

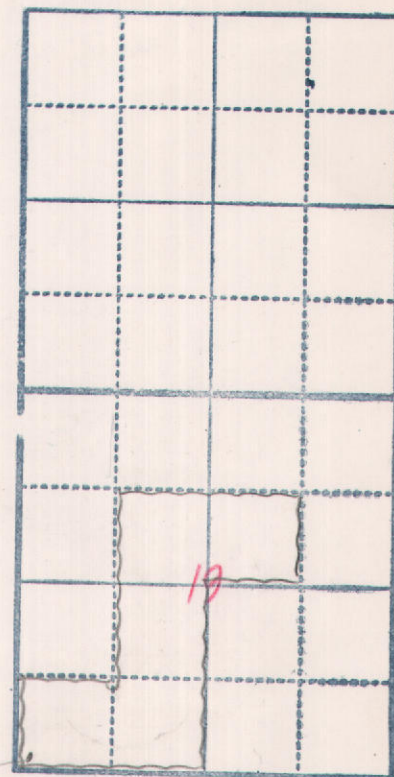
43-2513 G-29515
A. H. Nielson
Administrator
Bureau - Idaho

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

Application No. G- 37515
Permit No. G- 29515
District No.

LICENSE ISSUED FOR 274 SEC. FT.
LICENSE PAG NO. 8853

1. Name of Applicant: Oscar Edlund, Estate
Postoffice address: Bridge County: Cassia State: Idaho
2. Quantity of water claimed: 200 inches
(a) Rate of withdrawal in cubic feet per second 4.0 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 19
Twp. 15 S, Rge. 27 E, B.M., County of Cassia
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: Well, pump & ditches all on applicant's property
8. Estimated cost of works: \$8,000.00
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: none see 21450-L.P. 6021-100"
- (a) 2.0 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
- (b) 4.0 2.0 (cubic feet per second, inches or gallons per minute) is for new lands.



RECEIVED
MAY 25 1966

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Walter W. Schramm, being first
duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing
with the issue dated April 11, 1966 and
ending with the issue dated May 2, 1966.

Subscribed and sworn to before me this

16th day of May, 1966

Ruth Chambers Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee _____

Total Cost _____

LEGAL NOTICES
66-114
NOTICE OF PROOF OF
COMPLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE
Notice is hereby given that on
the 16th day of May 1966, at Bur-
ley, County of Cassia, State of
Idaho before N. H. Nelson, Notary
Public, at Fouts Building 1320 1/2
Overland Ave., Burley, proof will
be submitted of the completion of
works for the diversion of 4 cubic
feet per second of underground
water from a well, and of the ap-
plication to beneficial use of said
water, in accordance with the
terms and conditions of Permit
No. G-29515, heretofore issued by
the Department of Reclamation of
the State of Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is Oscar Ed-
lund Estate, A. H. Nelson Ad-
ministrator with will annexed.
2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is 4 cubic feet per
second.
3. The use to which said water
has been applied is irrigation pur-
poses and the amount applied to
beneficial use is 4 cubic feet per
second.
4. The point of diversion of said
water is Lot 4 (SW 1/4 SW 1/4), Sec-
tion 19, Twp. 15 S., Rge 27 E., B.M.
Cassia County.
5. The place where said water is
used is Lot 4, E 1/2 SW 1/4, SE 1/4 NW
1/4, SW 1/4 NE 1/4, Section 19, Twp 15
S., Rge. 27 E., B.M. in Cassia Coun-
ty, Idaho.
6. The date of priority which
said user is prepared to establish
is March 2, 1961.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-
Bulletin April 11, 18, 25, May 2,
1966.

L per
MRB

29515

LEGAL NOTICES

66-114

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

Notice is hereby given that on the 16th day of May 1966, at Burley, County of Cassia, State of Idaho before N. H. Nielson, Notary Public, at Fouts Building 1320 1/2 Overland Ave., Burley, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. C-29515, 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 Oscar Edlund Estate, A. H. Nielson Administrator with will annexed.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

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

4. The point of diversion of said water is Lot 4 (SW 1/4 SW 1/4), Section 19, Twp. 15 S., Rge 27 E., B.M. Cassia County.

5. The place where said water is used is Lot 1 E 1/4 SW 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4, Section 19, Twp. 15 S., Rge. 27 E., B.M. in Cassia County, Idaho.

6. The date of priority which said user is prepared to establish is March 2, 1961.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin April 11, 18, 25, May 2, 1966.

29515

State of Idaho

License and Certificate of Water Right

Water License No. G-29515 Priority May 7, 1961 Amount 2.74 c.f.s.
(late proof)

THIS IS TO CERTIFY that OSCAR EDLUND ESTATE - Administrator - A. H. NIELSON

of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 23, 1961; that Permit No. G-29515 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.74 second feet, was issued thereunder on August 18, 1967, showing that said works were completed on the 16th day of May, 1966; and that on the 16th day of May, 1966

OSCAR EDLUND ESTATE

of Burley, 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-29515 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 8853, on the 18th day of August, 1967.

The right hereby confirmed dates from May 7, 1961.

The Point of Diversion is located Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) in the $\frac{1}{4}$ Sec. 19, Twp. 15 S, R. 27 E, B.M. of Cassia 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 2.74 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	27 E	19	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	37
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	39
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			(SW $\frac{1}{4}$ SW $\frac{1}{4}$) L4	40	49
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
Total number of acres to be irrigated:					204

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 18th day of August, 1967.

R. Keith Higgins
State Reclamation Engineer.

43 2513

29515

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-29515

To Oscar Edlund Estate

Burley, Idaho

Source of Supply subterranean

Cassia

County

Amount 2.74

Sec. Ft.

Point of Diversion Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec.

19, T. 15 S. R. 27 E, B.M.

Place of Use SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,

NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, T. 15 S,

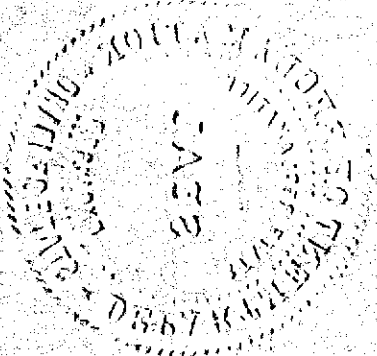
R. 27 E, B.M.

Purpose irrigation

Date of Priority May 7, 1961
(late proof)

Recorded August 18, 1967

in Book 14 of Licenses, Page 8853



29515

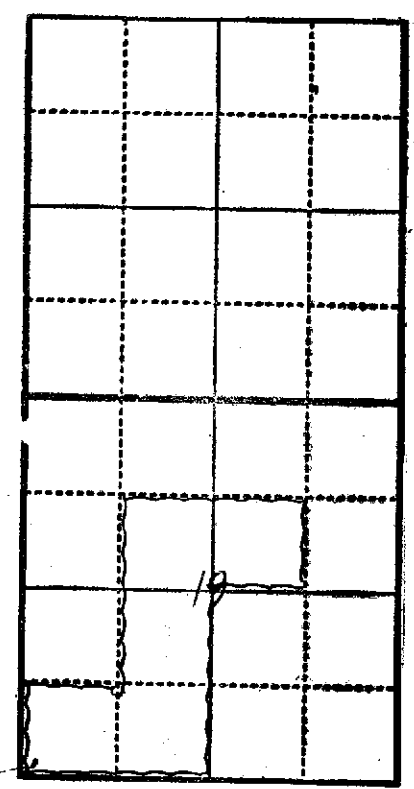
43-2513 G-29515
A. H. Nielson
Administrator
Burley - Idaho

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

Application No. G- 37515
Permit No. G- 29515
District No.

LICENSE ISSUED FOR 274 SEC. FT.
LICENSE PAG NO. 8853

1. Name of Applicant: Oscar Edlund, Estate
Postoffice address: Bridge County: Cassia State: Idaho
2. Quantity of water claimed: 200 inches
(a) Rate of withdrawal in cubic feet per second 4.0 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 19
Twp. 15 S , Rge. 27 E , B.M., County of Cassia
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: Well, pump & ditches all on applicant's property
8. Estimated cost of works: \$8,000.00
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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none see 21450-L.P. 0021-100"



- (a) 2.0 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
- (b) ~~4.0~~ 2.0 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Oscar Edlund

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. February 23, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29515

Recorded in Book 104 Page 29515 Approved March 2, 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:

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

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

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

One-fifth of the work above specified to be completed on or before September 2, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 2, 1966

Witness my hand this 2nd day of March, 1961

s/ GEO. N. CARTER

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 2nd day of March, 1961

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
15 S	27 E	19	X	X	X Lot 4 X		205.23
LETTER OF ADMINISTRATION WITH WILL ANNEXED - ✓ See in Permit folder No. G-29515 concerning Oscar Edlund, deceased and appointing A. H. Nielson, Administrator/ Recorded: April 4, 1966. Attorney at Law, Burley, Idaho /s/ Vern Carter, Probate Judge Permit No. G-29515 + Certificate of Completion of Works							
TO ALL WHOM IT MAY CONCERN: This is to certify that OSCAR EDLUND ESTATE - Administrator - A. H. NIELSON of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-29515, issued upon Application No. G-37515 bearing date of priority of May 7, 1961 (late proof), authorizing the diversion of 4.0 second feet of waters of a well, County of Cassia, 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 2.74 second feet of the waters of a well, from subterranean flow; that the point of diversion of said waters is in Lot 4 (SW ¹ / ₄ SW ¹ / ₄), Section 19, Township 15 South, Range 27 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW ¹ / ₄ NE ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , S ¹ / ₂ SW ¹ / ₄ , Section 19, Township 15 South, Range 27 East, Boise Meridian. Proof of Completion of Works made: May 16, 1966. Witness my hand this 18th day of August, A.D. 1967							
			s/ R. KEITH HIGGINSON State Reclamation Engineer				

LICENSE ISSUED FOR 2.74 SEC. FT.
LICENSE PAGE NO. 8853

NORTHERN TITLE COMPANIES
64 EAST CENTER STREET
LOGAN, UTAH 84321
(801)-752-3600

R. BUCK COWDIN
PRESIDENT
JAY J. DAVIS
VICE PRESIDENT

7/14/88

IDAH0 DEPARTMENT OF WATER RESOURCES
214B 4TH AVE EAST
TWIN FALLS, IDAH0 83301
ATTN: ROXANNE

208-734-3378

RE: WAYNE RICH WATER

DEAR ROXANNE,

ATTACHED PLEASE FIND 2 ORIGINAL NOTICE OF PLEDGE DOCUMENTS. WILL YOU PLEASE
SIGN AND DATE THE BOTTOM OF THESE FORMS, AND RETURN ONE TO ME IN THE ATTACHED
ENVELOPE.

THANK YOU FOR YOUR HELP, AND CONSIDERATION.

SINCERELY,

Jay J. Davis
JAY J. DAVIS
VICE PRESIDENT

RECEIVED

JUL 19 1988

Department of Water Resources
Southern Region Office

RECEIVED

JUL 22 1988

Department of Water Resources

NOTICE OF PLEDGE

State of Idaho
DEPARTMENT OF WATER ADMINISTRATION

ATTN: State Reclamation Engineer

Please be notified that the undersigned, as fee owners, as to a portion of said land, and as vendees under an unrecorded Contract of Sale executed by Reid S. Stewart and Ruth O. Stewart, his wife, as Vendors, as to a portion of said land, have this date executed a mortgage in favor of the Federal Land Bank of Sacramento covering certain land in Cassia County, Idaho, together with the mortgagor's right to use 1.8 c.f.s. of underground water diverted from a well located in the Southwest quarter of the Northeast quarter of Section 18, Township 15 South, Range 27 East, Boise Meridian, for the irrigation of 90 acres of land, allotted to John R. Booth, and more particularly described in Water License No. 43-2285 in the Proposed Determination of Water Rights in the Raft River Drainage Area.

ALSO TOGETHER WITH the right to use 0.66 c.f.s. of underground water diverted from a well located in the Southwest quarter of the Southeast quarter of Section 7, Township 15 South, Range 27 East, Boise Meridian, for the irrigation of 38 acres of land, allotted to O. T. Ryan, and more particularly described in Water License No. 43-2554B in the Proposed Determination of Water Rights in the Raft River Drainage Area.

ALSO TOGETHER WITH the right to use 2.44 c.f.s. of underground water diverted from a well located in the Northwest quarter of the Southeast quarter of Section 20, Township 15 South, Range 27 East, Boise Meridian, for the irrigation of 125 acres of land, allotted to Reid S. Stewart and Ruth O. Stewart, and more particularly described in Water License No. 43-2387 in the Proposed Determination of Water Rights in the Raft River Drainage Area.

ALSO TOGETHER WITH the right to use 0.35 c.f.s. of underground water diverted from a well located in the Southwest quarter of the Southwest quarter of Section 19, Township 15 South, Range 27 East, Boise Meridian, for the irrigation of 26 acres of land, allotted to Oscar Edlund, and more particularly described in Water License No. 43-2513 in the Proposed Determination of Water Rights in the Raft River Drainage Area.

ALSO TOGETHER WITH an easement for the use, operation and maintenance of an existing well, pumping equipment, and pipeline, as such facilities presently exist over and across the South 50 feet of the West 170 feet of the Northwest quarter of the Southwest quarter of Section 20, Township 15 South, Range 27 East, Boise Meridian, said easement being used in conjunction with the above described Water License No. 43-2387.

The said Mortgage, given to secure two promissory notes of even date, was recorded 7/13/88, in the Office of the County Recorder of the above referenced County, as Instrument No. 196445.

Please file this notice with your records of the above referenced Water Licenses and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said rights to the Federal Land Bank of Sacramento, P. O. Box 13106, Sacramento, California 95813.

Dated this 1st day of January, 1988.

Wayne R. Rich
WAYNE R. RICH

Gene M. Rich
GENE M. RICH

Jeffrey Scott Rich
JEEFREY SCOTT RICH

Receipt of the Notice of Pledge, of which this is a copy, is acknowledged. The original of the notice will be filed with the record of the subject water rights in this office.

July 20, 1988
(date)

Roxanne Storey Adjudication Secretary
(signature) (title)

September 14, 1967

Re: Permit G-29515
Oscar Edlund

A. H. Nielson, Administrator
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Enclosed are the Certificate of Completion of Works and License and
Certificate of Water Right on the above referenced permit.

Also enclosed is departmental receipt No. G-11751 in the amount of
\$15.00 for the fees.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Certificate, License & Receipt

Permit No. G-29515

**Certificate of Completion
of Works**

Dated August 18, 1967

Stream subterranean

County Cassia

Amount 2.74 c.f.s.

Date of Priority May 7, 1961
(late proof)

Recorded in Book 104

of Permits, page 29515

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that OSCAR EDLUND ESTATE - Administrator - A. H. NIELSON
 of Burley, County of Cassia, and State of
 Idaho, the holder of Permit No. G-29515, issued upon
 Application No. G-37515, bearing date of priority of May 7, 1961 (date proof), authorizing the
 diversion of 4.0 second feet of waters of a well,

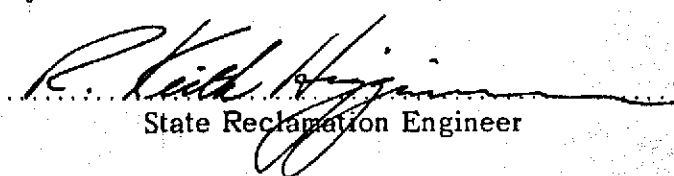
County of Cassia, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.74 second feet of the waters of a well, from subterranean
 flow;

that the point of diversion of said waters is in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 19,
 Township 15 South, Range 27 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 19,
 Township 15 South, Range 27 East, Boise Meridian.

Proof of Completion of Works made: May 16, 1966.

Witness my hand this 18th day of August, A. D. 1967


 State Reclamation Engineer

August 7, 1967

Re: Permit G-29515
Oscar Edlund

Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Oscar Edlund has license 21450, a copy of which is enclosed, in addition to permit G-29515. You will note that the total licensed amount will total 4.08 c.f.s. or one miners inch per irrigated acre as determined by a field examiner from this department.

Our letter of July 19 should have shown 5.55 c.f.s. as the actual amount diverted.

Very truly yours,

Donald J. Watts
Field Engineer

DJW:nw

29515

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 3, 1967

TELEPHONE
678-5574

Department of Reclamation
107 Statehouse
Boise, Idaho 83701

Attn: Don W. McEldowney

Re: Permit G-29515, Oscar Edlund

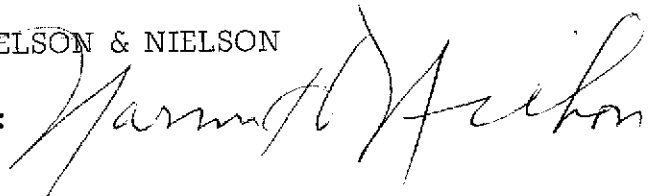
Gentlemen:

In regard to your letter of July 19, 1967, under Permit G-29515, the Department only made an allowance of 2.74 c.f.s. instead of 4.2 c.f.s. which is the amount which the well actually produces. Would you please explain to us why this quantity of water was cut down as we intend to do what we can to secure a license for the amount being pumped as the 2.74 c.f.s. is not enough to irrigate all of the lands described in said permit.

Very truly yours,

NIELSON & NIELSON

By:



NHN:m

July 19, 1967

Re: Permit G-29515
Oscar Edlund

A. H. Nielson, Administrator
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

A representative of this department has made an examination of the works covered by your permit G-29515 and has found the following:

Quantity of water diverted: ^{5.55} 2.74 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.74 c.f.s.

Purpose of use: irrigation of 204 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, T. 15 S, R. 27 E, B.M.

The priority date established is: May 7, 1961.

A fee totaling \$15.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

29515

HAL MATHEWS

TRACY

193

I

H

540

G

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14.8

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2.0

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V

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P
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25

S

9.1

D376

21450 - 6021

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29515

Other Items:

Completion of Month:

Project:

Engineer:

Date:

Time:

Hour:

E.D.:

Service:

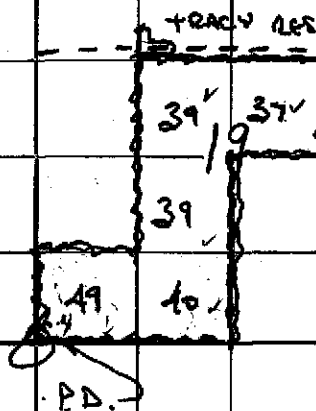
Character:

REPORT ON PROOF OF Completion of Works & Beneficial Use

To 111 Sta. →

Page 27 E

Twp. 15 S



76 ACRES

39

89

204 ACRES

1.34 acs for Lot A
4 E 1/2 SW 1/4 from Sec 21450

~~4.00~~

4.00
1.34
2.74

ACRES - 204 ACRES

SUBD. - 5

2.74

Allow Q. - 2.74 ~~4.00~~ CTS. OR 200"

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

Permit No. G-29515

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

1. Name of applicant Oscar Edlund Estate, A. H. Nielson, Adm.
2. Source of water supply: a well
3. Location of point of diversion: Is in the Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), of Section 19
T. 15 S., R. 27 E., B.M. County of Cassia

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

50 HP. GE. MOTOR # 5KL 257XC 5A
LARGE E BOWLER PUMP 1800 gpm 90' # 28862 62"
10 3/16" DISCHARGE THROUGH EARTH DITCHES

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):

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, T. 15 S., R. 27 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. DEAN BARNES CONTACTED. HE IS ALSO
FARMING THE TRACY PLACE.

THE SPARKING METER & COORDINATE METHOD OF
MEASUREMENT WERE USED.

ONE RUN IN 15 1/2 SEC.

" " " 17 " - 5.55 cfs. or 277"

18" @ 6" (8.5 ft/sec) (566 gpm) (1) = 1.81 or 241"

This examination was made on the 12 TH day of JULY, 1967

(Signed)

Dean R. Reynolds

Examiner.

29.7 cfs Plat ✓
20

OD
407' x 16"
h 40'

Oscar Edlund Estate, A.H. Nielson, Administrator
Burley, Idaho

Permit No. G-29515

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Examination for Completion of Works & Beneficial Use

County Cassia

Quantity: 4.0 c.f.s. Sec. 19 T. 15 S. R. 27 E., B.M.

Source: a well

P.D.: Lot 4 (SW/4SW), Sec. 19, T. 15 S., R. 27 E., B.M.

Use: Irrigation

C.D. 10 3/16

Filed: February 23, 1961

Due: March 2, 1966

Made: May 16, 1966

Extension: Privity: May 7, 1961

Protest:

Completion of Works:

Other Rights: 21450, L.P. 6021 100"

6 @ 13 3/4
GE MOTOR 50 HP
SKL 252XC5A
LAYNE & BOWEN
1100 Jp 90 FA
28862

29515

June 2, 1966

Re: Permit No. G-29515

Oscar Edlund Estate
A. H. Nielson, Administrator
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Herald-Bulletin all submitted in proof of completion of works and beneficial use on Permit No. G-29515.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

29515

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
MAY 25 1966

Boise, Idaho

Department of Reclamation

Permit No. G-29515

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: _____

A. H. Nielson. I live at 1918 Overland Avenue, Burley, Idaho. I am an attorney
by occupation. I have been appointed Administrator of the Oscar Edlund estate

Ques. 2. If acting in behalf of corporation, state its name, principal place of business
(if foreign corporation, give name of postoffice of statutory agent), your
position with reference to same, and your authority for appearing in its behalf:
and the information contained herein has been stated to me as I do not have
any personal interest in it.

Ques. 3. State number, approval date of permit, and date of priority: _____
G-29515 2 2

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

Lot 4, (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 19, Township 15 South, Range 27, E.B.M. In Cassia
County, Idaho

Ques. 5. Describe your works of diversion: Well, pump and headditches

_____ ; state amount of water they are capable of con-
veying from point of diversion to place of use: 210 inches ; 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 408 feet ; depth and size of
casing 16 inch casing 407 feet deep ; depth to water 40 feet ; if pump is used,
state discharge of pump: 210 inches ; tell how it was measured or determined Layne &
Bowler Pump Co. tested the well ; if sprinkler irrigation, give number and size
of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: _____
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

and
Lot 4, in the East Half of the South Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) and the (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and the
(SW $\frac{1}{4}$ NE $\frac{1}{4}$) all in Section 19, Township 15 South, Range 27, E.B.M. in Cassia
County, Idaho.

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

Land has been leveled and developed, purchased a pump, put in ditches.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Guy Sundberg, Idaho License No. 174

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Mar 1961 - Time used since first use:

Been told 210 inches

Ques. 10. Describe all other water rights appurtenant to same place of use: None
Other than above mentioned well

(sign) *A. H. Fisher*

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

16th Burley, County of Cassia
State of Idaho, on this 16 day of May, A. D. 1946.

My commission expires: May 12, 1970

Barnes

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29515

RECEIVED
MAY 25 1966

Department of Reclamation

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:
Paul Dean Barnes. I am 39 years of age. I reside at Bridge, Cassia County, Idaho.
I am a farmer. My postoffice address in the same.

Ques. 2 Are you acquainted with Oscar Edlund Estate, the holder of
Permit No. G-29515? How long have you known him and where does he reside?
I have known the land owned by the Edlund estate which is being purchased by
J. M. Tracy Company all my life.

Ques. 3. Have you read or heard said Permit No. G-29515 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Water comes from well

Give location of place of diversion, showing subdivision, section, township and range
A well located in Lot 4, (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 19, Township 15 South, Range 27, E.B.1
In Cassia County, Idaho
Describe works for conveying water to place of use: There are head ditches from the well
all on the Edlund land conveying the water from the well to the land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 210 inches How much water have you seen being so
conveyed? 210 inches

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

Lot 4 of the (E $\frac{1}{2}$ SW $\frac{1}{4}$) the (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and the (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 19, Township 15
South, Range 27, E.B.M. in Cassia County, Idaho.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

The land is made up of clay and requires one inch to the acre for profitable cultivation, apart ~~for~~ the well being dug the land was valueless except for grazing.

Ques. 9. Have you any ownership interest in the works, water ~~or~~ lands above mentioned? If so, in what way and to what extent? None whatever

Ques. 10. When did you first see this water used? Spring of 1961 and each year thereafter.
Other times you have seen such use: Each year after 1961. I am employed on the property.

(Signed):

Paul D Barnes

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 Burley

 , County of Cassia, State of Idaho, on
this 16th day of May, A. D. 1966

Harmon H. Harrison

Notary Public for the State of Idaho

Residing Burley, Idaho

My commission expires Feb. May 12, 1970

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
MAY 25 1966
Department of Reclamation

Permit No. G-29515

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:

Harold K. Ward I am 56 years of age. I reside at Almo, Cassia County, Idaho.

I am a farmer and stockman. My postoffice address is the same.

Ques. 2 Are you acquainted with Oscar Edlund Estate, the holder of Permit No. G-29515? How long have you known him and where does he reside?

I have known the land owned by the Edlund estate which is being purchased by J. D. Tracy Company all my life.

Ques. 3. Have you read or heard said Permit No. G-29515 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Water comes from well

Give location of place of diversion, showing subdivision, section, township and range

A well located in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 19, Township 15 South, Range 27, E.B.M. in Cassia County, Idaho

Describe works for conveying water to place of use: There are head ditches from the well all on the Edlund land conveying the water from the well to the land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 210 inches How much water have you seen being so conveyed? 210 inches

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

Lot 4 of the E $\frac{1}{2}$ SE $\frac{1}{4}$; the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 15 South, Range 27, E.B.M. in Cassia County, Idaho.

Harold K. Ward

D

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

The land is made up of clay and requires approximately one inch to the acre for profitable cultivation. Apart of the well being dug the land was valueless except for grazing.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None whatever

Ques. 10. When did you first see this water used? I saw it at the time the well was being drilled.
Other times you have seen such use: Other times I have been there I have been interested in developing wells of my own and I have kept track of this well rather closely, so I could use this as an illustration for my own property.

(Signed):

Harold K. Ward

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 Burley

Burley, County of Cassia, State of Idaho, on

this 16th day of May, A. D. 19 66

Harmon H. Nicholson

Notary Public for the State of Idaho

Residing at Burley, Idaho

My commission expires Feb. May 12, 1970

RECEIVED
MAY 25 1966

The Burley Herald-Bulletin

Department of Reclamation

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Walter W. Schramm, being first
duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing
with the issue dated April 11, 1966 and
ending with the issue dated May 2, 1966.

Walter W. Schramm
Subscribed and sworn to before me this

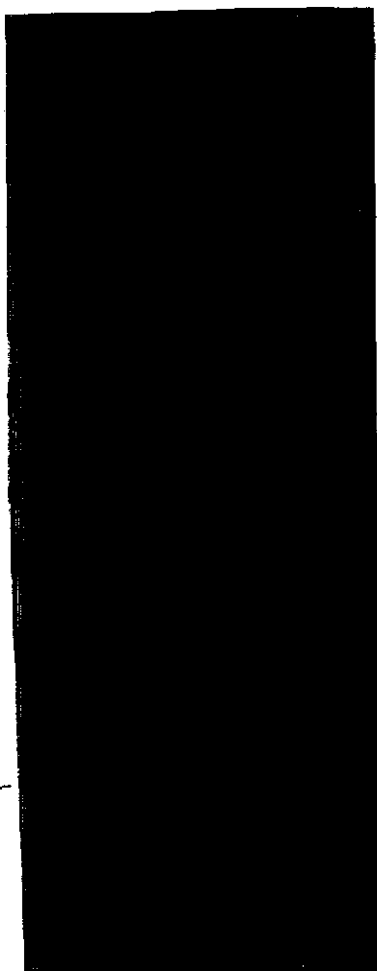
16th day of May, 1966

Ruth Chamberlain Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee _____

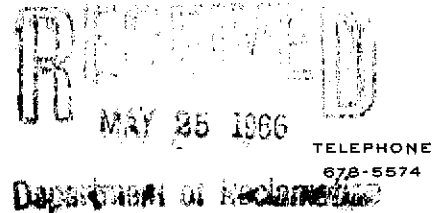
Total Cost _____



KP MRB

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
May 23, 1966

A. H. NIELSON
N. H. NIELSON



State of Idaho
Department of Reclamation
Capitol Building
Boise, Idaho

Re: Permit No. G-29515

Gentlemen:

In the above matter we are sending the Proof of Notice
and the deposition of the holder and the depositions of the witnesses.
We believe that this complies with your requirements.

If there is any additional information you need, would you
let us know.

Very truly,

NIELSON & NIELSON

A. H. Nielson

AHN:kb

29515

April 4, 1966

Re: Permit No. **G-29515**
Oscar Edlund Estate

A. H. Nielson, Administrator
Oscar Edlund Estate
Burley, Idaho

Dear Mr. Nielson:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-29515**. The proofs are to be made at ~~XXXXXX~~ o'clock ~~XXXXXX~~, on the **16th** day of **May**, 19**66**, before **N. H. Nielson, Fouts Building, Burley, Idaho** Notary Public.

As of this date, we have mailed the Notice to the **Burley Herald Bulletin**, 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

XXXXXXXXXXXXXXXXXXXX
MRS. J. EDNA P. RULE
XXXXXXXXXXXXXXXXXXXX
Chief Clerk
M. Russell Bosch
Office Manager

Encl.
EPR:pmk
cc: Notary

29515

RECEIVED
APR 1 1966

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

Department of Reclamation

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

March 31, 1966

Mr. Donald J. Watts
Office Engineer
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Re: Permit No. G-29515
Oscar Edlund

Dear Mr. Watts:

In the above matter we are sending a certified copy of the Letters of Administration With Will Annexed. You will notice that I am the Administrator of the Oscar Edlund Estate.

We have heretofore sent to you the Notices. Under the circumstance I suppose that these changes should be made, A. H. Nielson as the Administrator With Will Annexed as the person to make the proof before Norman H. Nielson, my brother who is a Notary Public. You can set the date to comply with your regulations.

Would you now please see that the Notice of Proof is published? Accept my thanks and the thanks of the Edlund family for your consideration in this matter.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb
Encl.

29515

Re: Permit No. G-29515

April 1, 1966

Burley Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 16, 1966. The expense of the publication is to be paid by J.E. Tracy, Inc., William H. Tracy, V.P. of Almo, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29515

IN THE PROBATE COURT

OF THE COUNTY OF CASSIA, STATE OF IDAHO

IN THE MATTER OF THE ESTATE OF

OSCAR EDLUNDDeceased.LETTERS OF ADMINISTRATION WITH
WILL ANNEXEDSTATE OF IDAHO,
COUNTY OF Cassia } ss.

THE LAST WILL OF Oscar Edlund, deceased,
a copy of which is hereto annexed, having been proved and recorded in the Probate Court of the County
of Cassia, State of Idaho, and Luella Edlund executor named in
the will being unable to so act

A. H. Nielson is hereby appointed administrator with the will annexed.

WITNESS Helen Johnson
Clerk of the Probate Court of the County of Cassia, State of Idaho, with the
seal of the Court affixed, the 31st day of March, A.D. 1966.

By order of the Court.

Helen Johnson
Clerk.

STATE OF IDAHO,
COUNTY OF Cassia } ss.

I DO SOLEMNLY SWEAR That I A. H. Nielson
with Will Annexed
will perform, according to law, the duties of Administrator with the will annexed of the estate of
Oscar Edlund, deceased.

A. H. Nielson

Subscribed and sworn to before me, this 31st day of March, A.D. 1966.State of Idaho } ss.
County of Cassia }

I hereby certify that the foregoing
instrument is a full true and correct
copy of the original on file in this
office.

Vern Carter
Probate Judge

No. 29505 Dated MAR 31 1966 Filed 19, Clerk.

Recorded in Book 29505, Page 29505

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

February 21, 1966

RECEIVED
FEB 23 1966

Mr. Donald J. Watts, Office Engineer
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Department of Reclamation

Re: Permit No. G-29515, Oscar Edlund

Dear Mr. Watts:

In the above matter, the wife of Oscar Edlund who resides in Salt Lake City, and who is an elderly lady, has requested that I make application to be appointed the Administrator With Will Annexed. I wanted to inform you that the matter is going forward. It will necessitate the changing of the Notary, I suppose, to my brother, Norman H. Nielson.

What do your records show regarding the well that was drilled on the following described property located in Cassia County, Idaho

Southwest Quarter of the Southeast Quarter,
Southeast Quarter of the Southwest Quarter of
Section 18, Township 15 S., Range 27, E.B.M., and
Northwest Quarter of the Northeast Quarter,
Northeast Quarter of the Northwest Quarter of
Section 19 in the same township and range.

Please accept our thanks for this information.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb

G 25648 - Oscar Edlund
1.3 cfs
PD NENW 19 15527E
Land - NENW 19 SE 1/4 18
2/21/29, 1965

30246

25648 - 6974

G 30246 - JE Tracy Inc

1.92 cfs

PD NENW 19

Land: 18 SW 1/4 - 1 SW 1/4

19 NENE 1/4 NENW 1529575

2/21/29, 1965

January 31, 1966

RE: Permit No. G_29515
Oscar Edlund

A. H. Nielson
Nielson & Nielson
Attorneys at Law
Burley, Idaho

Dear Mr. Nielson:

We thank you for sending the agreement between Oscar Edlund and J. E. Tracy Company with your letter of January 27; however as it does not show J. E. Tracy Company as the land owner proofs will have to be made in another name.

The proofs could be made in the name of the Oscar Edlund Estate if the deposition of holder form were to be signed by a person duly appointed as administrator. Upon receipt of proof of the legal appointment of an administrator we will send the deposition forms to you and begin the required publication.

The agreement and proof forms are being retained in our files to show that an effort is being made to meet requirements.

Please advise if you have a preference as to the date depositions will be made so that it can be entered on the proof forms, otherwise a date will be picked at our discretion.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJWmr

29515

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

January 27, 1966

RECEIVED
JAN 28 1966
Department of Reclamation
TELEPHONE
678-5574

Donald J. Watts, Office Engineer
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Re: Permit No. G-29515, Oscar Edlund

Dear Mr. Watts:

In the above matter as our office has heretofore informed you, Oscar Edlund and his wife entered into a contract to sell the land upon which the water has been used in the above permit to J. E. Tracy, Inc., an Idaho corporation of Almo, Idaho.

We are sending you an original of the above agreement for your files. We have been unable to locate Mrs. Luella C. Edlund, the surviving wife of Oscar Edlund.

As the time is elapsing now to make proof, it is our thought that proof should be made according to the requirements and we suppose that would be in the name of the Oscar Edlund Estate. As we were not sure, we have left paragraph No. 1 in Form 36 blank so that you could fill in the designation of the ownership of the land.

Form 36 is sent to you in duplicate and Form 11 has been signed by the J. E. Tracy Company. If there is any additional information you require, would you please let us know?

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb

29515

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

Notice is hereby given that at 10:00AM., on the _____ day of March
1966, at Burley, County of Cassia, State of Idaho
before A. H. Nielson, Notary Public, at (address) Fouts Building,
1320½ Overland Ave., Burley, Idaho, proof will be submitted of the completion
of works for the diversion of 4 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-29515, 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 _____
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 4 cubic feet per second.
3. The use to which said water has been applied is irrigation
_____, purposes and the amount applied to beneficial use is
4 cubic feet per second.
4. The point of diversion of said water is Lot 4 (SW¼SW¼), Section 19,
Twp. 15 S., Rge 27 E, B.M. Cassia County,
5. The place where said water is used is Lot 4, E½SE¼, SE¼NW¼, SW¼NE¼
Section 19, Twp 15 S., Rge. 27 E, B.M. in Cassia County, Idaho
6. The date of priority which said user is prepared to establish is March 2, 1961.

State Reclamation Engineer

29515

No. 36-44M
1/65

RECEIVED
JAN 28 1966

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

Department of Reclamation

Notice is hereby given that at ~~10:00 A.M.~~ on the 16 day of May 19 66, at Burley, County of Cassia, State of Idaho before N. H. Nielson, Notary Public, at (address) Fouts Building, 1320 1/2 Overland Ave., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29515, 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 Oscar Edlund Estate, A.H. Nielson Administrator with
will Annexed.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

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

4. The point of diversion of said water is Lot 4 (SW 1/4 SW 1/4), Section 19, Twp. 15 S., Rge 27 E, B.M. Cassia County,

5. The place where said water is used is Lot 4, E 1/2 SW 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4 Section 19, Twp 15 S., Rge. 27 E, B.M. in Cassia County, Idaho

6. The date of priority which said user is prepared to establish is March 2, 1961.

State Reclamation Engineer

29515

RECEIVED
JAN 28 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 27 , 1966

(P. O.) Almo, 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 Burley Herald Bulletin of
Burley, Cassia County, Idaho Published in
the county in which the works are situated.

J. E. Tracy, Inc.
William H. Tracy, V. P.

(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

29515

AGREEMENT

THIS AGREEMENT, Made and entered into this 28th day of November, 1962, between OSCAR EDLUND and LUELLA C. EDLUND, husband and wife of Bridge, Cassia County, Idaho, parties of the first part, hereinafter called the Vendors, and J. E. TRACY, INC. an Idaho corporation of Almo, Cassia County, Idaho, party of the second part, hereinafter called the Purchaser.

WITNESSETH: That the Vendors, for and in consideration of the sum of Twenty-Eight Thousand Dollars (\$28,000.00), together with interest, lawful money of the United States of America, to be paid in the manner and at the times hereinafter specified, and the covenants and agreements hereinafter mentioned, reserved and contained on the part of the Purchaser to be kept, paid and performed, agree to sell and to convey unto the said Purchaser and the said Purchaser agrees to purchase of and from the said Vendors all that certain real property located in Cassia County, more particularly described as follows, to-wit:

East Half of the Southwest Quarter, Southeast Quarter of the Northwest Quarter, and the Southwest Quarter of the Northeast Quarter, Section 19, Township 15 South, Range 27, East Boise Meridian.

Lot 4, Section 19, Township 15 South, Range 27, East Boise Meridian.

Together with all water rights and all well rights in any manner connected to the above described property. All pumps and pumping equipment shall remain on the property.

The Vendors reserve all oil and mineral rights.

PURCHASE PRICE:

The Purchaser hereby agrees to purchase the above described real estate, from the Vendors and to pay the Vendors therefor the sum of Twenty-Eight Thousand Dollars (\$28,000.00) in the manner following, to-wit:

Five Thousand Dollars (\$5,000.00) upon the execution of this agreement, receipt whereof is hereby acknowledged by the Vendors:

The Purchaser assumes and agrees to pay according to the terms of the promissory note and mortgage for the sum of Four Thousand Dollars (\$4,000.00) to Margaret Toone.

It is understood that after the down payment and the assumption of the above mortgage, there is then due the Vendors the sum of Nineteen Thousand Dollars (\$19,000.00) which said sum shall be paid as follows:

1 \$1,000.00 on December 1, 1964
2 \$1,000.00 on December 1, 1965
3 \$2,000.00 on December 1, 1966 , and
4 \$2,000.00 on the first day of each and every December
thereafter until the full purchase price shall have been paid.

5 INTEREST:

6 It is understood and agreed that all unpaid portions of the purchase
7 price shall bear interest at the rate of five percent (5%) per annum from the
8 date of the execution of this agreement, and it is understood and agreed
9 that the said interest shall be paid December 1, 1963 and each year
thereafter and shall be in addition to the principal payments.

10 AMOUNT DUE LAYNE BOWLER:

11 It is understood that the Vendors are indebted to Layne Bowler
12 Company for a pump in the irrigation well and it is understood that the
13 Vendors will make the payments due said Layne Bowler Company. If
14 the Vendors fail to make such payments and the Purchaser is required
to make such payments, then the Purchaser shall be entitled to
deduct from the purchase price such payments made.

15 DEFERRED PAYMENTS:

16 It is understood and agreed that if said installments, as above
17 provided, or any part thereof are not paid when the same become due, then
18 the whole of the said principal sum and interest accrued thereon shall
19 forthwith become due and payable at the option of the Vendors. The Purchaser
may at any time at its option pay any of all of the unpaid balance
with interest to the date of such payment.

20 IMPROVEMENTS:

21 All improvements made on the above described premises, by the
22 Purchaser, shall be paid for at the time the said improvements are made
23 and that the Purchaser will not permit or allow a mechanic's or material-
man's lien to be filed on said premises.

24 TAXES:

25 The Vendors promise and agree to pay all taxes for the year 1961
26 and all prior years, and eleven-twelveths of the 1962 taxes, and the Purchaser
27 agrees to pay one-twelveth of the 1962 taxes and all taxes thereafter
assessed during the lifetime of this agreement.

28 NOXIOUS WEEDS:

29 It is agreed and understood by the parties hereto that the Purchaser
30 has examined the above described premises and knows the condition of said
31 premises so far as noxious weeds are concerned and the said Purchaser
purchases the same with such knowledge and agrees that hereafter he will

not make any claim whatsoever against the Vendors in regard to any noxious weeds located on the above described premises.

TITLE INSURANCE:

It is understood and agreed that when the Purchaser has paid \$23,000.00 upon the principal, then the Vendors will, at their expense, provide Title Insurance in the amount of \$28,000.00, which said Title Insurance shall show good and merchantable title to be in the Vendors free and clear of all liens and encumbrances, except the Margaret Toone mortgage and any cloud created on the title by or through the action or neglect of the Purchaser and the taxes assumed hereunder by the Purchaser.

FERTILITY AND STRIP:

It is understood and agreed that the Purchaser will not operate the premises so that the same will lose their fertility and that the Purchaser will not create any waste or strip upon the premises.

CONVEYANCE:

It is understood and agreed by the parties hereto that upon payment of the full purchase price, as provided for herein, that the Vendors will execute and deliver to the Purchaser a good and sufficient warranty deed to the above described property.

POSSESSION AND TIME IS OF THE ESSENCE:

It is understood and agreed that the Purchaser shall be let into possession of the above described premises on the 1st day of December, 1962, and may remain in possession thereof during the entire lifetime of this agreement, or until the Purchaser shall make default in some payment, promise, covenant or agreement hereof to be performed by it, or until the said contract shall have been terminated by the Vendors on account of some default on the part of the Purchaser. The Purchaser promises and agrees that in case it fails to perform this agreement as herein provided and the Vendors shall serve notice of forfeiture upon it, then and in that event, unless it performs this agreement within the time hereinafter provided, after the service of such notice, then the said Purchaser agrees that it will, without delay, deliver up the possession of the above described property to the Vendors in a peaceable manner. It is understood that the failure on the part of the Vendors to require prompt performance on the part of the Purchaser shall not in any event extend the time for performance by the said Purchaser or be a waiver by the Vendors of time being of the essence of this agreement. It is understood that the time hereinafter provided for notice of forfeiture shall remain as hereinafter provided and shall be complied with on the part of the Purchaser, if requested by the Vendors.

It is agreed that time shall be and is of the essence of this agreement and that if the Purchaser shall fail to pay the deferred payments or interest, or any part thereof at the time the same becomes due, or to fail to perform any covenant or agreement herein contained to be kept by it at the time and in the manner herein specified, then this agreement may be forfeited and terminated by the Vendors at their option. In the event said contract

1 is forfeited by the Vendors, the said Vendors shall be released from all
2 obligations to convey the above described property to the Purchaser, and
3 in such event the Purchaser shall forfeit all right to said property
4 and all his rights under this agreement. In such event all moneys there-
5 fore paid to the Vendors, under this agreement, shall be retained by
6 the Vendors and shall constitute and be liquidated damages for the
7 use of said property by the Purchaser. It is understood that before
8 such forfeiture can take place, the Vendors must give the Purchaser thirty
9 days written notice of their intention to forfeit and terminate this agreement
10 and the ground or grounds upon which said forfeiture is claimed. If the
11 Purchaser shall within said thirty days (30) comply with and perform the
12 provision or provisions of this agreement for the breach of which the Vendors have
13 given notice, then and in that event this agreement is to remain and be in
14 full force and effect the same as though such default by the Purchaser had
15 never been made. Such notice shall be given by mailing to the Purchaser
16 a copy thereof, addressed to it at Almo, Cassia County, Idaho, and such
17 service shall be complete upon the depositing of a registered notice,
18 return receipt requested, in any post office.

11 HEIRS AND ETC.

12 The word "Vendors", wherever it appears in this instrument,
13 includes the Vendors, their heirs, executors, administrators and assigns,
14 the the word "Puchaser", wherever it appears herein, includes the
15 Purchaser its successors and assigns.

15 SIGNATURES:

16 IN WITNESS WHEREOF, the Vendors have hereunto set their
17 hands and seals and the Purchaser has caused its corporate name to be
18 hereunto subscribed by its Vice President and its Secretary the day and
19 year first above written.

20 Oliver C. Edlund (SEAL)
21 Luella C. Edlund (SEAL)
22 VENDORS

23 J. E. TRACY, INC.

24 By William E. Tracy
25 PRESIDENT

26 (SEAL)

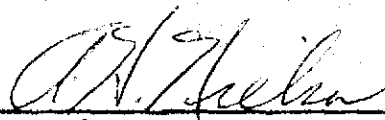
27 SECRETARY

28 PURCHASER

1 STATE OF IDAHO)
2 : ss.
3 County of Cassia)

4 On this 28th day of November, 1962, before me the undersigned
5 Notary Public in and for said State, personally appeared Oscar Edlund and
6 Luella C. Edlund, known to me to be two of the persons whose names are
7 subscribed to the within and foregoing instrument and acknowledged to me
8 that they executed the same.

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

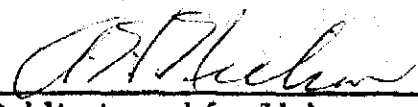
11 
12 Notary Public in and for Idaho
13 Residing at Burley, therein

14 My Commission expires:
15 February 20, 1966.

16 STATE OF IDAHO)
17 : ss.
18 County of Cassia)

19 On this 28th day of November, 1962, before me the undersigned
20 Notary Public in and for said State, personally appeared William H. Tracy
21 and , known to me to be the Vice
22 President and Secretary respectively of the corporation that executed the
23 foregoing instrument, and acknowledged to me that such corporation
24 executed the same.

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

27 
28 Notary Public in and for Idaho
29 Residing at Burley, therein

30 My commission expires:
31 February 20, 1966.

January 26, 1966

Re: Permit No. G-29515
Oscar Edlund

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: A. H. Nielson

Dear Mr. Nielson:

Enclosed departmental receipt No. G-10110
in the amount of \$1.50 covering fee for the photostatic
copy mailed to your office on January 19, 1966, on the
above numbered permit, in the name of Oscar Edlund.

Very truly yours,

(Mrs.) EDNA P. RULE
Chief Clerk

EPR:ew

Enc. receipt

C
O
P
Y

29515

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

TELEPHONE
678-5574

A. H. NIELSON
N. H. NIELSON

January 24, 1966

Donald J. Watts
Office Engineer
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Re: Permit No. G-29515
Oscar Edlund

Dear Mr. Watts:

Enclosed you will find my check for \$1.50 of the photostatic copy of the above permit as set out in your letter of January 19, 1966. Thank you.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb
Encl.

29515

January 19, 1966

RE: Permit No. G-29515
Oscar Edlund

A. H. Nielson
Nielson & Nielson
Attorneys at Law
Burley, Idaho

Dear Mr. Nielson:

Enclosed find the photostatic copy of Permit No. G-29515
requested by your letter of January 17. The fee is \$1.50.

Also enclosed for your future convenience find a schedule of
fees charged by this department.

Proofs should be submitted as originally required. When proofs
are submitted by J. E. Tracy, Inc. a valid transfer of ownership
of the land involved should also be deposited with this depart-
ment showing J. E. Tracy, Inc. as legal owner of the land in
question.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

Enc. photo copy
list of fees

29515

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

January 17, 1966

RECEIVED
JAN 18 1966

Department of Reclamation

Department of Reclamation
State of Idaho
Capitol Building
Boise, Idaho

Re: Permit No G-29515, Oscar Edlund

Gentlemen:

In the above matter, and on the 28th day of November, 1962, Oscar Edlund and his wife, Luella C. Edlund, sold to J. E. Tracy, Inc., an Idaho Corporation of Almo, Cassia County, Idaho, his land and water rights, including the well rights covered by the above mentioned permit.

Mr. Edlund has since died and the J. E. Tracy, Inc., Company are operating the land and using the well. We have been unable to locate the Application. Would you please send our office a photostatic copy of the application and we will send you our check as soon as we receive your statement as to the amount.

Would it be possible under the circumstances to be granted permission to have a little additional time? The well has been pumping 210 inches of water and it should not take us long to make this showing required by your department. Thank you.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb

29515

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29515

January 1, 1966

Oscar Edlund
Bridge, Idaho

Dear Mr. Edlund

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29515 are due not later than **March 2, 1966**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29515

March 2, 1961

Re: Permit No. G-29515
Oscar Edlund

Nielson & Neilson,
Attorneys at Law,
Box 367,
Burley, Idaho.

Attention: A. H. Nielson

Gentlemen:

We enclose Permit No. G-29515 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-5717 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

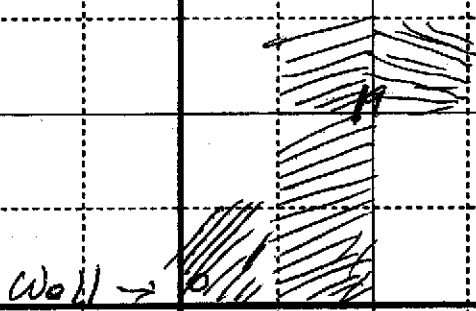
GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Oscar Edlund
Bridge, Idaho

29515

Sec 19 - 15 S Rge 27 E B M Canada Co.



Permit Map No. 29515
As Approved
MAR 2 1961
GEO. N. CARTER
Reclamation Engineer

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

RECEIVED
FEB 23 1961

Department of Reclamation

A. H. NIELSON
N. H. NIELSON

February 22, 1961

State Reclamation Engineer
State of Idaho
Capitol Bldg.
Boise, Idaho

Gentlemen:

At the request of Oscar Edlund we are sending
Application for Permit. We are also sending Mr. Edlund's
check in the amount of \$5.75.

We believe that you will find that the applica-
tion is in order.

Very truly yours,

NIELSON & NIELSON

By


A. H. Nielson

AHN/fgf

29515

LEGAL NOTICES

66-114 NOTICE OF PROOF OF COMPLETION OF WORKS and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 16th day of May 1966, at Burley, County of Cassia, State of Idaho before N. H. Nielson, Notary Public, at P.O. Box 13202, Overland Ave., Burley, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of permit No. G-28315, 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 Oscar Edlund Estate, A. H. Nielson Administrator with will annexed.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

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

4. The point of diversion of said water is Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 16, Twp. 15 S., Rge. 27 E., 35 M. Cassia County.

5. The place where said water is used is Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 16, Twp. 15 S., Rge. 27 E., 35 M. in Cassia County, Idaho.

6. The date of priority which said user is prepared to establish is March 2, 1961.

CARL F. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin April 11, 1966, May 2, 1966.

29525