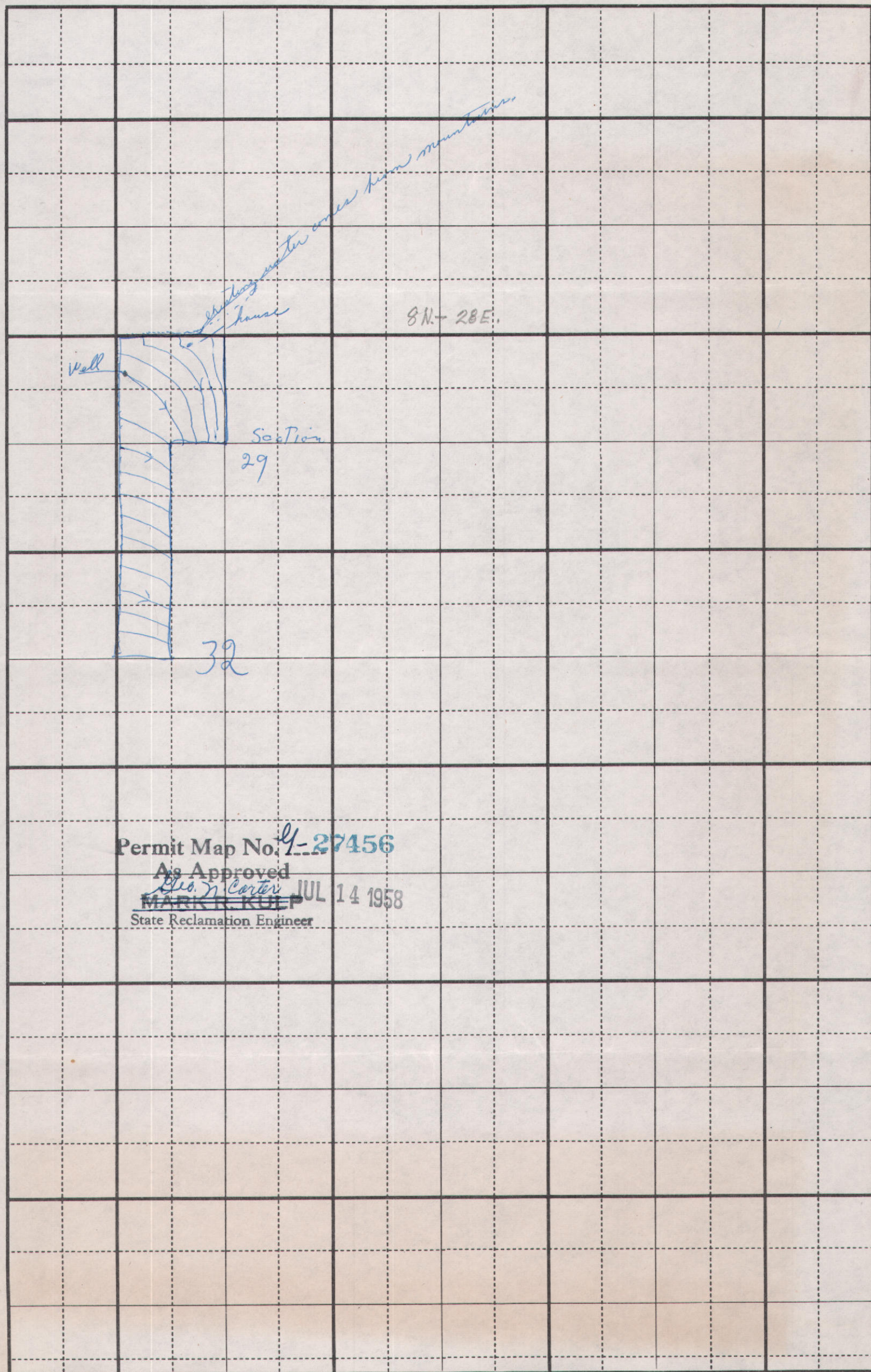


NAME OF APPLICANT Orville Nicholson

Form No. 0



Permit Map No. 4-27456

As Approved

Geo. D. Carter
MARK KULP

State Reclamation Engineer

JUL 14 1958

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

27456

Affidavit of Publication

RECEIVED
MAY 7 1962

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 March 30, 1962
and ending with the issue dated April 20, 1962

Dolly Cross
Dolly Cross

Subscribed and sworn to before me this
23 day of April, 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 2:00 p. m., on the 4th day of May, 1962, at Arco, County of Butte, State of Idaho, before Ruby B. Gamett, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 3.6 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-27456 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 are Orville Nicholson, 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 3.6 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 3.6 cubic feet per second.

4. The point of diversion of said

water is NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 29, Twp. 8 N., Rge. 28 E. B. M.

5. The place where said water is used is NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, Twp. 8 N., Rge. 28 E. B. M.

6. The date of priority which said user is prepared to establish is July 8, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
Pub. Mar. 30 thru April 20, 1962.

PLASTER LEDGER

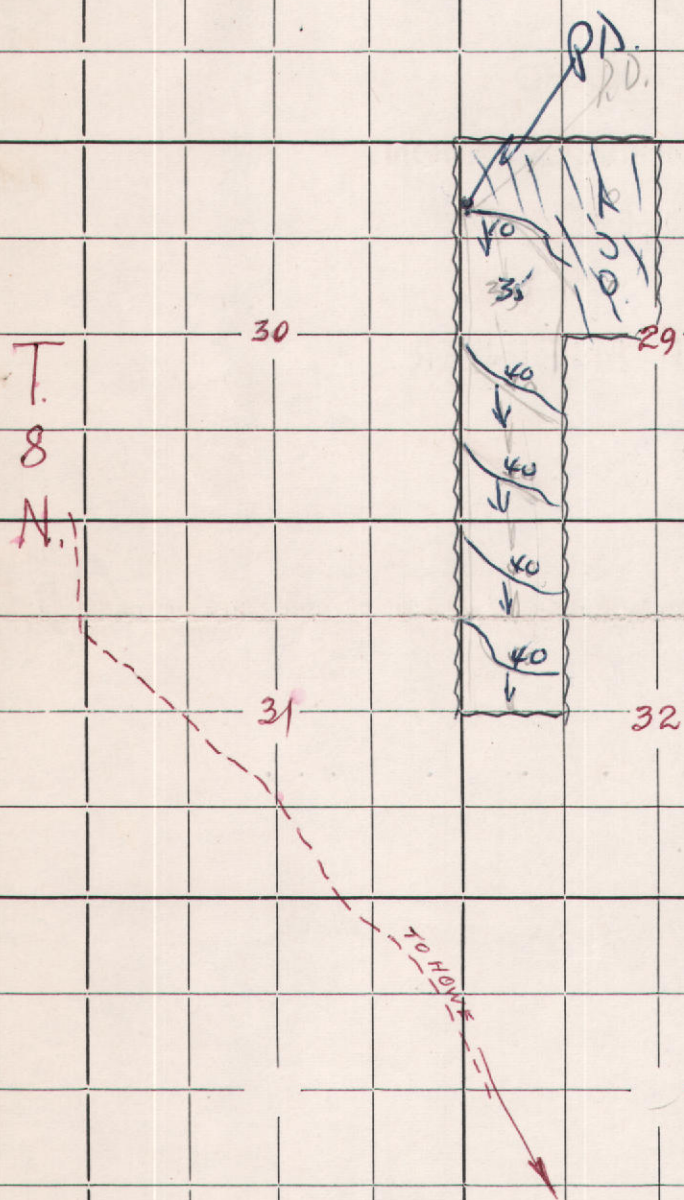
25% COTTON FIBER

U.S.A.

2068

27456

R-28E.



Subdivisions

6

AREA

205 acres

9

2.19 cfs or 109 1/2"

LEGAL NOTICE

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

Notice is hereby given that 2:00 p. m., on the 4th day of May, 1962, at Arco, County of Butte, State of Idaho, before Ruby B. Gamett, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 3.6 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-27456 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 are Orville Nicholson, 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 3.6 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 3.6 cubic feet per second.
4. The point of diversion of said

water is NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 29, Twp. 8 N., Rge. 28 E. B. M.

5. The place where said water is used is NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, Twp. 8 N., Rge. 28 E. B. M.

6. The date of priority which said user is prepared to establish is July 8, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
Pub. Mar. 30 thru April 20, 1962.

State of Idaho
License and Certificate of Water Right

Water License No. G-27456

Amount 2.19 c.f.s.

Water District No. _____

Priority July 8, 1958

THIS IS TO CERTIFY that **ORVILLE NICHOLSON**
of **Howe, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **July 8**, 19 **58**; that Permit **N6-27456**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.19 second feet, was issued thereunder on **November 24**, 19 **65**, showing that said works
were completed on the **4th** day of **May**, 19 **62**; and that on the **4th**
day of **May**, 1962, **Orville Nicholson**

of **Howe**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. **G-27456** 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 **8406**, on the **24** day of **November**, 19 **65**;
The right hereby confirmed dates from **July 8**, 19 **58**;

The Point of Diversion is located

in the **NW 1/4 NW 1/4, Sec. 29, Tp. 8 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 **2.19** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N	28 E	29	NW 1/4	40	10
			SW 1/4	40	35
			SE 1/4	40	0
			NW 1/4	40	40
			SW 1/4	40	40
			SE 1/4	40	40
		32	NW 1/4	40	40
			SW 1/4	40	40
			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
24th day of **November**, 19 **65**.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35390
 Permit No. G- 27456
 District No.

Orville Nicholson
 Howe, Idaho

1. Name of Applicant: ORVILLE NICHOLSON
 Postoffice address: Howe County: Butte State: Idaho
2. Quantity of water claimed: 180 Inches
 (a) Rate of withdrawal in cubic feet per second. 3.6 or Idaho
 Miners' inches 180 or gallons per minute. 1620
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Deep well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29
 Twp. 8 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well
8. Estimated cost of works: \$ 7200.00
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 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: 240 Inches & 100 inches rocky Run
 (a) 180 (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.

Remarks:

Idaho as herein set forth.

/s/ Orville Nicholson
Applicant.

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. July 8, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-27456

Recorded in Book 97 Page 27456 Approved July 14, 1958

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

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

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 14, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before July 14, 1963

Witness my hand this 14th day of July, 1958

/s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th
day of July, 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	
8 N.	28 E.	29 32		x x	x x	x x	240 80 320
Permit No. G-27456 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Orville Nicholson of Howe, County of Butte and State of Idaho the holder of Permit No. G-27456, issued upon Application No. G-35390, bearing date of priority of July 8, 1958, authorizing the diversion of 3.6 second feet of the waters of a well County of Butte, State of Idaho, for irrigation purposes, fully complied with the provisions of the laws of the State of Idaho ~~for irrigation purposes, has~~ relating proof of completion of 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 2.19 second feet of the waters of a well from subterranean flow that the point of diversion of said waters NW¹/₄NW¹/₄, Sec. 29, T 8 N., R 28 E., B.M. and that the lands proposed to be irrigated by the use or place of use is described as follows to wit; NW¹/₄, W¹/₂SW¹/₄, Sec. 29, W¹/₂NW¹/₄, Sec. 29, T 8 N., R 28 E., B.M. Witness my hand this 24th day of November A.D. 1965. /s/ Ralph W. Thomas Deputy State Reclamation Engineer Proof of Completion of Works made: May 4, 1962. LICENSE ISSUED FOR <u>2.19</u> SEC. FT. LICENSE PAGE NO. <u>8406</u>							

RECEIVED
JUL 8 1958
Department of Reclamation

Shwec, Idaho
July 5, 1958

Dear Sirs,

If it is impossible to process
this permit ^{right away} would you please
give me a permit number as
soon as possible.

Please send the number
to Farm Home Administration
box 700, Idaho Falls, Idaho as
my loan will become final
as soon as I get a permit
number.

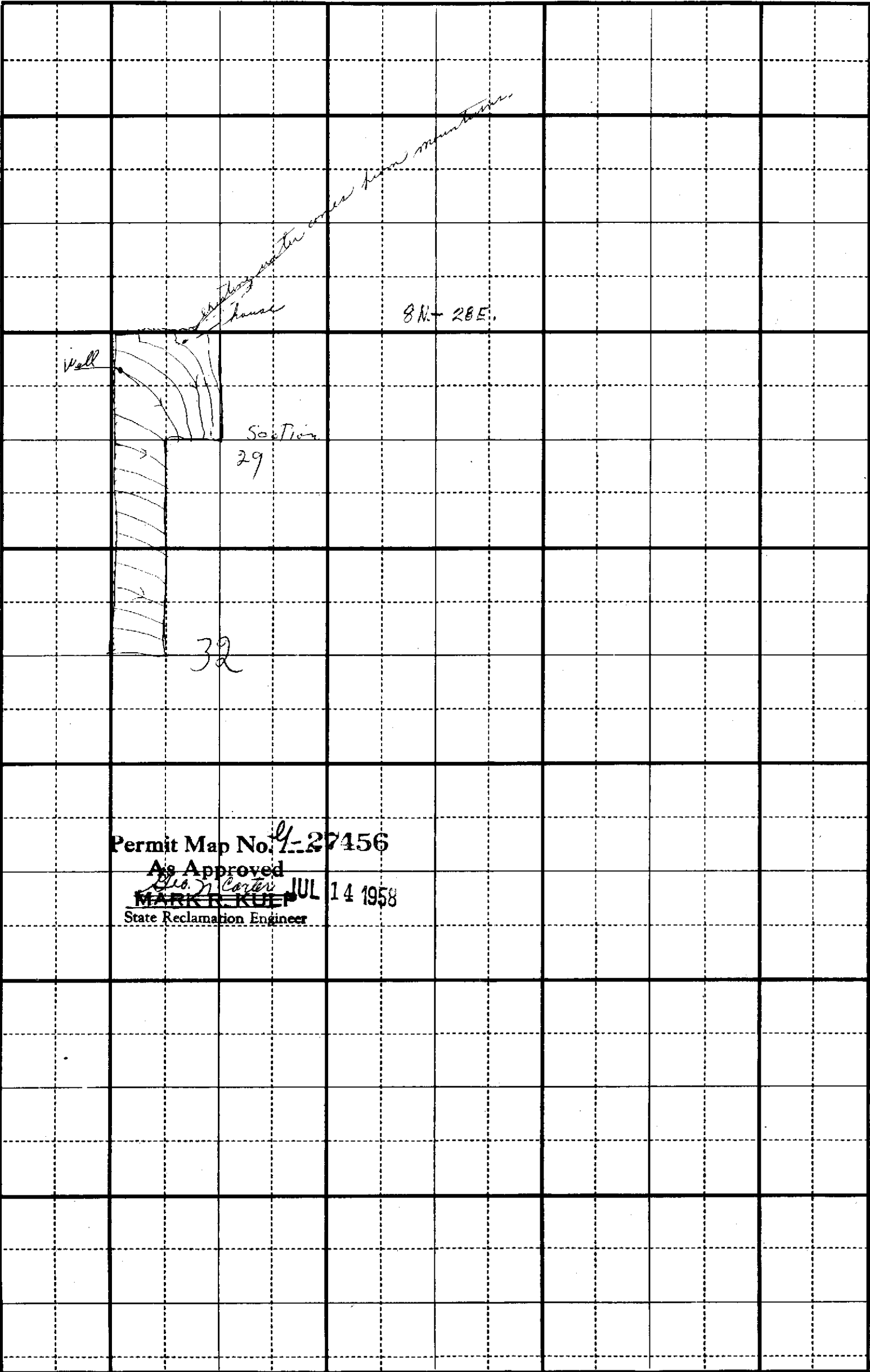
Thanking you ~~and~~

Sincerely,

Arville Nicholson

NAME OF APPLICANT Orville Nielsen

Form No. 0



Permit Map No. 1-27456
As Approved
Geo. N. Carter JUL 14 1958
MARK E. KUEP
State Reclamation Engineer

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

July 21, 1958

Re: Permit No. G-27456
Orville Nicholson

Farm Home Administration
Box 700
Idaho Falls, Idaho

Dear Sirs:

At the request of Mr. Orville Nicholson, of Howe, Idaho,
this is to inform you that Permit No. G-27456 was approved
by the Department of Reclamation on July 14, 1958.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw

July 22, 1958

Re: Permit No. G-27456

Mr. Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

We enclose Permit No. G-27456, 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-3447 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

As of this date, we have written to the Farm Home Administration and given them the permit number, as you requested in your letter of July 5, 1958.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw
Encls. (2)

27456

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Box 700
Idaho Falls, Idaho

RECEIVED
JUL 29 1958
Department of Reclamation

July 28, 1958

Department of Reclamation
George N. Carter
State Reclamation Engineer

Dear Sirs:

I received your letter of July 21, 1958 in which you advised me of the new permit number for Orville Nicholson's well. Will you please advise me of the permit application number? I understand there is a permit application number and a permit number.

Sincerely yours,

Henry E. Jenkins
Henry E. Jenkins
County Supervisor

27456

GEO. N. CARTER
~~XXXXXXXXXX~~

July 29, 1958

Re: Permit No. G-27456
Orville Nicholson

Mr. Henry E. Jenkins
County Supervisor, FHA
P. O. Box 700
Idaho Falls, Idaho

Dear Mr. Jenkins:

The application No. G-25390 of Orville Nicholson was given Permit No. G-27456.

In future requests, it would be appreciated if you gave the Permit number, the land list, point of diversion, name of stream or some identificate in addition to the name.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Ralph W. Thomas
Office Engineer

RWT

27456

RECEIVED

MAR 26 1962

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Department of Reclamation

(Date) Mar 23, 1962

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Arco Advertiser

of Arco, Idaho

published in

the county in which the works are situated.

Butte Co. ✓

Orville Nicholson

(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.

Item 2:

a) withdrawal = 180 inches = 3.6 c.f.s.

Otherwise check

Enter Nicholson's address (for mail)

Needs one more sketch map.

If application is approved send

Applic. & Permit Nos. to F.H.A. (see letter)

27456

(1) taken
V. 30.
J. 100

MAR 26 1962

Department of Reclamation

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

Notice is hereby given that 2:00 P.M., on the 4 day of May, 1962, at Arco, County of Butte, State of Idaho, before Ruby B. Gamett, Notary Public, at (address) Arco Idaho, proof will be submitted of the completion of works for the diversion of 3.6 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 27456 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 are Orville Nicholson Arco, 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 3.6 cubic feet per second.

3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is 3.6 cubic feet per second.

4. The point of diversion of said water is NW 1/4 of the NW 1/4 of Sec 29
Twp. 8N Rge 28E B.M.

5. The place where said water is used is NW 1/4 Sec 29
W 1/2 NW 1/4 Sec 32 Twp. 8N Rge 28E B.M.

6. The date of priority which said user is prepared to establish is July 24 1958.

State Reclamation Engineer 27456

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27456
Orville Nicholson

Date: March 26, 1962

Arco Advertiser,
Arco, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **May 4, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Orville Nicholson

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,



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.

March 26, 1962

Re: Permit No. G-27456

Mr. Orville Nicholson,
Howe, Idaho.

Dear Mr. Nicholson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27456. The proofs are to be made at 2:00 o'clock P.M., on the 4th day of May, 1962, before Ruby B. Ganett, 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

274.56

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 7 1962

Department of Reclamation

Permit No. 27456

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. Orville Nicholson, Howe, Idaho Farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

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

Ans. 27456 8:00A.M. July 8, 1958 7-14-58

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

Ans. Underground water NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 29 Twp 8N Rge 28E 4MM

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. Depth of well 128 Ft. 16 inch casing. 74 ft to water. 8 in discharge.

Well was tested by Mel Brown of Idaho Falls and the pump was designed and installed to through 180 miner inches of water.

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. All ground is cultivated. All water is for irrigation.

Sec 32 W $\frac{1}{2}$ of NW $\frac{1}{4}$ - 80 acres. Sec 29 W $\frac{1}{2}$ SW $\frac{1}{4}$ - 80 acres. Sec 29 SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ - 37 acres. Sec 29 NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ - 5 acres. Sec 29 SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 1 acre. Cement diversion has been installed where pump is discharged into.

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

Ans. Glen L Hopkins, Thornton, Idaho

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

Ans. Is not for other than irrigation.

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

Ans. 180 miner inches.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

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

Ans. 180 miner inches has been used every year for about 100 days a year to supplement the existing water rights, since and including 1959

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. 100 inches rocky run, 200 inches Uncle Ike Creek, 40 inches Fallert Springs. Above mentioned water has been used every year to irrigate with from early spring till the time that it freezes up in the fall. But due to the dry years in the past it has been very low and has only average about 125 inches of water.

(Sign) Orville Nicholson

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, County of BUTTE

State of Idaho, on this 4 day of May, A. D. 1962.

Ruby D. Garnett
CLERK OF THE DISTRICT COURT
ARCO, BUTTE COUNTY, IDAHO

My commission expires

RECEIVED

MAY 7 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 27456

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. R. H. RALLS, 48 HOWE, IDAHO FARMER

Ques. 2. Are you acquainted with ORVILLE NICHOLSON, the holder of Permit No. 27456? How long have you known him and where does he reside?

Ans. HOWE, IDAHO

Ques. 3. Have you read or heard read said Permit No. 27456, 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, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 29 Twp. 8N Rge. 28 EBM

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. 180 miner inches

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. 180 miner inches.

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. ~~All ground is cultivated. All water is for irrigation. Sec 32 W 1/2 of NW 1/4 - 80 acres. Sec 29 W 1/2 SW 1/4 - 80 acres. Sec 29 SW 1/4 of the NW 1/4 - 37 acres. Sec 29 NW 1/4 of the NW 1/4 - 5 acres. Sec 29 SE 1/4 of the NW 1/4 - 1 acre. Cement diversion has been installed.~~

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

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ~~Med. sandy loam. 1 inch to the acre.~~

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

Ans. ~~No.~~

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

Ans. ~~AS A NEIGHBOR I HAVE SEEN MR. NICHOLSON, IRRIGATING~~

(Signed) R. H. Ball

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, County of BUTTE, State of Idaho, on this 4 day of May, A. D. 19 62.

Pauline B. Jamett
CLERK OF THE DISTRICT COURT
ARCO, BUTTE COUNTY, IDAHO

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 7 1962

Department of Reclamation

Permit No. 27456

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. TONY FALLERT, HOWE, IDAHO 57 Laborer

Ques. 2. Are you acquainted with ORVILLE NICHOLSON, the holder of Permit No. 27456? How long have you known him and where does he reside?

Ans. YES

Ques. 3. Have you read or heard read said Permit No. 27456, 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, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 29 Twp 8N Rge 28 ERM.

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. 180 miner inches.

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. 180 miner inches.

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. All ground is cultivated. All water is for irrigation. Sec 32 W $\frac{1}{2}$ of NW $\frac{1}{4}$ - 80 acres. Sec 29 W $\frac{1}{2}$ SW $\frac{1}{4}$ - 80 acres. Sec 29 SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ - 37 acres. Sec 29 NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ - 5 acres. Sec 29 SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 1 acres. Cement diversion has been installed.

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

Ans. FOR IRRIGATION

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. Med sandy loam. 1 inch to the acre.

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

Ans. No.

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

Ans. WAS A NEIGHBOR I HAVE SEEN MR. NICHOLSON IRRIGATING

(Signed) Tony Gallert

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, County of BUTTE, State of Idaho, on this 4 day of May, A. D. 19 62.

Pauling D. O. Jamett
CLERK OF THE DISTRICT COURT
ARCO, BUTTE COUNTY, IDAHO

My commission expires

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 March 30, 1962
and ending with the issue dated April 20, 1962

Subscribed and sworn to before me this

23 day of April, 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 2:00 p. m., on the 4th day of May, 1962, at Arco, County of Butte, State of Idaho, before Ruby B. Gamett, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 3.6 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-27456 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 are Orville Nicholson, 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 3.6 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 3.6 cubic feet per second.

4. The point of diversion of said

water is NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 29, Twp. 8 N., Rge. 28 E. B. M.

5. The place where said water is used is NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30, Twp. 8 N., Rge. 28 E. B. M.

6. The date of priority which said user is prepared to establish is July 8, 1958.

GEO. N. CARTER,
State Reclamation Engineer.
Pub. Mar. 30 thru April 20, 1962.

May 8, 1962

Re: Permit No. G-27456

Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

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. G-27456.

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:

27456

June 3, 1963

Re: Permit No. G-27456

Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of June 4, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,

~~CARL E. TAYLOR~~, Assistant
~~GEO. N. CARTER~~
State Reclamation Engineer
By

Field Engineer

LMS:mr

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

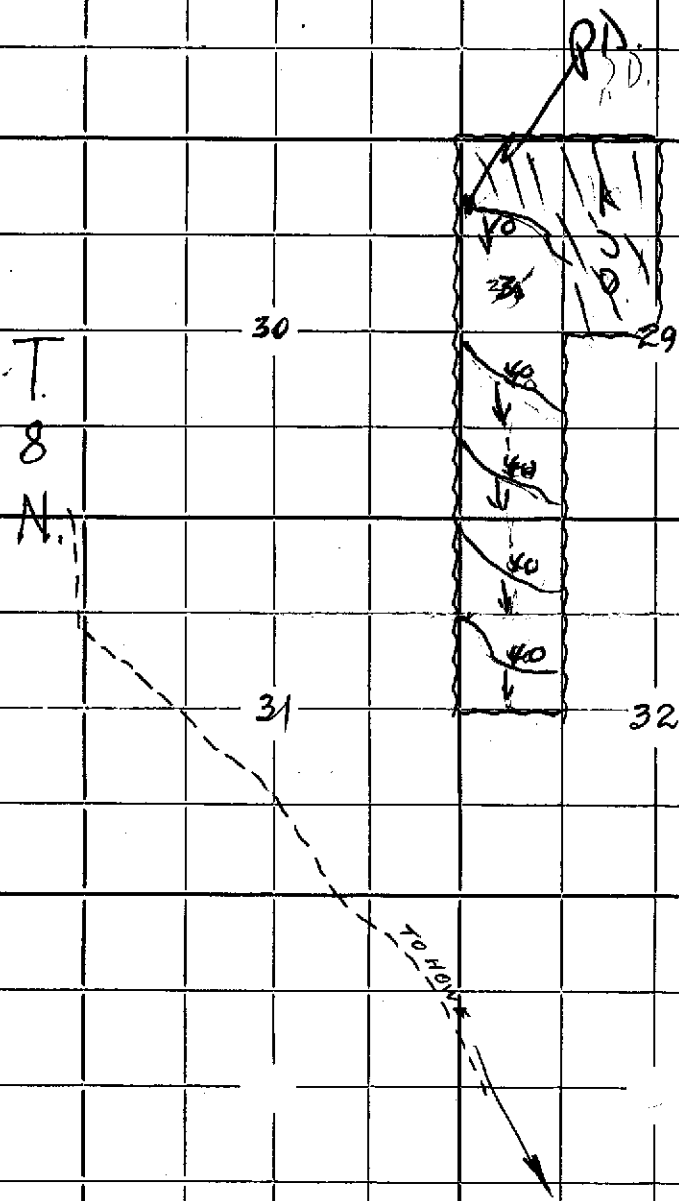
REPORT OF ENGINEER

PERMIT NO. G-27456

REPORT ON PROOF OF Completion of Works & Beneficial Use

Orville Nicholson, Howe, Idaho

R-28E.



Subdivisions

6

Area

205 acres

9

2.19 cfs $\approx 109\frac{1}{2}$ "

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27456This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Orville Nicholson
2. Source of water supply: Subterranean from a deep well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29
T. 8 N. R. 28 E. B.M. County of Butte
4. Describe works as they exist, giving dimensions and capacities of same: 60 HP G.E. Motor
URS 627103, Layne-Bowler Pump #25552 (1630 GPM @ 120' @ 1760 RPM)
8" discharge to 8" control valve to 8" x 10' discharge to concrete
spill box to open ditch
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 29., W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 32., Twp. 8 N., Rge. 28 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. Don Isham, nephew alongPump surgingMeasured by Sparling Meter - 3 Rev. - 2 min 16 sec. = 221.6 x 99 = 21965This examination was made on the 10th day of June, 1963(Signed) Layne-Bowler

Examiner.

3 Rev 2 min 16 Sec = 221 x 99 = 21965 @ 109.5
77456

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
JUN 12 1963

Department of Reclamation

H. N. Orville Micholson
Howe, Idaho

Permit No. 9-27156

Examination for Completion of Works & Beneficial Use

County Butte

Sec. 29 T. 8 N. R. 28 E. B.M.

Quantity: 3.6 c.f.s.

Source: Well

P.D.: NW. NW., Sec. 29, T. 8 N., R. 28 E. B.M.

Use: Irrigation

Filed: July 8, 1958

Due: July 14, 1963

Extension: —

Completion of Works: —

Other Rights: 240" x 100" of
Rocky Run waters

d. 67

a-16

172516
82nd
180
123-23
d-57

500 - June 20-62

State of Idaho

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 14, 1963

Re: Permit No. G-27456

Orville Nicholson
Hore, Idaho

Dear Mr. Nicholson:

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-27456 shows the well is (are) capable of conveying 109.5 miner's inches, or 2.19 c.f.s. of water for the irrigation of 205 acres.

Upon receipt of the statutory fees, totaling \$17.00, which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$12.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right, confirming the right, with priority of July 8, 1958 to the use of 2.19 second feet of subterranean water with the point of diversion in the NW 1/4, Sec. 29 for irrigation of 201 acres in the NW 1/4, Sec. 29; W 1/4, Sec. 32, T. 8 N., R. 28 E., B.M.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

27456

Department of Reclamation
Boise, Idaho

RECEIVED
NOV 2 1965

Department of Reclamation

Dear Sir;

In regard to a water permit issued to me Jun 16 1960 and the time has expired on it. I would like to apply for another permit for the same land and the same location. Please send me the necessary papers.

On this land it is a desert entry land and I intend to make final proof Jan 10 1966. I don't know for sure whether I have to have the water license to prove up or not but I kind of think so. If I do is it possible to have your ~~engineers~~ inspect the well and measure it and have time for me to make the proof by the 10th of January.

I am kind of rushed for time as I thought I had five years and they informed me the other day I have four.

Very Truly Yours

Orville Nicholson
Orville Nicholson

~~G-27456~~
~~28775~~

27456

November 2, 1965

RE: Permit No. G-27456
Application for Permit

Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

Enclosed are forms to apply for a permit to divert subterranean water, with instructions. If you had answered our letters in regard to your former permit we could have allowed you an extension of time to 5 years after the Desert Entry was allowed.

You were notified by letter dated June 14, 1963 that certificates of water right could be issued under Permit No. G-27456 upon payment of \$17.00 fees. Kindly remit the fees as permits can be cancelled for nonpayment.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

November 16, 1965

RE: Application for Permit

Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

Returned herewith is your application for permit for signature.

Kindly sign on page 3 and return promptly in order that the application can be processed.

Your check for \$23.00 will be held for fees of certificates of water right and this application.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. application

November 24, 1965

RE: Permit No. G-27456

Orville Nicholson
Howe, Idaho

Dear Mr. Nicholson:

Enclosed is your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-9979 in the amount of \$23.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ejw
Encl: Certificates
Receipt

LEGAL NOTICE

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5. The place where said water is applied is NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, Twp. 8 N., Rge. 28 E. B. M.

6. The date of priority which said user is prepared to establish is July 8, 1958.

GEO. N. CARTER,

State Reclamation Engineer.

Pub. Mar. 30 thru April 20, 1962.