

Mays Land and Livestock, Inc.

Box 1

HOWE, IDAHO 83244

1/27/67

RECEIVED
JAN 30 1967

Department of Reclamation

State of Idaho
Dept. of Reclamation
107 State House
Boise Idaho

Dear Sir,

I ~~am~~ have received your letter of January 24 concerning Permit No G-29886.

I am prepared to permit the requested amount for issue of Certificate of Completion of works. However, there seems to be some error on your part or a misunderstanding on mine concerning the amount of water allowed.

The 200 acres ~~and so~~ to which the water was to be applied had no water right, so should qualify for one inch per acre or at least 172 inches for the acreage you claim is irrigated. This would be 4 cu. ft per sec for the 200 acres (all good farm land) or 3.44 cu. ft per sec for 172 acres.

Then too this was the ^{early} priority filing on the same well, ^{as} permit No G-29886.

Expecting to hear from you soon, I am

Sincerely yours,

Enclose your letter
in question.

Emlen G. Mays

The 172 inches would take care of the water I would intend to pump from the well.

30226

1A out
7no

30226

709

355

642

96

15 14
10 11

B-120
Charles O'Malley



156

55.6

64.2

9.6

B-115-1-2
Ermen G. Moys

9.10
16/5

54.6

See 71 W-41

mi

B-120

Charles O'Malley

11 12
MAYS' IRRIGATION PUMP (WELL)
PRIVATE DITCH

14 13 18

23 24 19

25 30

LITTLE DIVERSION
of
LITTLE LAST RIVER

35 36 31

32

33 34 35 36

T6N R28E
T5N R28E

T6N R29E
T5N R29E

2

1

6

5

4

3

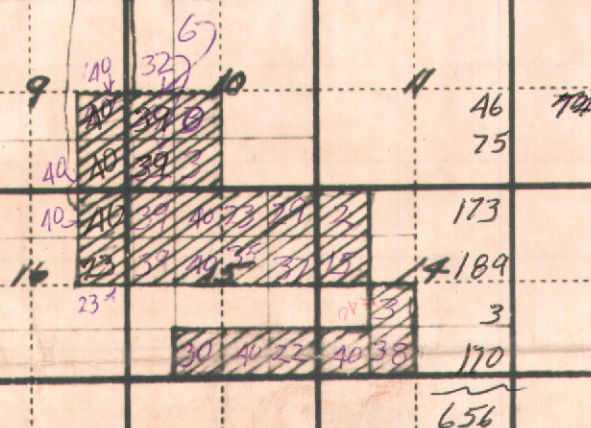
2

1

Permit Map No. 30226

As Approved

OCT 6 1961
GEO. N. CARTER
State Registration Engineer



SEE 6-29886

Area 656A

Subd 23 MAP of Well and Place of Use

To accompany Application for Permit
Q - 482 cfs

By Emile G. Mays

Howe, Idaho

20 September 1961

SCALE: 1" = 1 mile

PUBLIC NOTICE

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

Notice is hereby given that at 10:00 a. m., on the 4th day of June, 1964, at Arco, County of Butte, State of Idaho, before Fred H. Boyer, Notary Public at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4.30 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-30226, 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 Emilen G. Mays, Howe, 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 8.30 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 4.30 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, Twp. 6 N., Rge. 28 E.B.M., County of Butte.

5. The place where said water is used is NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of Section 10; SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10; NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14; the NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15; NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 16; all of Twp. 5 N., Rge. 29 E.B.M., County of Butte.

6. The date of priority which said user is prepared to establish is 8:00 a. m., October 2, 1961.

CARL E. TAPPAN,

State Reclamation Engineer.

Pub. 4-30; 5-7, 14, 21.

30226

State of Idaho

License and Certificate of Water Right

Water License No. G-30226 Priority October 2, 1961 Amount 3.68 c.f.s.

THIS IS TO CERTIFY that EMLEN G. MAYS

of Howe, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 2, 1961; that Permit No. G-30226 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.68 second feet, was issued thereunder on February 15, 1967, showing that said works were completed on the 4th day of June, 1964; and that on the 4th day of June, 1964

EMLEN G. MAYS

of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-30226 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 14 of Licenses, at Page 8679, on the 15th day of February, 1967.

The right hereby confirmed dates from October 2, 1961.

The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 11, Twp. 6 N, R. 28 E, B.M. Butte County.

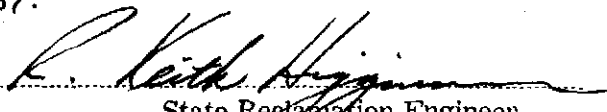
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.68 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	28 E	9	E½ SE¼	80	80
			10	NE¼ SW¼	40
		14	NW¼ SW¼	40	36
			SW¼ SW¼	40	38
			SE¼ SW¼	40	26
			NW¼ NW¼	40	19
			SW¼ NW¼	40	29
			NE¼ SW¼	40	40
		15	S½ SW¼	80	80
			NE¼ NE¼	40	30
			NW¼ NE¼	40	23
			SW¼ NE¼	40	35
			SE¼ NE¼	40	37
			SE¼ SW¼	40	30
			SW¼ SE¼	40	40
			SE¼ SE¼	40	22
		16	NE¼ NE¼	40	40
			SE¼ NE¼	40	23
		15	E½ NW¼	80	80
			NW¼ NW¼	40	39
			SW¼ NW¼	40	39
		Total number of acres to be irrigated:			

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 15th day of February, 1967.


State Reclamation Engineer.

33 2107 30226

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No.	G-30226
To	Emlen G. Mays Howe, Idaho
Source of Supply	a well
Butte	County
Amount	3.68 Sec. Ft.
Point of Diversion	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 6 N., R. 2 E., B.M. E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$, Place of Use Sec. 10; W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 5 N., R. 28 E., B.M.
Purpose	irrigation
Date of Priority	October 2, 1961
Recorded	February 15, 1967
in Book	14 of Licenses, Page 8679

33-2107

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38261
Permit No. G- 30226
District No.

1. Name of Applicant: **Emlen G. Mays**
Postoffice address: **Howe** County: **Butte** State: **Idaho**
2. Quantity of water claimed: **300 inches or 6.0 cu.ft.per sec.**
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 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 **SE 1/4 of the SE 1/4 of Section 11**
Twp. 6 N , Rge. 28 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 **1/4 of the 1/4 of Section , Twp.**
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the **1/4 of the 1/4 of Section , Twp. , Rge. , B.M.**
7. Kind of works: **A drilled, pump and motor, cased well**
8. Estimated cost of works: **\$9000.00**
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 **five** 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: **95 in. 4-1-83; 96 in. 6-1-85; 17 in. 4-1-85; 96 in. 4-1-86; 12 in. 4-1-89; 155 in. 6-1-91; all from Little Lost River, 29 in. 5-25-91; 2.925 sec. ft. 4-15-91; 1.26 sec. ft. 9-1-79**
 - (a) **300 in.** (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.

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. October 2, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30226

Recorded in Book 106 Page 30226 Approved October 6, 1961

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: The amount of subterranean water discharged into Little Lost River shall be subject to and charged a carrying loss to the point of diversion therefrom, as determined by Bond in the sum of \$ to be filed on or before the State Watermaster.

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

Work to begin on or before

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 April 6, 1964

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 **October 6, 1966**

Witness my hand this 6th day of October, 1961

s/ RALPH W. THOMAS
Deputy STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 6th
day of October, 1961

Countersigned:

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE
Governor

s/ By: PAULA L. FLEENOR
Deputy Secretary of State

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	
5 N	28 29 E	9																	80
		10								X	X	X	X					160	
		11					X	X			X		X					200	
		15	X	X	X	X	X	X	X	X					X	X		440	
		16	X			X												80	
TOTAL																		960	
Permit No. G-30226 - CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that EMLEN G. MAYES of Howe, County of Butte, and State of Idaho, the holder of Permit No. G-30226, issued upon Application No. G-38261 bearing date of priority of October 2, 1961, authorizing the diversion of 6.0 second feet of waters of a well 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 the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.68 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE 1/4 SE 1/4, Sec. 11, T. 6 N., R. 28 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: E 1/2 SE 1/4, Sec. 9; SW 1/4, Sec. 10; W 1/2 NW 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4, Sec. 14; 1/2, SE 1/4 SW 1/4, S 1/2 SE 1/4, Sec. 15; E 1/2 NE 1/4, Sec. 16, T. 5 N., R. 29 E., B.M.																			
The amount of subterranean water discharged into Little Lost River shall be subject to and charged a carrying loss to the point of diversion therefrom as determined by the State Watermaster.																			
Proof of Completion of Works Made: June 4, 1964																			
Witness my hand this 15th day of February, A. D. 1967.																			
/s/ R. KEITH HIGGINSON State Reclamation Engineer																			
LICENSE ISSUED FOR 3.68 SEC. FT. LICENSE PAID NO. 8679																			

M E M O R A N D U M

DATE: October 7, 1994

TO: Jim Johnson

FROM: Shelley W. Keen *(SK)*

RE: Place of Use on 33-02107

=====

There are three options for changing the place of use for this right. The first is for the SRBA claim to be recommended with the change under the provisions of Idaho Code §42-1425, the "accomplished transfer" statute. The advantage of this option is that it will not involve additional expense to the claimant, nor will it greatly increase staff review time. The disadvantage is that the constitutionality of Idaho Code §42-1425 may eventually be challenged in court.

The second option is for the right holder to employ the transfer process under Idaho Code §42-222. The advantage of this option is that the process is tried and proven. The disadvantage is that it requires additional cost to the right holder and substantial processing effort by IDWR staff.

The third option is to make the change on the license or the SRBA recommendation without the basis of statutory authority. I concur with you, however, that such a move would be imprudent. The potential for injury to an unknown party exists. Both Idaho Code §42-1425 and Idaho Code §42-222 provide for input from those who believe they may be injured by the change. Without following the statutory processes, we risk depriving someone of an opportunity to challenge the proposed action.

The first option will be taken. If 42-1425 is overturned other action can be taken as necessary.

Jim Johnson
Section Manager
10-10-94

FROM H.W. JONES - Eastern

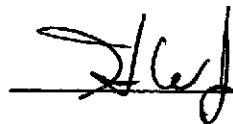
DATE 9-30-94

TO Jim Johnson - Boise

SUBJECT Range correction on License 33-02107

It appears that the wrong range for the P.O.U. was recorded on original field exam papers & this data entered. A look at USGS Map W-84 shows TSN R 28E Section 9-10-15 & 16 up in the mountains of the Challis National Forest. Correct Range should be 29E!

Thanks.



SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SEPTEMBER 14, 1994

MAYS LAND AND LIVESTOCK INC
PO BOX 1
HOWE ID 83244

RECEIVED
SEP 23 1994

RE: NOTICE OF CLAIM A33-02107

Department of Water Resources
Eastern District Office

Dear Mr. Mays:

Please find enclosed an amended computer generated copy of your Notice of Claim to a Water Right A33-02107. In review of your original claim, the following discrepancy was noted.

The Place of Use (item #10): When this claim was first data entered into the computer the Range was entered as 28E. This should have been 29E.

Due to this change, it is necessary for you to re-sign this Notice of Claim and have your signature notarized. Please return this Notice of Claim signed and notarized back to our office no later than October 3, 1994.

I apologize for any inconvenience this has caused you. Please feel free to contact this office if you have any questions regarding this matter.

Respectfully submitted,

Sharla Cox
Adjudication Clerk

Enclosure

*The adjudication
side has been corrected*

February 27, 1967

RE: Permit No. G-29886, G-30226

Emlen G. Mays
Box 1
Howe, Idaho 83244

Dear Mr. Mays:

Returned herewith are your corrected certificates of water right.

Thank you for your prompt attention to the matter.

Very truly yours,

Donald J. Watts
Engineer

DJW:mr

Enc. certificates 4

30226

February 23, 1967

RE: Permit Nos. G-29886, G-30226

Emlen G. Mays
Box 1
Howe, Idaho 83244

Dear Mr. Mays:

It has come to our attention that errors were made in the location of the place of use on all the certificates of water rights on the above numbered permits. The certificates show the range to be 28 East instead of 29 E. We have corrected all of our records here in the office. Will you please return the certificates to us for correction? They will be sent back to you as soon as the corrections are made.

Very truly yours,

Donald J. Watts
Engineer

DJW:mr

30226

Permit No. G-30226.....

Certificate of Completion
of Work

Dated .. February 15, 19 67 ..

Stream .. a well ..

County .. Butte ..

Amount .. 3.68 c.f.s. ..

Date of Priority .. October 2, 1961 ..

Recorded in Book .. 106 ..

of .. Permits .., page 30226 ..

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that EMLEN G. MAYES
 of Howe, County of Butte, and State of
Idaho, the holder of Permit No. G-30226, issued upon
 Application No. G-38261, bearing date of priority of October 2, 1961, authorizing the
 diversion of 6.0 second feet of waters of a well

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 the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 3.68 second feet of the waters of a well from
subterranean flow;

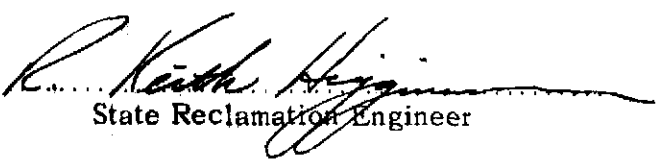
that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 6 N., R.
28 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$, Sec. 10; W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; 1 E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16,
T. 5 N., R. 2 E., B.M.

The amount of subterranean water discharged into Little Lost
 River shall be subject to and charged a carrying loss to the point
 of diversion therefrom as determined by the State Watermaster.

Proof of Completion of Works Made: June 4, 1964

Witness my hand this 15th day of February, A. D. 19 67


 State Reclamation Engineer

February 15, 1967

RE: Permit Nos. G-29886, G-30226

Emlen G. Mays
Box 1
Howe, Idaho 83244

Dear Mr. Mays:

Enclosed are the Certificates of Completion of Works and Licenses and Certificates of Water Rights on the above numbered permits, and departmental receipt No. G-11301 in the amount of \$68.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

30226

ROBERT E. SMYLIE
Governor



CARLETON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 2, 1967

RE: Permit No. G-30226

RECEIVED
FEB 6 1967

Department of Reclamation

Emlen G. Mays
Howe, Idaho

Dear Mr. Mays:

Our field examiner'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-30226 shows the well(s) is (are) capable of conveying 184 miner's inches, or 3.68 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 53.00, we will issue the Certificate of Completion of Works for 3.68 c.f.s. and the License and Certificate of Water Right for 3.68 c.f.s. confirming the right, with priority of October 2, 1961, to the use of subterranean water with the point of diversion in SE1/4SE1/4, Sec. 11, T. 6 N, R. 28 E, B.M., for irrigation of 795 acres in E1/2SE1/4, Sec. 9; SW1/4, Sec. 10; W1/2NW1/4, S1/2SW1/4, NE1/4SW1/4, Sec. 14; N1/2, SE1/4SW1/4, S1/2SE1/4, Sec. 15; E1/2NE1/4, Sec. 16, T. 5 N, R. 28 E, B.M.

Very truly yours,

A handwritten signature in cursive script, reading "M. Russell Bosch".

M. Russell Bosch
Office Manager

MRB:nw

30226

January 30, 1967

Re: Permit Nos. G-29886
G-30226

Emlen G. Mays
Box 1
Howe, Idaho 83244

Dear Mr. Mays:

In answer to your inquiry of January 27, 1967, when more than one permit is issued on the same well and no other provision is made, the total production of the well is apportioned equally to all the land. If you would prefer to have 172 inches licensed under G-29886, then G-30226 could be licensed for 218.5 inches.

Please advise as to how you want the water divided between the two permits and the licenses can be made out accordingly, up to an inch per acre.

The fees are the same regardless of how the water is to be distributed.

Very truly yours,

Donald J. Watts
Engineer

DJW:nw

30226

Mays Land and Livestock, Inc.

Box 1

HOWE, IDAHO 83244

1/27/67

RECEIVED
JAN 30 1967

Department of Reclamation

State of Idaho
Dept. of Reclamation
167 State House
Boise Idaho

Dear Sir,

I ~~am~~ have received your letter of January 24
Concerning Permit No. G-29886.

I am prepared to permit the requested amount ~~however~~ of
Certificate of Completion of works. However, there seems
to be some error on your part or a misunderstanding
on mine concerning the amount of water allowed.

The 200 acres ~~and~~ ~~to~~ which the water was to be
applied had no water right, so should qualify for
one inch per acre or at least 172 inches for the
acreage you claim it is irrigated. This would be 4 cu. ft.
per sec. for the 200 acres (all good farm land) or 3,44 cu. ft.
per sec. for 172 acres.

Then too this was the ^{early} priority filing on the same
well, permit No. G-29886.

Expecting to hear from you soon, I am

Sincerely yours,

Enclose your letter
in question.

Emlen G. Mays

The 172 inches would take care of the water I
would intend to pump from the well.

30226

XXXXXXX

January 23, 1967

RE: Permit No. G-30226

Emlen G. Mays
Howe, Idaho

Dear Mr. Mays:

Our field examiner'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-30226 shows the well(s) is (are) capable of conveying 241 miner's inches, or 4.82 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 51.00, we will issue the Certificate of Completion of Works for 4.82 c.f.s. and the License and Certificate of Water Right for 4.82 c.f.s. confirming the right, with priority of October 2, 1961, to the use of subterranean water with the point of diversion in SE1/4SE1/4, Sec. 11, T. 6 N, R. 28 E, B.M., for irrigation of 656 acres in E1/2SE1/4, Sec. 9; SW1/4, Sec. 10; W1/2NW1/4, NE1/4NE1/4, S1/2SW1/4, Sec. 14; N1/2, SE1/4SW1/4, S1/2SE1/4, Sec. 15; E1/2NE1/4, Sec. 16, T 5 N, R. 29 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

P.S. The 4.82 c.f.s. is subject to transmission losses.

*See letter of
Feb. 2, 1967*

30226

August 29, 1966

RE: Permit Nos. G-29886, G-30226

Emlen G. Mays
Howe, Idaho

Dear Mr. Mays:

In reply to your letter of August 23, 1966 we advise that you delay any action on the matter until a field examiner from this office has a chance to visit the well with you in order to determine the correct location.

Our source of information as to the well location is the U.S. Geological Survey Number 12ccl, which indicates the well is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12. These are usually quite accurate, but it is possible that an error exists in this case.

Very truly yours,

Donald Watts
Office Engineer

DW:mr

30226

Emlen G. Mays
HOWE, IDAHO

RECEIVED
AUG 25 1966

Department of Reclamation

8/23/66

Dept. of Reclamation
State House, Boise Ida.

Attn: R.E. Permit Nos G-29886, G-30226

Mr. W. Russell Boech,

Your letter of August 3, 1966, was received but recommendations not followed immediately because I haven't had time to check on the error your field examiner says exists. It was hard to believe ^{one spotted} because a Licensed Civil Engineer ^(Fred Lifer deceased) made the location for a right of way on B.L.M. land. The Grant-Serial No. Idaho 012691 was approved by the Department of the Interior on the 24th day of October, 1961.

I was with the engineer to locate the corners and make the survey. The B.L.M. Survey crew was camped on the River at the time and it was checked with their Aerial maps.

Just to-day I checked the location from Aerial Photos in the Assessor's office. The point of diversion is definitely correct as was advertised. The line between Section 11 and Section 12 is some 500 or more feet east of the Little Lost River channel where as the diversion is within 100 feet of the stream. This would make the point of diversion be in the Southeast $\frac{1}{4}$ of the SE. $\frac{1}{4}$ of Section 11 or perhaps some 400' feet or more inside of Section 11.

Expecting to hear from you concerning this I am
Sincerely yours,

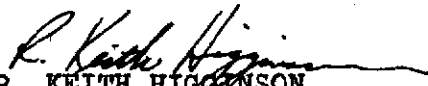
Emlen G. Mays
30226

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-203, IDAHO CODE

Notice is hereby given that the legal notices printed in the Arco Advertiser April 30 and May 7, 14, 21, 1964, showing that Emlen G. Mays was to make proof of completion of works and beneficial use of water June 4, 1964 on Permit Nos. G-29886 and G-30226 were in error, and that the point of diversion was given as the SE~~SE~~SW~~SE~~, Sec. 11, T. 6 N., R. 28 E., B.M., whereas the actual point of diversion lies in the SW~~SW~~SW~~SW~~, Sec. 12, T. 6 N., R. 28 E., B.M.

That any protests against the approval of the depositions, made June 4, 1964, must be filed in the Department of Reclamation, at Boise, Idaho within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 3rd day of August, 1966


R. KEITH HIGGINSON
Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest September 13, 1966

Never Published
Error didn't Exist
Dec

30226

August 3, 1966

RE: Permit Nos. G-29886, G-30226

Emlen G. Mays
Howe, Idaho

Dear Mr. Mays:

Our field engineer was out and finds that the point of diversion as listed on your permits and the advertisements is in error.

Prior to the issuance of the licenses we will require that these permits be readvertized at your expense. Enclosed are 2 copies of a correction publication to be published once a week for two consecutive weeks. Give one copy to the paper, insert the dates of first and last publication in one copy and return to us.

Upon completion of the advertisement we will be able to issue the certificates of water right as soon as the affidavit of publication is received.

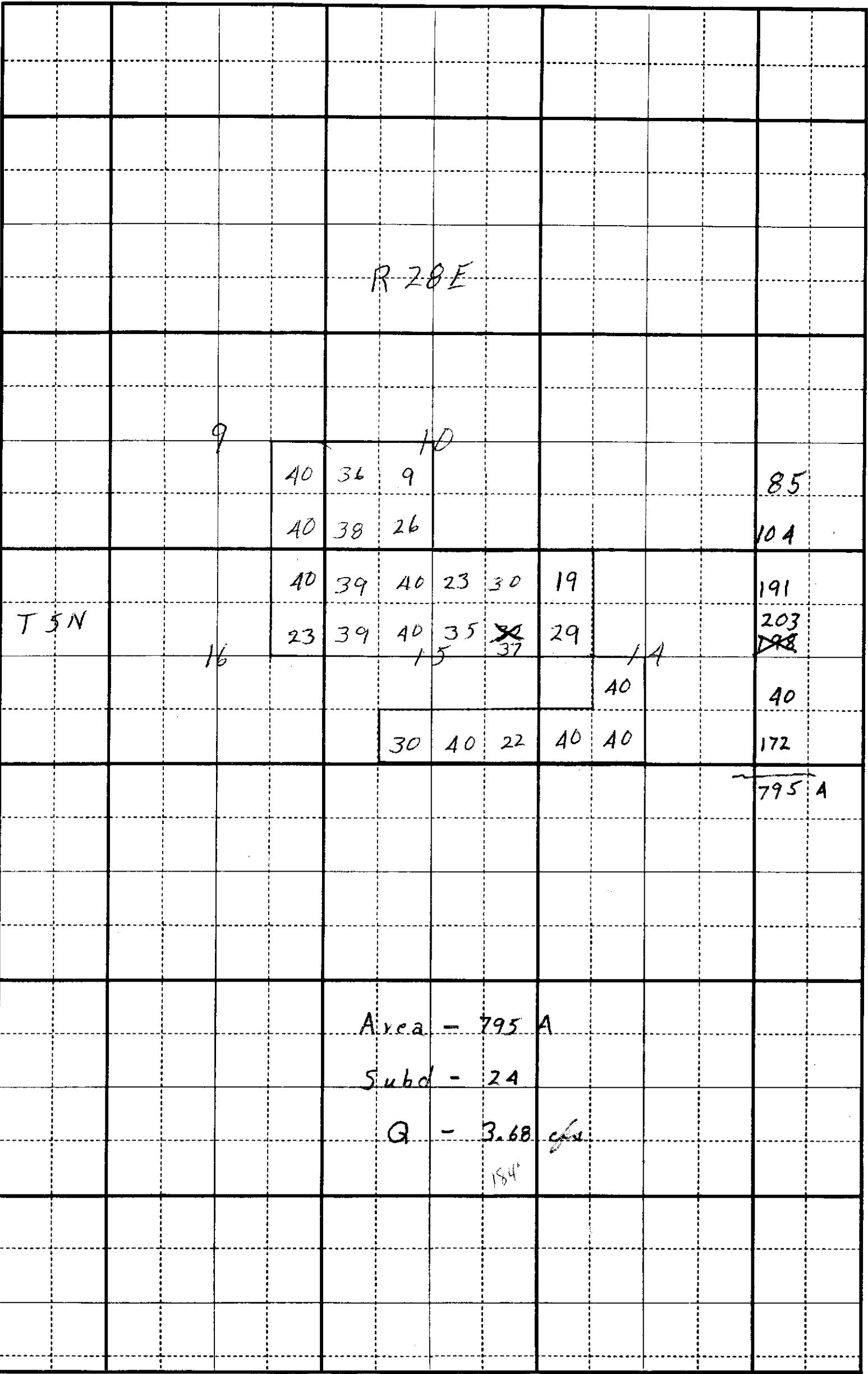
M. Russell Bosch
Office Manager

MRB:mr

Enc. legal notice 2

P. S. It will also be necessary to amend the points of diversion on these permits. Two forms are enclosed. The recording fee is \$1.00 each, which should accompany the applications for amendment.

30226



770

no 41

502

555

747

76

11 51
11 52

8-13-D
Charles ON-ley

156

556

542

B-115-1-2
Ermen G. Mays

9/10
16/15

545

11-11-41

F-130
Charles O. Moley

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

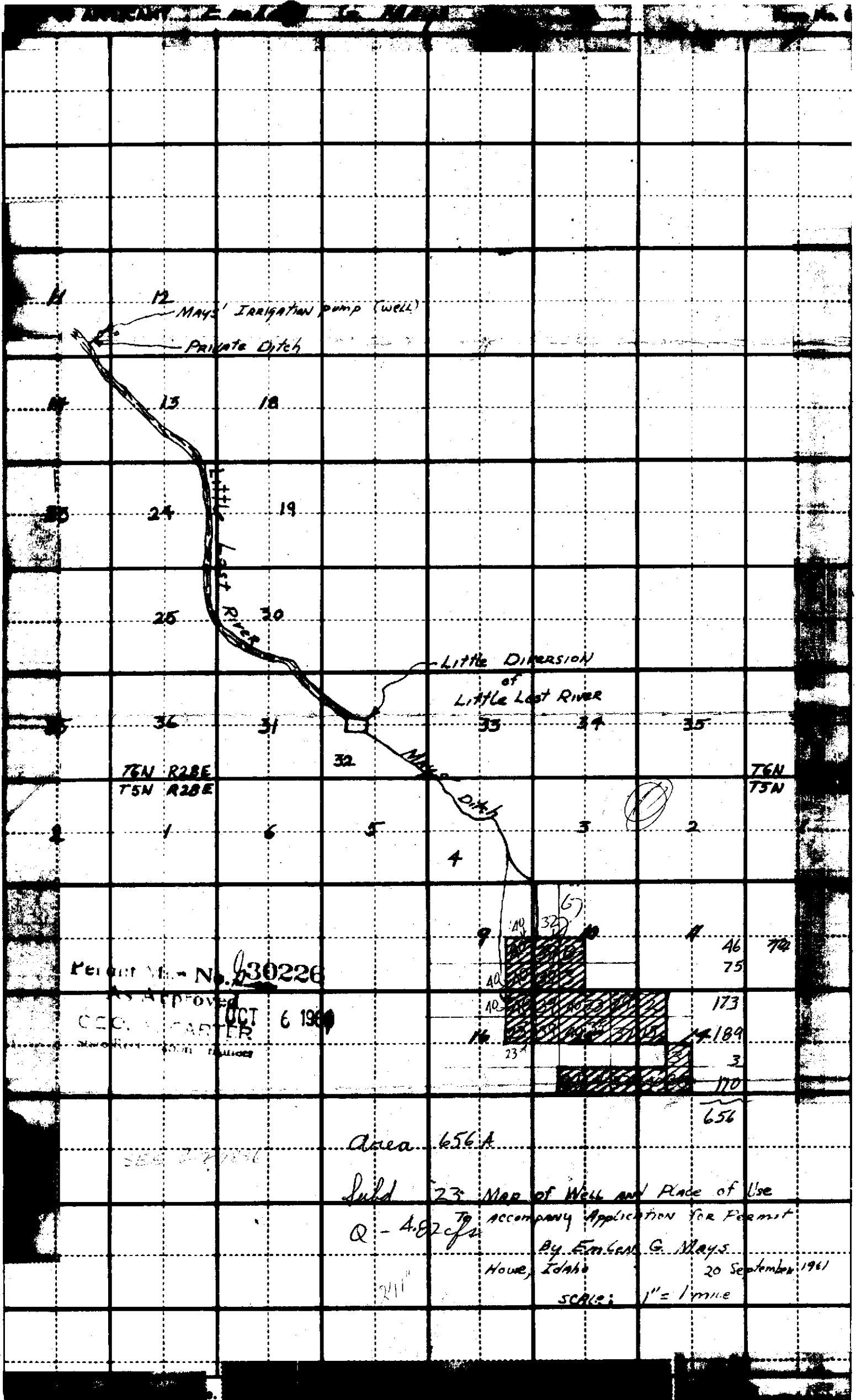
REPORT OF ENGINEER

PERMIT NO. G-30226

REPORT ON PROOF OF Completion of Works & Beneficial Use

Emlen G. Hays, Howe, Idaho

30226



PERMIT NO. 30226

AS APPROVED
OCT 6 1961
C.C. CARTER

Area 656A

Subd 23 Map of Well and Place of Use
Q - 4.82 cfs
To accompany Application for Permit
By EUGENE G. MAY'S
Hove, Idaho

20 September 1961

SCALE: 1" = 1 mile

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

Permit No. G-30226

This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Emlen G. Hays2. Source of water supply: Subterranean ^{1065 12 CCI}3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11T. 6 N R. 28 E.B.M. County of Butte

4. Describe works as they exist, giving dimensions and capacities of same:

200 HP. U.S. Motor # 125 1267
Layne pump # 44020 P 12" discharge to open ditch
and into Little Lost River

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

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):

E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 9., SW $\frac{1}{4}$ Sec. 10., W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 11., N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 15., E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 16., all in Twp. 5 N., Rce. 29 E.B.M.

NOTE: The amount of subterranean water discharged into Little Lost River shall
 be subject to and charged a carrying loss to the point of diversion
 therefrom, as determined by the State Watermaster.

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

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

Remarks:

See G-29886

11 9/16' id @ 16.2 7.77 (.729) Allow
7.2' on 4' cap weir 6.09 (measured regularly) 7.2'
exchange water taken at 360" by Little Lost W.M. 3.7
water conveyed thru Little Lost R. allow 7.2 cfs

Q = $\frac{656}{820} (6.09) = 4.82$ less G 29886 7.20
P.D. amend Rego. to SW 2nd-12 SW 3rd-12 6N-28E 3.68

P.D. checked pre request and found O.K. USGS No. wrong!

This examination was made on the 2nd day of June, 1966

(Signed)

Don Watts

Examiner.

30226 at ✓

0.1 and
250-
83226??

Enlen G. Mays
Howe, Idaho

Permit No. G-30226

Examination for Completion of Works & Beneficial Use

County Butte

Sec. 11 T. 6N R. 28 EBM

Quantity: 6.0 cfs

Source: Well

P. D.: SESE, 11-6N-28E

Use: Irrigation

Filed: 10-2-61

Due: 10-6-66

Made: June 4, 1964
Priority: Oct. 2, 1961
Extension:

Protest:

Completion of Work:

Other Rights: Little Lost River
95° 4-1-83 29° 5-25-91
96° 6-1-84 2925 cfs 4-15-91
17° 4-1-85 1.26 9-1-79
96° 4-1-86
12° 4-1-89
15° 6-1-91

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.

1M April 1962

June 8, 1964

Re: Permit No. ~~0-29886~~
0-30226

Emile G. Hays
Homs, Idaho

Dear Mr. Hays:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ARCO ADVERTISER, all submitted in proof of completion of works and beneficial use on Permit No. ~~0-29886 & 0-30226~~.

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:

30226

JUN 5 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G-30226

* * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

* * * * *

DEPOSITION OF HOLDER

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

EMLEN G. MAYS, Howe, Idaho, Farmer-Rancher, Howe, 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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G-30226, October 6, 1961, October 2, 1961 (priority date)

Ques. 4. State source of water supply: Well
Give location of point of diversion, showing subdivision, section, township and range:

The point of diversion is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp. 6 N., Range 28 E.B.M., County of Butte.

Ques. 5. Describe your works of diversion: Drilled well with pump and motor

_____ ; state amount of water they are capable of conveying from point of diversion to place of use 8.30 c.f.s. ; Give name of canal or ditch or other works by which water is conducted to such place of use: Mays Ditch

_____ ; if a well, state depth of well 250 Feet ; depth and size of casing: 250 Feet ; depth to water 134 Feet ; if pump is used,

state discharge of pump: 8.3 c.f.s. ; tell how it was measured or determined: by test by well driller & by irrigation ; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: 4.3 c.f.s. on the following lands: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9; SW $\frac{1}{4}$ Section 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11; NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16;

All of Twp. 5 N., Range 29 E.B.M., County of Butte.

State nature of all improvements which have been made as a direct result of said use:

Improvements already existing.

30226

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 8:00 a.m. October 2, 1961 Time used since first use: two months each year since first use

Ques. 11. Describe all other water rights appurtenant to same place of use:

Surface water decreed from waters from Little Lost River priority dates 1879 to 1891.

(sign) Emile G. Mayhew

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

ARCO, IDAHO, County of BUTTE

State of Idaho, on this 4th day of JUNE, A.D. 19 64.

My Commission expires: 6-13-65

30226

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEPARTMENT OF RECLAMATION

Permit No. G-30226

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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:

L. R. Hawley, 48, How, Idaho, Farmer, Howe, Idaho.

Ques. 2. Are you acquainted with Emelen G. Mays, the holder of
Permit No. G-30226 ? How long have you known him and where does he reside:

10 years in Howe, Idaho

Ques. 3. Have you read or heard said Permit No. G-30226 read, and are you familiar
with its provisions and conditions: Yes: X No:

Ques. 4. State source of water supply: Irrigation well

State place of diversion: SE-SE Section 11, Twp. 6N., Range 28 EBM, County of Butte

Describe works for conveying water to place of use: Pipes from well into the
Little Lost River then is transferred to Mays Ditch and delivered to property for use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 8.3 c.f.s. How much water have you seen being so

conveyed: 8.3 c.f.s.

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

4.3 c.f.s. on the following lands: NE-SE¹, SE-SE¹ of Sec. 9; SW¹ Section 10;
SW-NE¹, NW-NE¹, NE¹ SW¹, SW-SE¹ Sec. 14; NE-NE¹, SE-SE¹ SW-SE¹, SE-SE¹
S. c. 15; NE-NE¹, SE-NE¹ Section 16; all of two. 5 N., Range 29 E.B.M., County of Butte.

30226

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

Does not apply

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:

Good loam soil. Approximately one minor's inch per acre.

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

Ques. 10. When did you first see this water used: October 2, 1961

Other times you have seen such use: Every year since original use.

(Signed)

L. R. Hawley

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 ARCO, IDAHO

_____, County of BUTTE, State of Idaho, on this 4th day of JUNE,

A. D., 1962. 64

Frank A. Bayer

Notary Public for State of Idaho

Residing: _____

My commission expires: 6-13-65

30226

RECEIVED
JUN 5 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. G-30226

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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:

Charles F. O'Maley, 59, Howe, Idaho, Farmer, Howe, Idaho

Ques. 2. Are you acquainted with Emelen G. Mays, the holder of
Permit No. G-30226 ? How long have you known him and where does he reside:

41 years in Howe, Idaho

Ques. 3. Have you read or heard said Permit No. G-30226 read, and are you familiar
with its provisions and conditions: Yes: X No:

Ques. 4. State source of water supply: Irrigation well

State place of diversion: SE¹SE¹ Section 11, Twp. 6N., Range 28 EPM, County of Butte

Describe works for conveying water to place of use: Pumps from well into the Little
Lost River then transferred to Mays Ditch and delivered to property for use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 8.3 c.f.s. How much water have you seen being so
conveyed: Same amount 8.3 c.f.s.

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

4.3 c.f.s. on the following lands: NE¹SE¹, SE¹SE¹ of Sec. 9; SW¹ Section 10;

SW¹NE¹, NW¹NE¹, NE¹SW¹, SW¹SW¹, SE¹SW¹ Sec. 14; NE¹NE¹, SE¹SW¹, SW¹SE¹, SE¹SE¹

Sec. 15; NE¹NE¹, SE¹NE¹ Section 16; All of Twp. 5 N., Range 29 E.B.M., County of Butte.

30226

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

Does not apply.

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:

Good loam soil. Approximately one minor's inch per acre.

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

Ques. 10. When did you first see this water used: October 2, 1961

Other times you have seen such use: Every year since original use.

(Signed)

Charles F O'Maley

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 ARCO, IDAHO

 , County of BUTTE, State of Idaho, on this 4th day of JUNE,

A. D., 1964.

Mark S. Dwyer

Notary Public for State of Idaho

Residing: Arco, Idaho

My commission expires: 6-13-65

30226

Affidavit of Publication

RECEIVED
JUN 5 1964

Department of Reclamation

I, Elizabeth L. Brammer, 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 four consecutive weeks, commencing with the issue dated April 30, 1964

and ending with the issue dated May 21, 1964

Elizabeth L. Brammer

Subscribed and sworn to before me this

19 day of May, 1964

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1965

PUBLIC NOTICE

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

Notice is hereby given that at 10:00 a. m., on the 4th day of June, 1964, at Arco, County of Butte, State of Idaho, before Fred H. Boyer, Notary Public at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4.30 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-30226, 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 Emmen G. Mays, Howe, 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 8.30 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 4.30 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, Twp. 6 N., Rge. 28 E.B.M., County of Butte.

5. The place where said water is used is NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of Section 10; SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14; the NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15; NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 16; all of Twp. 5 N., Rge. 29 E.B.M., County of Butte.

6. The date of priority which said user is prepared to establish is 8:00 a. m., October 2, 1961.

CARL E. TAPPAN,
State Reclamation Engineer.
Pub. 4-30; 5-7, 14, 21.

LOST RIVER TITLE COMPANY

TITLE INSURANCE ESCROWS ABSTRACTS

ARCO, IDAHO

June 4, 1964

RECEIVED
JUN 5 1964
Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Re: Emelen G. Mays
Permit #G-29886
Permit #G-30226

Gentlemen:

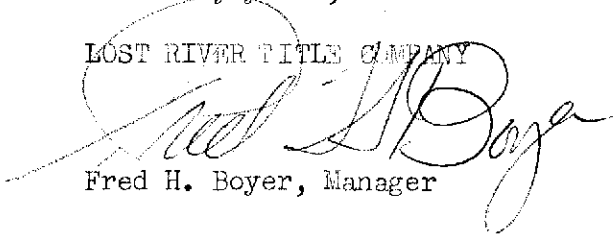
Enclosed herewith is the Deposition of Holder and two witnesses for completion of works and water to beneficial use on the above applications.

Also enclosed is Affidavit of Publication on each permit.

Please forward the papers to complete this for decree directly to Mr. Mays.

Sincerely yours,

LOST RIVER TITLE COMPANY


Fred H. Boyer, Manager

FHB:jb

Encls.

April 24, 1964

Re: Permit No. G-30226

Mr. Helen C. Mays,
Howe, Idaho.

Dear Mr. Mays:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-30226. The proofs are to be made at 10:00 o'clock A.M., on the 4th day of June, 1964, before Fred H. Boyer, Arco, 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

30226

Re: Permit No. G-30226
Emlen G. Mays

Date: April 24, 1964

Arco Advertiser,
Arco, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to June 4, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant Emlen G. Mays
of Howe, 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,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

30226

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

RECEIVED
DEPARTMENT OF RECLAMATION

Notice is hereby given that at 10:00 A. M., on the 4th day of June
19 61, at Arco, Idaho, County of Butte, State of Idaho,
before Fred H. Boyer, Notary Public, at (address) Arco, Idaho.
_____, proof will be submitted of the completion of works for
the diversion of 4.30 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. 30226, 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 Ealen G. Mays Howe, Idaho

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 8.30 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 4.30
cubic feet per second.

4. The point of diversion of said water is SE₁ of the SE₁ of Section 11, Twp. 6N,
Rge. 28E, B.M., County of Butte

5. The place where said water is used is NE₁ of the SE₁, SE₁ of the SE₁ of Section 9;
SW₁ of Section 10; NW₁ of the NW₁, NE₁ of the SW₁, SW₁ of the SW₁, SE₁ of the SW₁ of Section 14;
the NE₁, the NW₁, the SE₁ of the SW₁, the SW₁ of the SE₁, the SE₁ of the SE₁ of Section 15;
NE₁ of the NE₁, SE₁ of the NE₁ of section 16; all of Twp. 5N, Rge. 29E, B.M., County of Butte

6. The date of priority which said user is prepared to establish is 8:00 A. M.
October 2, 1961

CARL E. TAPPAN

State Reclamation Engineer

30226
RF

Form No. 11
2M - 10/60

RECEIVED

APR 24 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 23, 1964

(P. O.) Howe, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Arco Advertiser

Arco, Idaho

of Arco, Idaho published in

the county in which the works are situated.

Emilen B. Mays

(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.

30226

Emlen G. Mays

HOWE, IDAHO

April 23, 1964

RECEIVED

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Department of Reclamation

Department of Reclamation
Room 107, State House
Boise, Idaho

Gentlemen:

Enclosed is two forms showing proof of completion of works and application of water to beneficial use referring to Idaho Permits Nos. 29886 and 30226.

The reason for two permits is because the well after completion produced more water then the original filing. This well was tested to pump 8.30 cubic feet per second. The amount pumped as measured by the watermaster and delivered down the river was charged a 6% loss between where it entered and where it leaves the river. The first delivery was made on September 18, 1961.

Sincerely,

Emlen G. Mays

Emlen G. Mays

30226

October 13, 1961

Re: Permit No. G-30226

Mr. Emlen G. Mays,
Howe, Idaho.

Dear Mr. Mays:

We enclose Permit No. G-30226 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6587 which was issued covering payment in the amount of \$6.25 for the filing fee of the above mentioned permit.

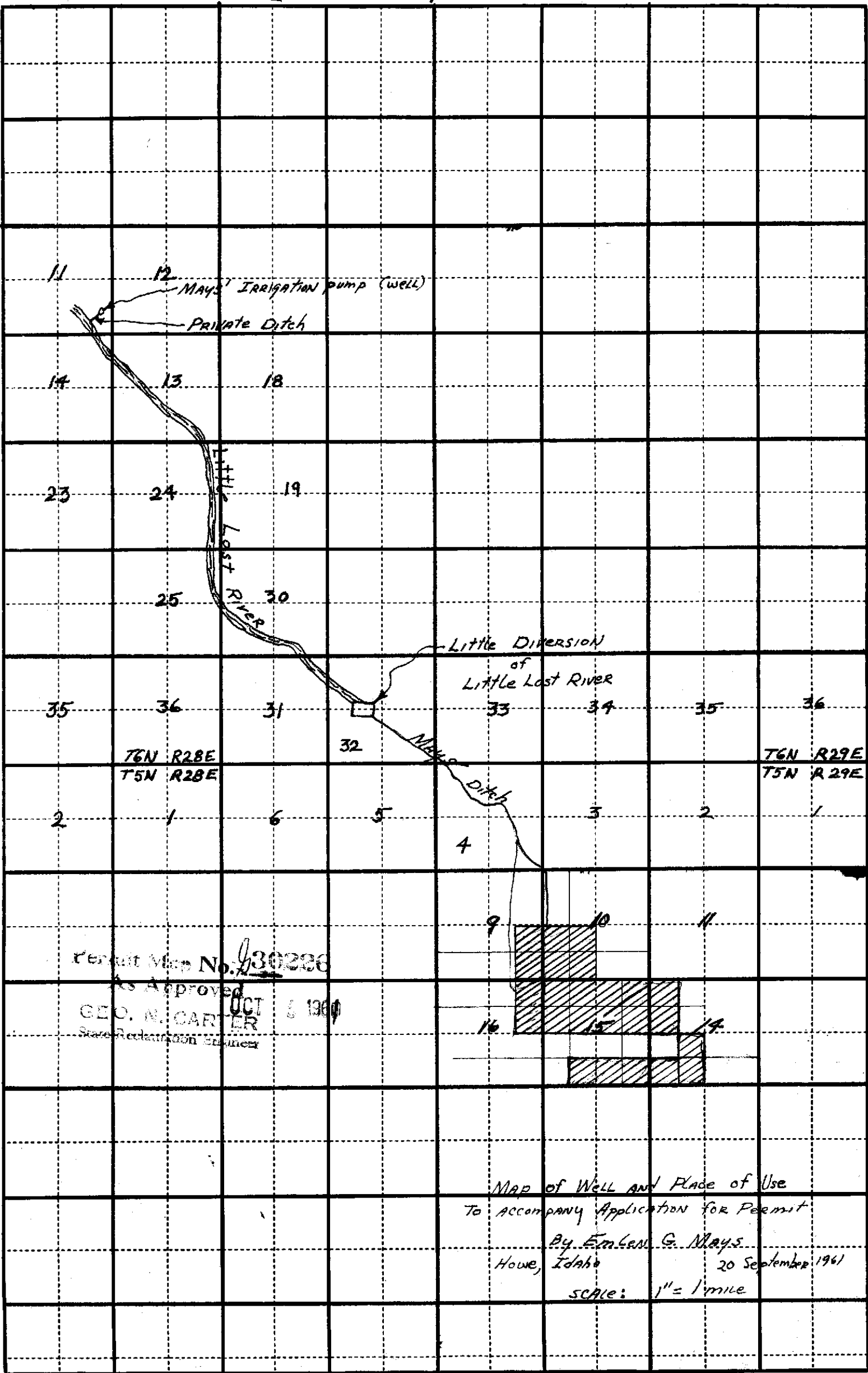
Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

30226



PUBLIC NOTICE

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

Notice is hereby given that at 10:00 a. m., on the 4th day of June, 1964, at Arco, County of Butte, State of Idaho, before Fred H. Boyer, Notary Public at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4.30 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-30226, 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 Emilen G. Mays, Howe, 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 8.30 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 4.30 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, Twp. 6 N., Rge. 29 E.B.M., County of Butte.

5. The place where said water is used is NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of Section 10; SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14; the NE $\frac{1}{4}$; the NW $\frac{1}{4}$; the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15; NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 16; all of Twp. 5 N., Rge. 29 E.B.M., County of Butte.

6. The date of priority which said user is prepared to establish is 8:00 a. m., October 2, 1961.

CARL E. TAPPAN,
State Reclamation Engineer.
Pub. 4-30; 5-7, 14, 21. 30226