40
			NE 1/4 NE 1/4	40	25
			NW 1/4 NE 1/4	40	30
			SE 1/4 NE 1/4	40	10
		Total	number of acres to be irrigated:		105

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 February, 1966.

/s/ R. KEITH HIGGINSON
Assistant, State Reclamation Engineer.

(SEAL)

33 2137

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35193
 Permit No. G- 27266
 District No.

Helen T. Fowler
 Box 508
 Pocatello, Idaho

1. Name of Applicant: HELEN T. FOWLER
 Postoffice address: ~~Box 508, Pocatello~~ County: Bannock State: Idaho
2. Quantity of water claimed: 4.0 cubic feet per second
 (a) Rate of withdrawal in cubic feet per second. 4.0 or Idaho
 Miners' inches 200 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28
 $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33
 Twp. 6 N. , Rge. 29 E. , B.M., County of Butte
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: Wells, pumps and ditches
8. Estimated cost of works: \$ 7000
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: None. Permit No. G-22874
 was to have covered this land, however beneficial use was not proven.
 (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/ Helen T. Fowler
Applicant.

By

Agent.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

Recorded in Book 96 Page 27266 Approved March 4, 1958

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 4, 1960

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **March 4, 1963**

Witness my hand this 4th day of March, 1958

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 4th
day of March, 1958.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG
Secretary of State.

By /s/ ROBERT E. SMYLIE
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	
6 N.	29 E.	28 33	40 40 40 40			40	40 160 <u>200</u>
Permit No. G-27266 CERTIFICATE OF COMPLETION OF WORKS ✓ ✓ TO ALL WHOM IT MAY CONCERN: This is to certify that Helen T. Fowler of Salt Lake City, County of Weber and State of Utah the holder of Permit No. G-27266, issued upon application No. G-35198 bearing date of priority of March 3, 1958, authorizing the diversion of 4.0 second feet of waters of two wells County of Butte, 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 works of diversion set out and described in said permit; that said works are adequate for conveying to the place of intended use 2.10 second feet of the waters of two wells from subterranean flow that the point of diversion of said waters NW¹/₄SE¹/₄ Section 28, NW¹/₄NE¹/₄ Section 33, T 6 N., R 29 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows to wit: SW¹/₄SE¹/₄ Section 28, NW¹/₄NE¹/₄ Section 33, T 6 N., R 29 E., B.M. Witness my hand this 14th day of February, A.D. 1966. /s/ R. KEITH HIGGINSON Assistant State Reclamation Engineer Proof of completion of works made: 21st day of May 1962. LICENSE ISSUED FOR <u>2.10</u> SEC. FT. LICENSE PAGE NO. <u>8447</u>:							

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2190

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

January 16, 1974

Re: Transfer No. 33-2137

Owen A. Romrell
Howe,
Idaho 83244

Dear Mr. Romrell:

Enclosed is a copy of your approved Application for Transfer of Water Right No. 33-2137. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

33 2137

INTER-DEPARTMENT MEMO — 1

FROM Norm

DATE January 7, 1974.

TO File No. 33-2137

SUBJECT Application for Transfer No. 33-2137

I recommend that the above subject application for transfer be approved under the condition that a measuring device should be installed.

NCY / MB
SIGNATURE

33 2137

RECEIVED

JAN 5 1974

Department of Water Administration
Eastern District Office

Affidavit of Publication

I, L. Ella Cammack, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated December 20, 1973

and ending with the issue dated Dec. 27, 1973

L. Ella Cammack

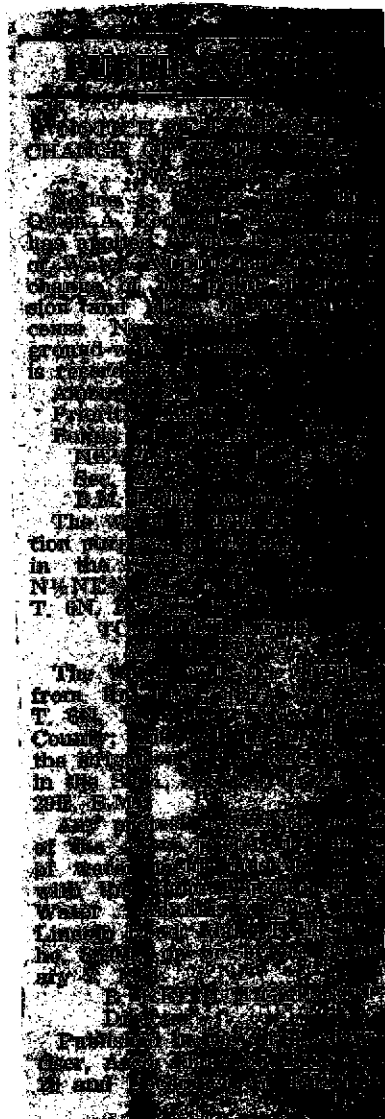
Subscribed and sworn to before me this

31 day of Dec, 1973

O. T. Jones
Notary Public

Residence: Arco, Idaho.

My commission expires Nov-6, 1975



33 2137

Mr. Owen Romrell called us this morning
and requested that we send your a copy
of this warranty deed

IDAHO BANK & TRUST CO.
BLACKFOOT, IDAHO

33 2137

THIS INDENTURE, Made this day of
in the year of our Lord one thousand nine hundred and seventy-three , between
PHILIP S. YORK and JAYNE B. YORK, Husband and Wife,
of **Salt Lake City** , County of **Salt Lake** , State of **Utah,**
the part **ies** of the first part, and

OWEN A. ROMRELL and VELLA J. ROMRELL, Husband and Wife,
of **the** , County of **Butte** , State of **Idaho** ,
the part **ies** of the second part.

WITNESSETH, That the said part **ies** of the first part, for and in consideration of the sum of
NINETY SEVEN THOUSAND FIVE HUNDRED AND NO/100 (\$97,500.00)--- DOLLARS,
lawful money of the United States of America,

to **them** in hand paid by the said
part **ies** of the second part, the receipt whereof is hereby acknowledged, ha **ve** granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part **ies**
of the second part, and to **their** heirs and assigns forever, all of the following described real estate,
situated in **the** , County of **Butte** , State of **Idaho**, to-wit:

**The Northeast Quarter (NE $\frac{1}{4}$) of Section 33;
the Southeast Quarter (SE $\frac{1}{4}$) of Section 28,
all in Township 6 North, Range 29, East Boise
Meridian;**

**Together with all Ditch and Water rights
appurtenant thereto, including, but not limited
to, a certain well, pump and motor, and Water
License No. 27266;**

**Subject to a certain right-of-way for a
material site under Title 23, United States
Code, Section 317.**

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
in law as in equity, of the said part **ies** of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with
the appurtenances unto the part **ies** of the second part, and to **their** heirs and assigns forever.

And the part **ies** of the first part, and **their** heirs, shall and will warrant and by these presents
forever defend the premises in the quiet and peaceable possession of the part **ies** of the second part, **their**
heirs and assigns, against the part **ies** of the first part, and **their** heirs, and against all and every
person and persons whomsoever, lawfully claiming the same shall and will WARRANT and by these presents
forever DEFEND.

33 2137

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Philip S. York [Seal]
Philip S. York
Jayne B. York [Seal]
Jayne B. York
[Seal]
[Seal]

STATE OF ~~IDAHO~~ UTAH }
County of Salt Lake } ss.

On this 29th day of September in the year 19 73, before me
the undersigned, a Notary Public
in and for said State, personally appeared:

PHILIP S. YORK and JAYNE B. YORK,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Richard W. Dunham
Notary Public for the State of ~~Idaho~~ Utah
Residing at ~~Idaho~~
Salt Lake City, Utah.
Commission expires 4/5/75

No. _____

WARRANTY DEED

TO _____

Dated _____, 19____

STATE OF IDAHO

County of _____ ss.

I hereby certify that this instrument was filed for record at request of _____

at _____ minutes past _____ o'clock _____ M., this _____ day of _____, A. D. 19____

in my office, and duly recorded in Book _____ of _____ at page _____

By _____ Ex-Officio Recorder.

Fees, \$ _____ Deputy.

Mail to _____

STANDARD COMPANY, Boise

1515 Lincoln Road

December 14, 1973

Re: Transfer of Water Right No. 33-2137 Romrell
Application for Permit No. 33-7028 Romrell

Arco Advertiser,
P. O. Box "C"
Arco, Idaho 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Legal Notices (2)

Bill submitted 1-4-74 by MB

Not Correct MB

33 2137

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 33-2137

Notice is hereby given that Owen A. Romrell, Howe, Idaho has applied to the Department of Water Administration for a change of the point of diversion and place of use of License No. 33-2137 from a ground-water source. The right is recorded as follows:

Amount: 2.10 cfs Priority: March 3, 1958

Points of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 6N, R. 29E, B.M. Butte County;

The water is used for irrigation purposes of 105 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 6N, R. 29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted from the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 6N, R. 29E, B.M. Butte County; and will be used for the irrigation of 105 acres within the SE $\frac{1}{4}$, Sec. 28, T. 6N, R. 29E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 7, 1974.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho on December 20 and December 27, 1973.

33 2137

CP-5
10-11



Form No. 669
Copyright
STEVENS NESS LAW PUBLISHING CO.
Portland, Oregon

REAL ESTATE BROKER'S CLOSING STATEMENT

USE COMPANION FORM NO. 670, REAL
ESTATE BROKER'S DEAL ENVELOPE, OR 670F
(Larger Size) or 670FL (Larger Size) BROKER'S DEAL
FOLDER IN COMPLYING WITH THIS INFORMATION.

Deal No. 223 City Challis State Idaho 19 73
Property of: Philip S. & Jayne B. York Seller
Sold to: Owen A. & Vella J. Romrell by Salmon River Realty Broker
Description: NE 4 S33 SE 4 S 28 T 6 NR 29 E B M

Selling price and terms: \$97,500.00 total selling price \$23,275.00 upon closing. Balance
on contract for 10 years at 7% interest. Prepayment to be limited to 29%
in any single year.

City of Howe County of Butte State of Idaho

PURCHASER'S DEBITS		PURCHASER'S STATEMENT		PURCHASER'S CREDITS	
(In Items 1 to 11 below, show all sums to be paid or assumed by purchaser.)		(In Items 13 to 23 below, show all cash paid, credits for mortgages and contract balances, given or assumed by purchaser and all other credits available to him.)			
Item		Item			
1. Purchase price	\$ 97,500	13. Earnest Money deposited	\$5,000		00
2. Pro rata taxes paid in adv. by seller		14. Buyer's unpaid balance on contract	69,225		00
3. Unearned insurance premium, fire		15. Mortgage given to seller			
4. Unearned insurance premium, liability		16. Mortg. premises conveyed subject to			
5. City liens, paid in advance by seller		17. Taxes, assumed			
6. Rents adjusted		18. City liens (if included in sales price)			
7. Recording fees payable by purchaser		19. Rents, collected in advance by seller			
8. Purchaser's share of expenses: Atty. \$		20. Unpaid water rents, assumed			
Escrow fees \$50.00		21. <u>Escrow fee</u>			50
9. <u>Pro rata taxes & 30% of 2-26-73 taxes</u>					
10. <u>Purchase to pay 3/2 1973 taxes</u>					
11. <u>after receipt of 2nd from Chase</u>					
		22.			23,275
		23. * CASH PAID ON CLOSING			~~69,225~~
		* (Total items 13-22 incl. and deduct from item 12)			
		24. TOTAL CREDITS (Items 13 to 23 incl.)			\$71,550
		(ITEM 12 AND ITEM 24 SHOULD TALLY)			

12. TOTAL DEBITS (Items 1 to 11 incl.) \$97,550

Has all insurance been transferred? Yes No X

Will buyer let us handle insurance renewal at time of expiration? N/C
Abstract () Title insurance (X) delivered to Idaho
Title insured by Best River Title Policy No. to be in Escrow

Receipt of foregoing Purchaser's Statement acknowledged 10/6/1973
Owen A. Romrell Purchaser
Vella J. Romrell Purchaser

300 2100

NCY
12/12/73

NOTES ON APPLICATION FOR TRANSFER OF #33-2137

- 1) SIGNATURE - AGREES WITH LINE 1 & IS NOT NEEDED
WIFE'S SIGNATURE NOT NEEDED
✓ BECAUSE PLACE OF USE CHANGE IS
ALL WITHIN THE SAME OWNERSHIP.
- 2) EVIDENCE of Ownership - Copy of sales contract
is requested but it should be reviewed.
✓ It is possible that Mr. York holds deed
& should sign. OK. 1/7/74 NCY
- 3) Lic. # 33-2061 covers some of same land
but the 0.02 cts/acre limitation
✓ does not appear to be exceeded.
- 4) Does not appear that the transfer would
be an expansion in either land or
✓ rate of diversion.
- 5) Injury to other water rights is not
apparent.
- 6) Legal Descriptions agree with map.
- 7) Correct Fee received —
- 8) OK TO ADVERTISE —

33 2137

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

December 12, 1973

Mr. Owen A. Romrell
Howe,
Idaho 83244

Dear Mr. Romrell

Last Monday when I helped you fill out the Application for Transfer, I intended to make a copy of your sales agreement with Mr. York to submit with the transfer. Because I neglected to do this, I now must ask you to send me a copy of this agreement.

I apologize for my oversight.

Very truly yours,

RONALD D. CARLSON
Assistant to the
District Engineer

RDC:cb

February 15, 1966

RE: Permit No. G-27266
28096

Mrs. Helen T. Fowler
5846 Shangri Lane
Salt Lake City, Utah

Dear Mrs. Fowler:

We acknowledge receipt of your letter of February 9, 1966, in which you forwarded the \$13.00 fee in connection with Permit No. G-27266. We enclose departmental receipt No. G-10154 for this fee and the Certificate of Completion of Works and License of Water Right regarding Permit No. G-27266.

In connection with cancelled Permit No. 28096, our records show that a Notice was sent to you by registered mail on November 25, 1964 at the address shown on the file, Box 508, Pocatello, Idaho, that the Permit was subject to cancellation within 40 days. When no reply was received the permit was cancelled and notice was again sent to you at this address. Once a permit has been cancelled under the statute, we have no authority to reinstate it. You may either ask for a review by the District Court or may wish to refile in order to obtain a license on the drain ditch. We will be happy to assist you in making a new application if you desire.

Very truly yours,

R. KEITH HIGGINSON, Assistant
State Reclamation Engineer

RKH:ejw
Encl: Certificate
License
Receipt

27266

RECEIVED
FEB 11 1966

Department of Reclamation

5846 Shangri Lane
Salt Lake City, Utah
2/9/66

State Dept. of Idaho
Dept. of Reclamation
107 Statehouse
Boise, Idaho

Re: Permit Numbers: G-27266 ✓
28096

Attention: Mr. Donald Watts

Dear Mr. Watts

Your letter Jan. 25 has been received and I am attaching check in the amount \$13.00. Will you kindly mail Certificate of Completion of Works and License to me at 5846 Shangri Lane, Salt Lake City, Utah.

Regarding cancellation of permit # 28096, I wish to protest this as I never was informed that cancellation would be made or that you had never received payment. It would seem natural that you would have so informed me prior to taking such action. Will you please reinstate this permit.

Will you kindly change my address to the following:

5846 Shangri Lane
Salt Lake City, Utah

Helen T. Fowler
Helen T. Fowler

27266

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

January 26 1966 66

Re: Permit No. G- 27266

To Helen T. Fowler
Box 508
Pocatello, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 27266 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

For non-payment of statutory fee, totalling \$13.00

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 27266 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 27266 claims the use of 2.10 cubic feet per second of the Subterranean Waters well with point of diversion located: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28., Twp. 6 N., Rge. 29 E.B.M.

BUTTE COUNTY and was approved March 4, 1958.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 26th day of January, 1966.

R. Keith Heggins Assistant,
State Reclamation Engineer

27266

January 25, 1966

RE: Permit Nos. G-27266, 28096

Helen T. Fowler
Box 508
Pocatello, Idaho

Dear Mrs. Fowler:

In reply to your inquiry of January 17 we wish to inform you that your Permit No. 28096 has been cancelled for nonpayment of fees.

Permit No. G-27266 was not cancelled because of an oversight. Enclosed find a precancellation notice pertaining to Permit No. G-27266. If this department receives the delinquent fee of \$13.00 before the date mentioned on the precancellation notice you will be issued a Certificate of Completion of Works and a License and Certificate of Water Right; otherwise Permit No. G-27266 will be cancelled.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

Enc. precancellation notice

27266

P.O. Box 508
Pocatello, Idaho
January 17, 1966

State of Idaho
Dept. of Reclamation
107 Statehouse
Boise

RECEIVED
JAN 21 1966

Department of Reclamation

Re: Helen T. Fowler
Water permits G-27266
G-28096 C 2 41

Gentlemen,

On August 16, 1963, you wrote advising that you would issue the Certificate of Completion of Works and License and Certificate of Water Rights and permit # G-27266 and the Certificate of Completion of Works and permit # G-28096. I do not find that I have these and it may be that I overlooked the matter.

Will you please check and advise if these have been issued, and, if not, I will immediately send you the fees as noted.

Thank you
Very truly yours

Helen T. Fowler
Helen T. Fowler

August 16, 1963

RE: Permit Nos. G-27266, 28096

Mrs. Helen T. Fowler
Box 508
Pocatello, Idaho

Dear Mrs. Fowler:

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-27266, and 28096 shows that the well is capable of conveying 105 miner's inches, or 2.10 c.f.s., and the drain ditch is also capable of conveying 105 miner's inches of water for the irrigation of 105 acres.

Upon receipt of the statutory fees, totaling \$18.00, for Permit No. G-27266, \$5.00 for the Completion of Works, \$8.00 for the License and Certificate of Water Right, based at the rate of \$2.00 for each 40-acre subdivision, and \$5.00 for Permit No. 28096 for the Completion of Works, we will issue the Certificate of Completion of Works and License and Certificate of Water Right on Permit No. G-27266 confirming the right, with priority of March 3, 1958, to the use of 2.10 second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28 for irrigation of 105 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 6 N., R. 29 E., B.M., and the Certificate of Completion of Works ~~and License and Certificate of Water Right~~ on Permit No. 28096 confirming the right, with priority of August 10, 1959, to the use of 2.10 second feet of surface water from a drain ditch with the points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33 for supplemental irrigation of the same 105 acres as that covered under Permit No. G-27266.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

27266

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver **ONLY** to
addressee

☐ Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

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

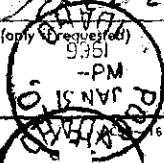
Brent Fowler

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Helen R. Fowler

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)



16-71548-5-F GPO

27266

ICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

19933

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

C55-16-71548-6-F

POD Form 3811 Sep. 1962

277666

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27266

REPORT ON PROOF OF Completion of Works & Beneficial Use

Helen T. Fowler, P. O. Box 508, Pocatello, Idaho

R-29E,

also PD for G-22874
G-22874

Permit # 622874

T.
6
N.

#2
No Pump

110
35
70
105

G-22874
.5 cts

HOME

G-27266- 3.07
2.57 cts

Subdivisions 4

AREA 105 acres

Q 210 cts or 105 acres

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

Permit No. G-27266

This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Helen T. Fowler2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the _____ of Section _____

T. 6 N R. 29 E. B.M. County of Butte

4. Describe works as they exist, giving dimensions and capacities of same NW 1/4 SE 1/4 Sec 28 60 HP P-M
Motor # F-143186 (Type QZKV - Frame 20LS PV - Spec 10605-3) F-M Pump
PL 6581 - 100' x 10" Column, 10" discharge to open ditch. Well - 105' x
16", 105' x 16" perforated casing. NW 1/4 NE 1/4 Sec 33 No pump. (didn't think enough water
to pump.)

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):

SW 1/4 SE 1/4, Sec. 28., NE 1/4 Sec. 33., Twp. 6 N., Rge. 29 E.B.M.

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

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

Remarks: Mr. Allen Hainline lease along

NW 1/4 SE 28 - D/W - 65.96' with 14.82' ad after 15 min pump
NW 1/4 NE 33 - D/W 65.23' top of casing E side

NW 1/4 SE 28 Measured by Sparking Meter. 5 Br. 2 min 37 Sec = 318 x 965 = 307 cfs.

This examination was made on the 3 day of August, 1963.

(Signed) _____

Larry Johnson
Examiner.

27266

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.

Examination for Completion of Works for Beneficial Use

County: Butte

Quantity: 40 c.f.s.

5 km 2 Min 57 Sec 29 N. 29 E. 33
3 km 2 min 37 Sec 29 N. 29 E. 33

Source: Wells

NW. SE., Sec. 28 } T. 6 N. R. 29 E. B.M.
P.D.: NW. NE. " 33 }

Use: Domestic

Filed: Jan 10 1917

Due: Mar 10 1917

Extension: None

Protest: None

Completion of Works: None

Other Rights: None

None - have no right in Sec. 28 is also in 2-20-17

May 29, 1962

Re: Permit No. G-27266

Mrs. Helen T. Fowler
P. O. Box 508
Pocatello, Idaho

Dear Mrs. Fowler:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Aco Advertiser, all submitted in proof of completion of works and beneficial use on Permit No. G-27266.

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:

27266

May 23, 1962

Re: Permit Nos. 28096; G-27266

Helen T. Fowler
Box 508
Pocatello, Idaho

Dear Mrs. Fowler:

Returned herewith are the depositions and affidavits of publication for permits noted above. Also enclosed are two Forms 17.

Under Permit No. 28096 the answers do not give the proper description of the points of diversion. Your permit shows two points of diversion, one in NW corner SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, and one in NW corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33. Complete answer to Question 6. Your husband cannot be considered to be a disinterested witness and you must have another witness complete the enclosed blanks, one for each permit. Witness York should complete answer to Question 4 and answer to Question 9 indicates that the question was not read.

Under Permit No. G-27266 your deposition can be accepted tho there were a few errors. York should read Question 10 before answering. Your husband is not a disinterested witness. It appears that you may have made these proofs ahead of time, as the water right we can issue is limited to one miner's inch per acre for the land actually being irrigated.

Return the corrected depositions, one for each permit, by another disinterested witness and the affidavits of publication at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. depositions (2 sets)
with attached affidavits
of publication Forms 17

27266

RECEIVED
MAY 23 1962STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

RECEIVED
MAY 25 1962

Department of Reclamation

Permit No. G 27266

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. Helen T. Fowler, Cedar Hills, Pocatello--Housewife
P. O. Box 508, Pocatello, Idaho

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. Myself

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

Ans. G-27266 March 4, 1958--June 1, 1958

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

Ans. Subterranean well

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 6 N Range 29 E.

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. 16" cased well 105' deep--60 feet to water

60 HP pump delivers 150" to 175". Ditches, mains and laterals
are in place are of sufficient size to carry 200" or more.

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. For irrigation of NE $\frac{1}{4}$ section 33 and SW $\frac{1}{4}$ Section 28, All of
SW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 Acres) has been irrigated. About 100 acres of NE $\frac{1}{4}$
Section 33 have been irrigated and more is under development.
All irrigated land is cultivated.

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

Ans. Robert Wade, Hamer, Idaho.

27266

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

Ans. None

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

Ans. (4 cfs)

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. Owner

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

Ans. Water has been used since June 1, 1958 to irrigate and farm
ground as could be broken out and placed under cultivation.
Up to 4 cfs inches of water used.

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. On August 14, 1959, under permit 28096 4 cfs of waste water
was applied for. This water has been used for irrigation
and farming of same ground and is used as supplemental
water. Up to 3 cfs available.

(Sign)

Helen J. Fowler

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 Benetoklo, County of Bannock, State of Idaho, on this 21st. day of May, A. D. 19 62.

Sara Howell

My commission expires July 25, 1965

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation
Boise, Idaho
May 14 1944
Mr. J. H. ...
...

Permit No. G-27266

**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. P. S. York, ^{Age} 43, Rt 1, Box 363 D, Pocatello, Idaho
Equipment salesman--farmer

Ques. 2. Are you acquainted with Helen T. Fowler, the holder of Permit No. G 27266? How long have you known him and where does he reside?

Ans. Have known Helen T. Fowler, residing in Pocatello, Idaho
for 12 years.

Ques. 3. Have you read or heard read said Permit No. G 27266, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Well and pump at North West corner of land with ditches
to point of irrigation. NW 1/4 SE 1/4 Sect 22
T6N R 29 E RM

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 cfs--have seen up to 4 cfs.

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. 4 cfs--estimated from pump discharge.

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

Ans. Water is used for irrigation of NE $\frac{1}{4}$ section 33, about
80 to 100 acres irrigated, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, 40 acres.

All is cultivated and farmed that is irrigated.

all in T.6N. - R.29E BM

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

Ans. None

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.

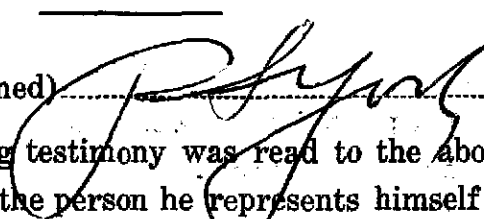
Ans. 4 cfs. Land was in sagebrush, now has been broken out,
leveled, and farmed.

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

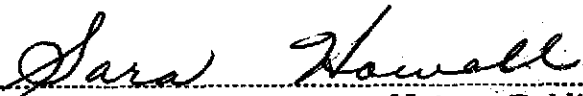
Ans. Farming ground

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

Ans. Have seen gradual development since 1958, with most of the
land now irrigated and farmed.

(Signed) 

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 Pocatello,
County of Bannock, State of Idaho, on this 21st day of May,
A. D. 19 62.



Notary Public.

My commission expires July 25, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. G 27266

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Work

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. O. A. Power, 578 Highland Drive, Pocatello, Idaho

Ques. 2. Are you acquainted with Helen T. Fowler, the holder of Permit No. G 27266? How long have you known him and where does he reside?

Ans. 15 years--Resides in Pocatello, Idaho

Ques. 3. Have you read or heard read said Permit No. G 27266, 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 well at NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, In Township 6 N, Range 29 EBM, with mains and laterals for distribution to irrigate land.

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 cfs--4 cfs.

Ques. 6. 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. 4 cfs--measured pump discharge

Water is used for irrigation of NE $\frac{1}{4}$ section 33 (100 acres) and SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 28 (40 acres) cultivated and farmed. All in T6 N, R 29 EBM. NW corner SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28 and NW corner of NE $\frac{1}{4}$ Section 33.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent. None.

Ans. ~~Water is used for irrigation of NE 1/4 Section 33 (100 acres)~~
~~and SW 1/4 SE 1/4 Section 28 (40 acres, All in T6 N, Range 29 EBM.~~
~~cultivated and farmed.~~

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.

Ans. ~~None~~ 4 cfs required. Ground is good soil and fairly level.
Raises good crops with irrigation.

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

Ans. ~~4 cfs required, ground is good soil and fairly level.~~
~~Raises good crops with irrigation.~~

Ques. 10. 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. No. Have seen developments progress since 1958 when project started.

(Signed)

Al Power

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 Pocatello, County of Bannock, State of Idaho, on this 24 21 day of May, A. D. 1962.

Sara Howell

Notary Public.

My commission expires July 25, 1965.

Affidavit of Publication

I, Dolly Cross, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 4 (four) consecutive weeks, commencing
with the issue dated April 13, 1962
and ending with the issue dated May 4, 1962

Subscribed and sworn to before me this

9 day of May, 1962

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1965

Legal Notice

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

Notice is hereby given that 9 a. m., on the 21st day of May, 1962, at Pocatello, County of Bannock, State of Idaho, before Sara Howell, Notary Public, at 805 N. Arthur, Pocatello, 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-27266 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 Helen T. Fowler, P. O. Box 508, Pocatello, 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 4 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 4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 6 N., R. 29 E., B. M.

5. The place where said water is used is NE $\frac{1}{4}$ Sec. 33, plus SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 6 N., R. 29 E., B. M.

6. The date of priority which

said user is prepared to establish is March 3, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
Pub. April 13 thru May 4, 1962.

27266

April 11, 1962

Re: Permit No. G-27266

Helen T. Fowler,
Box 508,
Pocatello, Idaho

Dear Mrs. Fowler:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27266. The proofs are to be made at 9:00 o'clock A.M., on the 21st day of May, 1962, before Sara Howell, 805 N. Arthur, Pocatello, Idaho, Notary Public.

As of this date we have mailed the Notice to the Arco Advertiser, Arco, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

27266

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-27266
Helen T. Fowler

Date: April 11, 1962

Area Advertiser,
Arco, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **May 21, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Helen T. Fowler of **P.O.Box 508, Pocatello, 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.

27266

RECEIVED
APR 11 1962

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

Department of Reclamation

Notice is hereby given that 9 A.M., on the 21 day of May,
1962, at Pocatello, County of Bannock, State of Idaho,
before B. Sara Howell, Notary Public, at (address) 805 N. Arthur
Pocatello, 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. 27266 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 Helen T. Fowler, P.O. Box 508, Pocatello

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 con-
veying to the place of use is 4 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
4 cubic feet per second.

4. The point of diversion of said water is NW 1/4 of the
SE 1/4 Sect 28 T6N R29E

5. The place where said water is used is NE 1/4 of Sect 33
plus SW 1/4 SE 1/4 Sect 28 T6N R29E

6. The date of priority which said user is prepared to establish is
March 3 1958

Geo. H. Carter
State Reclamation Engineer

27266

RECEIVED
APR 11 1962

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE ^{Department of Reclamation}

(Date) April 9 1962
PO Box 508
Address
Pocatello Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Arco Advertiser of Arco Idaho published in the county in which the works are situated.

Butte Co.

By Helen T. Fowler

(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

27266

March 10, 1958

Re: Permit No. G-27266

Helen T. Fowler
Box 508,
Pocatello, Idaho

Dear Madam:

We enclose Permit No. G-27266 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management, two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

We also enclose departmental receipt No. G-3181, which was issued covering payment in the amount of \$7.75, which includes \$5.75 for the filing fee, and \$2.00 for the copies sent to the Bureau of Land Management, of the above mentioned permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs)
Chief Clerk

EPR:lw
Encls. (3)

27266

March 10, 1958

Re: Permit No. G-27266
Helen T. Fowler

Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

We enclose two copies of Permit No. G-27266, one of which has been certified, to be used in connection with the Desert Land Entry filed in your office by permit holder, Helen T. Fowler, Box 508, Pocatello, Idaho.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

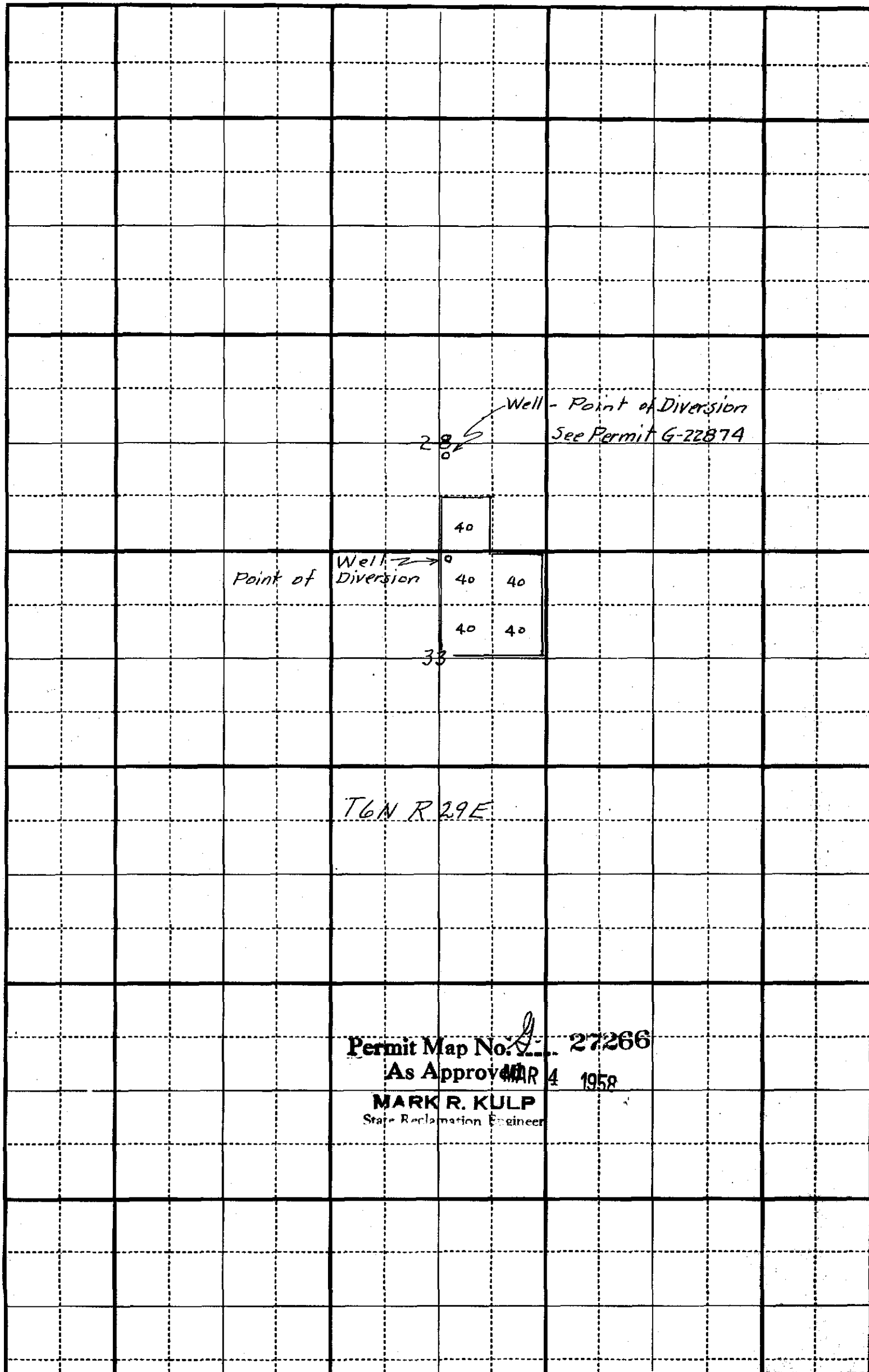
Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Encls.
cc: Helen T. Fowler

27266

NAME OF APPLICANT Helen T. Fowler

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

27266

Will you please
send certified copy
or copies as required
to the Bureau of Land
Management in regard
to Desert Entry of
Helen T. Fowler.

Thank you.

RECEIVED
MAR 3 1958

Department of Reclamation

27266

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

Notice is hereby given that 9 a. m., on the 21st day of May, 1962, at Pocatello, County of Bannock, State of Idaho, before Sara Howell, Notary Public, at 805 N. Arthur, Pocatello, 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-27266 heretofore issued by the Department of Reclamation of the State of Idaho.

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

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 6 N., R. 29 E., B. M.

5. The place where said water is used is NE $\frac{1}{4}$ Sec. 33, plus SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 6 N., R. 29 E., B. M.

6. The date of priority which

said user is prepared to establish is March 3, 1958. 27266

GEO. N. CARTER,

State Reclamation Engineer.
Pub. April 13 thru May 4, 1962.