

220V. (919898?)

Examination for Beneficial Use

County.....Cassia.....

31-135-27E.

P.D. = NE, NW, Sec. 31, T. 13S. - R. 27E.

Made: Oct. 15, 1953

Due: Dec. 31, 1955

Proctor & Sec. 29 1848

Due to Dec. 31, 1953

Received: Dec. 29, 1948

P/W = 10-28-53

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
SEP 12 1955

Department of Reclamation

TO MALTA

U.S. HWY. NO. 30

R-27E.

25

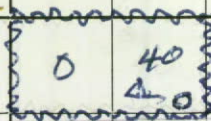
30

T.
13
S.

36

P.D.

31



Sub-division = One

Area = 40a.

Q = 40 inches.

0.8 c.f.s.

No. _____

Map of the Property Described in the Foregoing Caption

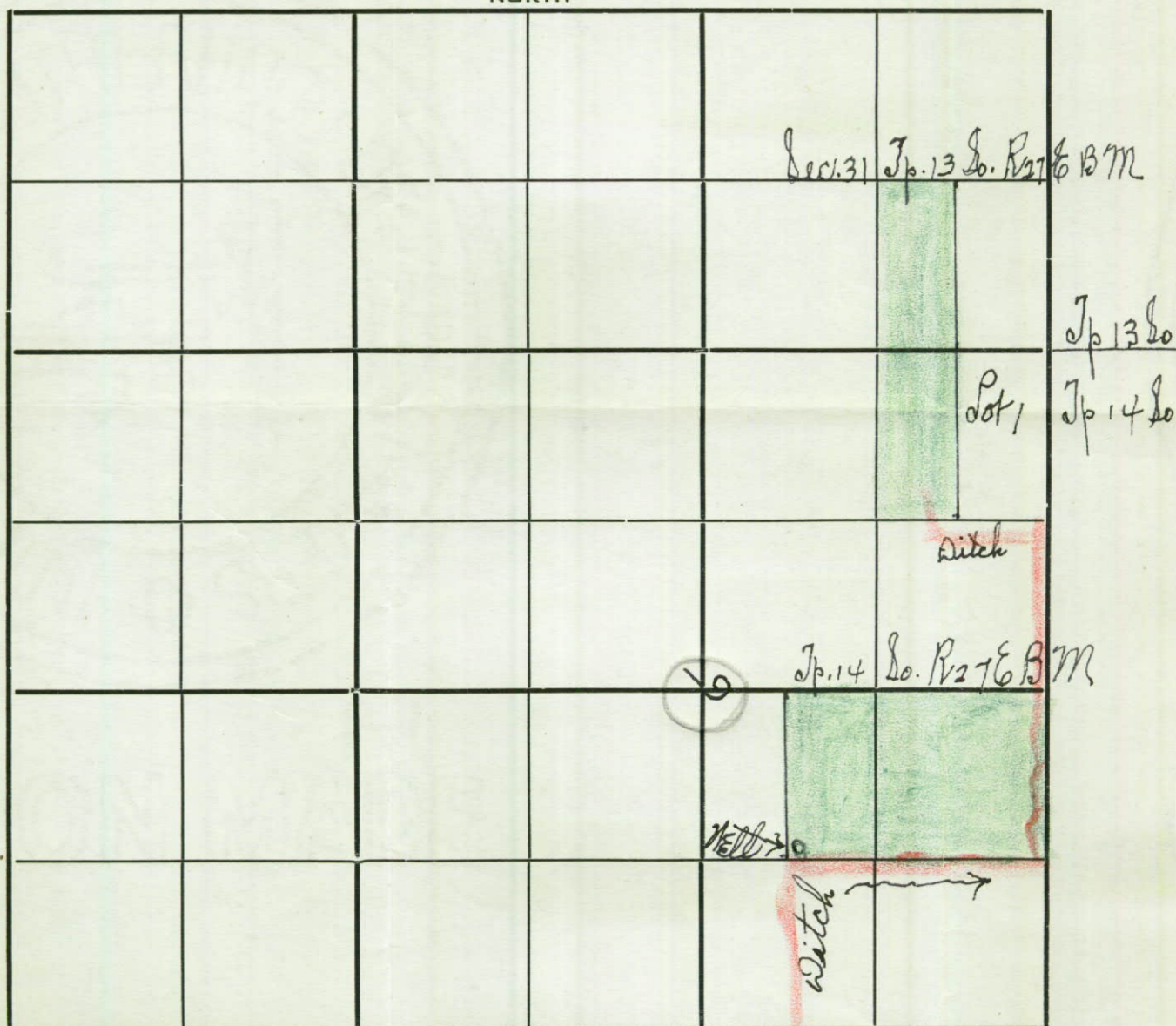
(Scale—40 Chains to the Inch)

Township

(Scale—40 Chains to the Inch)

Township Sec. 6 Tp. 14 So. and Sec 31- Tp 13 So. Range 27 E B M.

NORTH



SOUTH

SHEET NO.

Jno. A. Edison

20838

Copy in new folder - 43-2330

43-8914

STATE OF IDAHO
License and Certificate of Water Right

Water License No. 20838 Amount 0.8 c.f.s.
Water District No. Priority December 29, 1948

THIS IS TO CERTIFY that JOHN A. ELISON ESTATE
of Malta, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 29, 1948; that Permit No. 20838
was issued under said application; that Certificate of Completion of Works, with a carrying capacity of
1.6 second feet, was issued thereunder on October 28, 1953, showing that said works
were completed on the 14th day of October, 1953; and that on the 15th
day of October, 1953,
JOHN A. ELISON ESTATE
of Malta, 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 domestic and irrigation,
under Use Permit No. 20838 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 8914,
on the 16th day of November, 1967.
The right hereby confirmed dates from December 29, 1948.
The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 31, Twp. 13 S, Rge. 27 E, B.M., County of Cassia.
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 0.8 cubic feet per second.
Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S	27 E	31	NE 1/4 NW 1/4	40	40
Total number of acres irrigated:					40

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
16th day of November, 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer.

(SEAL)

43 2330

State of Idaho

License and Certificate of Water Right

Water License No. 20838 Priority December 29, 1948 Amount 0.8 c.f.s.

THIS IS TO CERTIFY that JOHN A. ELISON ESTATE

of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 29, 1948; that Permit No. 20838 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.6 second feet, was issued thereunder on October 28, 1953, showing that said works were completed on the 14th day of October, 1953; and that on the 15th day of October, 1953

JOHN A. ELISON ESTATE

of Malta, 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 domestic and irrigation, under Use Permit No. 20838 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 8914, on the 16th day of November, 1967.

The right hereby confirmed dates from December 29, 1948.

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, Twp. 13 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 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S	27 E	31	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
Total number of acres irrigated:					40

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 16th day of November, 1967.

E. Keith Higgins
State Reclamation Engineer.

No 20838
43.2330

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 20489
PERMIT No. 20838
DISTRICT No.

1. Name of Applicant: JOHN A. ELISON Estate (see folder)

Postoffice address: Malta

County: Cassia

State: Idaho

I. If applicant is a corporation, give:

- (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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 75 miner's inches or 1.5 cubic feet per second.

3. Source of water supply: Subterranean (well) which is a tributary of

4. Location of point of diversion: About 165 ft. W. feet distant from the Southeast
of NE $\frac{1}{4}$ NW $\frac{1}{4}$
corner of Section 31, T. 13 S., R. 27 E., B.M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 31, T. 13 S., R. 27 E., B.M., County of Cassia

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$1,000.00 (Well \$250.00- Pump \$750.00)

8. Kind of works: Well, pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 1/2 miles.

Average grade per mile feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 inches of 1893 Water decree
usable from Apr. 1 to Oct. 1 each year.

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

JOHN A. ELISON *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 2:00 P. M. December 29, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20838

Recorded in Book 75 Page 20838 Approved December 31, 1948

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 March 1, 1949 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 31, 1949

The whole of said work to be completed on or before December 31, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before December 31, 1952

WITNESS My hand this 31st day of December, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 31st

day of December, 1948

STATE OF IDAHO

Countersigned:

1 (SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: This land has 8- inches of 1883 water decree available from April 1st to October 1st of each year, but the undersigned has owned this land since 1938 and no water has been in the ditch after the prior decrees have been supplied during the ten years I have been here; hence the need of this well for supplementary use.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
13 S.	27 E.	31					40	40													80
			APPROVAL OF STATE RECLAMATION ENGINEER																		
			I, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 20838 to December 31, 1952.																		
			Witness my hand this ninth day of February, 1951.																		
			APPROVAL OF STATE RECLAMATION ENGINEER																		
			I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 20838 to December 31, 1953.																		
			Witness my hand this 3rd day of November, 1952.																		
																			MARK R. KULP State Reclamation Engineer		
																			MARK R. KULP State Reclamation Engineer		

Permit No. 20838 *ly*

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MARY A. ELISON, for the John A. Elison Estate, of Malta, County of Cassia, and State of Idaho, the holder of Permit No. 20838, issued upon Application No. 20489 bearing date of priority of December 29, 1948, authorizing the diversion of 1.5 second feet of the waters of a well (subterranean flow) 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 1.6 second feet of the waters of said well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 13 South, Range 27 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 13 South, Range 27 East, B.M.

Witness my hand this 28th day of October, A. D. 1953.

E. N. HUMPHREY
Deputy State Reclamation EngineerProof of Completion of Works made October 14, 1953.
Certificate of Completion of Works issued October 28, 1953.LICENSE ISSUED FOR 0.8 SEC. FT.
LICENSE PAG 894

INSTRUCTIONS TO DELIVERING EMPLOYEE☐ Show to whom, date, and
address where delivered☐ Deliver ONLY
to addressee*(Additional charges required for these services)***RECEIPT***Received the numbered article described below.*

REGISTERED NO.

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

CERTIFIED NO.

19403

INSURED NO.

DATE DELIVERED

8-18-67

1

Lano Elison

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

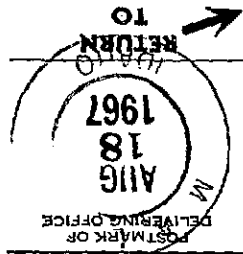
3

SHOW WHERE DELIVERED *(only if requested)*

20838

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and fold firmly to back of article. Print on front of article *RETURN*

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, State House

POST OFFICE, STATE, AND ZIP CODE

Boise Idaho 83701

20838

POD Form 3811 Apr. 1967

c56-10-71548-10

November 16, 1967

Re: Permit 20838
John A. Ellison Estate

Elmo Ellison
Malta, Idaho

Dear Mr. Ellison:

Enclosed is the License and Certificate of a Water Right on the
above referenced permit.

Also enclosed is departmental receipt No. 33974 in the amount of
\$200 for the fees.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: License & Receipt

8914
43-2330

Nov 16 1967

I feel that we are obligated to license this permit for 40 acres because of the location and the time span involved. In 1948 when the permit was issued and in 1953 when the works were completed the water was probably there. There is a sworn affidavit from Mr. Dean Rogers and from a Mr. Raymond Graham that they measured 100 inches over a ~~main~~ and that they saw the land irrigated in 1953. Mark Tulp recommended licensing for 40 inches & so notified the permit holder.

CSA.

8914
43-2330

September 15, 1967

Re: Permit 20838

Elmo Ellison
Malta, Idaho

Dear Mr. Ellison:

We are in receipt of your letter of September 12, 1967 on the above referenced permit.

The Department of Reclamation will proceed with the licensing of the permit and forward the license to your attention. It will not be necessary for you to perfect a change in name of ownership of the permit, as once the permit is licensed it is appurtenant to the ground and ownership of the permit transfers with the deed of sale of the ground.

Please contact us if we can be of further assistance.

Very truly yours,

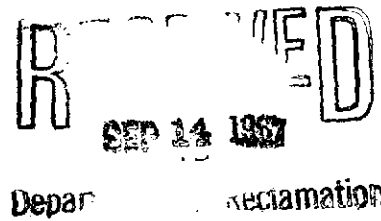
Donald W. McEldowney
Water Rights Clerk

DWM:nw

8914
43-2330

Malta Idaho
Sep. 12, 1967
20838

Dept. of Reclamation
Boise Idaho



Dear Mr. Higgins;

In reference to your letter of August 10th concerning a payment of \$2.⁰⁰ due on Permit 20838, I herewith enclose \$2.⁰⁰ to cover same.

I certainly didn't know anything was due on it or would have paid it.

I have all of his receipts here of Oct. 16, 1953 from Mark R. Kulp & Roy Thompson so am wondering what the \$2.⁰⁰, unpaid, is for.

As to the Estate of John A. Edison well my mother, Mrs. John A. Edison owns everything now and I have bought the land and the well that this permit is on so can the permit, or license, be issued in my name or will I have to send other papers in to get it transferred?

Thanks -

Sincerely

Elmo Edison
Malta Idaho

Enc. \$2.⁰⁰

8914
43-2330

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20838

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant John A. Elison Estate, C/o Lano Elison, Admr., Malta, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31
T. 13 S. R. 27 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 10 h.p. U. S. motor located over the well. Pump and motor in the well are covered with a small wooden house, difficult to get into and read numbers. Delivery is through an 8" by 8' pipe to the South into an open ditch. Pump is a Layne Bowler Turbine Well is a shallow well 40' deep by 18" diameter. Top 20' has been dug. This shallow well has now gone practically dry and is not pumped because of that.

5. Water is used for: Irrigation and domestic purposes
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):

Lot 1 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Twp. 13 South, Range 27 East, B. M.

See the map

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

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

Remarks: This well is not being pumped because it will pump dry.
Lano Elison says in past years it has pumped over 80 inches of water.

This examination was made on the 12 day of Aug, 1953

(Signed) E. N. Humphrey Examiner.

20838

Pump in 8" x 10"

Timber across top

of the road. 3000

D

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
SEP 12 1955

Department of Reclamation

John A. Elison, Estate
Lano Elison, Admr.
Malta, Idaho
Permit No. 20838

Examination for Beneficial Use

County Cassia

31-135-275

Q = 1.5 c.f.s.

S = 1.5

1. = NE 1/4, Sec. 31, T. 33 S. - R. 27 E.

See Division

See Division 1303

Made: Oct. 15, 1953

Due: Dec. 31, 1955

3.6 x 1.6 = 5.76
1.6 x 1.6 = 2.56
5.76 - 2.56 = 3.20
3.20 / 1.6 = 2.0

thirty = Jan. 29, 1955

Due = Jan. 31, 1955

Priority: Dec. 29, 1948

W.P. = 5-90-52

10 hp. U.S. motor

220V. (912989)

274.9 in difficult place to reach

Large 16" pipe

2" x 10 d.

1" coal.

40' x 12" 1' end 5' from

deep 30'

Deep 30' 1' not waiting

8' x 12' 12'

E.M. Smith 18

274.9 in small

274.9 7' h.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20838

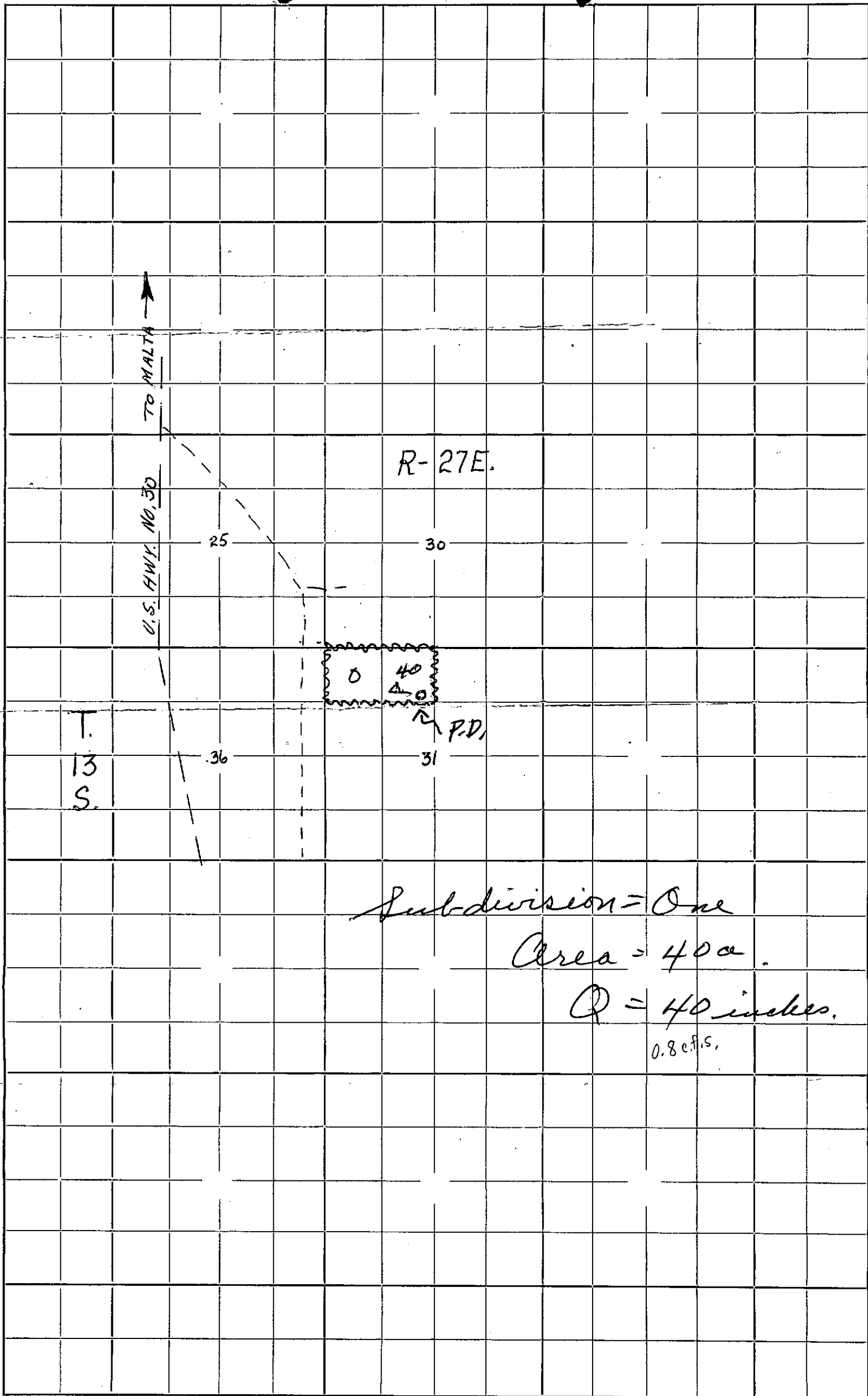
REPORT ON PROOF OF Beneficial Use

JOHN A. ELISON, Estate C/o Lano Elison, Admr., Malta, Idaho

.8 cfs
max

app. 1.5 cfs

40 acres -



August 10, 1967

Re: Permit No. 20838
John A. Ellison, Estate

Mr. Lano Ellison
Malta, Idaho 83342

Dear Mr. Ellison:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit 20838 to appropriate the public waters of the State of Idaho, have not been complied with as to non-payment of fees(\$2.00)

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before September 19, 1967 why said permit should not be cancelled.

Permit 20838 claims the use of 0.8 cubic feet per second of water. The point of diversion was to be located NE1/4NW1/4, Sec. 31, T. 13 S., R. 27 E., B.M., Cassia Co., and the permit was approved December 3, 1948.

State Reclamation Engineer

20838

fee received
9-14-67

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

Notice is hereby given that at 9:00 A.M., on the 15th day of October, 1953, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 1.5 cubic feet per second of the waters of subterranean well in the NE¼ NW¼ Section 31, Twp. 13 S., Range 27 E., B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20838 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 John A. Edison Estate, Malta, 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, in accordance with the plans accompanying the application for such permit, is 1.5 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 1.5 cubic feet per second.

4. The place where said water is used is Lot 1, and NE¼ NW¼, all in Section 31 Twp. 13 South, Range 27 E., B.M.

5. The date of priority which said user is prepared to establish is December 29, 1948.

MARK R. KULP
State Reclamation Engineer
Published in the Burley Bulletin,
Sept.-22-29, Oct. 6-13, 1953.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Junior W. Ross

....., first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Sept. 22, 1953, and ending with the issue dated Oct. 13, 1953.

Subscribed and sworn to before me this 13th day of Oct., 1953

20838

Junior W. Ross
Hazel G. Woodrall
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1955

STATE OF IDAHO

Department of Reclamation

RECEIVED
OCT 16 1953

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia } ss.Mary Ellison, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20838, and that his postoffice address is _____
State of _____Second: That the name of the stream from which said water is to be diverted is wellThird: That the point of diversion of said water is NE 1/4 NW 1/4 Sec 31
13 South 27 EastFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Dec 31, 1953.Fifth: That the use for which said water is intended is Irrigation + Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Dug + drilled well 40 ft deep
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: _____

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit ditch width at bottom 1 1/2 feet, width at water line 3
(State whether ditch, flume or pipe)feet, depth of water 1 feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is 1/2 miles.Seventh: That said works are capable of conducting to the place of intended use _____
1.6 second feet of water.Eighth: That water appropriated under said permit is available for 80
acres of land described as follows: Lot 1 NE 1/4 NW 1/4 Sec 31
13 South 27 EastNinth: Remarks: That at present we have about
30 rods of ditch to build but will have it
completed by above date.John A. Ellison Estate
Mary E. Ellison
(Sign Here)Subscribed and sworn to before me this 14 day of October, 1953My commission expires January-25-1957

Notary Public.

20838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20838

Proof of Application of Water to Beneficial Use

Deposition of Holder

and Completion of Works

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

Ans. Estate of John A. Ellison, farming, Malta, Idaho.

% Iano Ellison administrator.

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. No. 20838, date of permit Dec-31-1948 Dec-29-1948 is date of priority

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

Ans. subterranean well. SE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31. Twp 13 S. R. 27 E. 1M.

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.

Ans. private ditch. 100 inches, Well 40 feet deep, 20 feet cement curb and 20 feet of 24 inch steel casing. Depth to water 10 feet.

Discharge of pump 8 inch. delivers 100 inches, measured over a weir.

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. domestic and irrigation use.

Lot 1, containing 49 acres.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ containing 40 acres. All in Sec 31 Twp 13 S. R. 27 E. 1M.
natural meadow land. used for pasture.

20838

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

Ans. -----

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

Ans. 89 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. season of 1953. flood irrigated once over.

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. 1952 and prior years when available-waters of Raft River under 1883 decreed right.

John A. Elison Estate
(Sign) Lars Elison adm.

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 Malta

County of Cassia, State of Idaho, on this 15 day of October

A. D. 1953,

My commission expires January-25-1957.

Henry Thompson

20838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20838

Proof of Application of Water to Beneficial Use
Deposition of Witness *and Completion of Works*

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Dean E. Rogers, 37, Malta, Idaho. well-driller, Malta, Idaho.

Ques. 2. Are you acquainted with John A. Elision, estate, the holder of Permit No. 20838? How long have you known him and where does he reside?

Ans. 6 years. Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20838, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. Subterranean well, SE corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31 Twp 13 S R 27 EBM.
private ditch.

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. 2 second feet. - 2 second feet.

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. 100 inches. over a weir.

20838

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

Ans. irrigation and domestic use.

Lot 1. -- 49 acres.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ -- 40 acres, all in Sec 31 Twp 13 S Range 27 EBL.

natural meadow land.

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. clay loam.

One 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. season of 1953.

(Signed)

Dean E. Rogers

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 Malta,
County of Cassia, State of Idaho, on this 15 day of October,
A. D. 19 53.

Henry Thompson
Notary Public.

My commission expires January-25-1957.

20838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20838

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Raymond C. Graham, 40, Malta, Idaho. farming, Malta, Idaho.

Ques. 2. Are you acquainted with John A. Elston estate, the holder of Permit No. 20838? How long have you known him and where does he reside?

Ans. yes- 10 years

Ques. 3. Have you read or heard read said Permit No. 20838, 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. subterrean well.

SE corner of the NE¹ NW¹ Sec 31, Twp 13 S. R. 27 E. 1.
privates ditch.

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. 100 inches, two second feet. I helped test the well.

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. 100m inches,

over weir.

20838

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

Ans. irrigation and domestic use

Lot 1 --- 49 acres

NE 1/4 Sec 40 acres, all in Sec 31 Twp 13 S R 27 EBM.

natural meadow land

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. level land

One inch to the acre. 11 1/2 in. 11. 11. 11.

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. season of 1953.

(Signed)

Raymond C. Graham

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 Malta,
County of Cassia, State of Idaho, on this 15 day of October,
A. D. 19 53

Henry Thompson
Notary Public.

My commission expires January-25-1957.

20838

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, October 5, 1953

Re: Permit No. 20838
Estate of John Elison

Mr. J. Henry Thompson
Notary Public
Malta, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with ^{completion of works and} proof of beneficial use of water under Permit No. ~~20838~~.....

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On ~~October 15, 1953~~....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at.....
~~Malta, Idaho~~..... before ~~J. Henry Thompson, Notary Public~~.....

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

.....
MARK R. KULP

Commissioner of Reclamation
XXXXXXXXXXXXXXXXXXXX
State Reclamation Engineer

20838

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept 4 - 1953
(P. O.) Marta Ida

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 Bulletin of Burley Idaho published in
the county in which the works are situated.

John A. Ellison Estate
John Ellison admr

(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.

20838

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 1, 1953

Mr. John A. Ellison
Malta
Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 20838 you are required to complete your diversion works on or before December 31, 1953. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20838

Date: September 8, 1953

Burley Bulletin

Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 15, 1953 the date set for proof, the expense of the publication to be paid by the applicant, John A. Elison Estate C/o ~~James~~ Lano Elison, Admr.

Malta, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

20838

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

Notice is hereby given that at xxx 9.00 A.M., on the 15 th
day of October, 19 53, at Malta, County of
Cassia State of Idaho, before J. Henry Thompson, Notary Public
proof will be submitted of the completion of works for the diversion of 1.8
cubic feet per second of the waters of subterranean well and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. 20838 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 Mary H. Ellison, widow of John A. Ellison - Estate
Malta, 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 con-
veying to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is 1.8 ~~xxx~~ 1.5 cubic feet per second.

3. The use to which said water has been applied is domestic and
irrigation purposes, and the amount applied to beneficial use is
1.8 1.5 cubic feet per second.

4. The place where said water is used is Lot 1, and NE 1/4 NW 1/4, all
in Section 31, Twp. 13 Sout, Range 27 E.B.M.

5. The date of priority which said user is prepared to establish is
29
July 29, 1948.

MARK R. KULP

State Reclamation Engineer

20838

August 27, 1953

RE: Permit No. 20838

Mr. Leno Elison
Malta
Idaho

Dear Mr. Elison:

In reply to your letter of August 25, 1953, requesting the necessary forms for making final proof on the John A. Elison Well.

We think this refers to Permit No. 20838 which is for one and five-tenths (1.5) second feet of water from a well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 13 South, Range 27 East.

If we understand your letter correctly, you wish to make both proof of Completion of Works and Beneficial Use. If that is the case, notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made.

The proof may be made at any place convenient for Mr. Elison and two witnesses and the date should be set sufficiently far ahead to allow for the statutory four weeks publication. Both copies of Form 36 to be returned to this Department together with Form 11 and we shall then send a copy of the notice to the designated county newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making the proof.

Very truly yours,

MARK R. KULE
State Reclamation Engineer
By

Chief Clerk

A:pj

20838

RECEIVED
AUG 27 1953
Department of Reclamation

Malta 2da
Aug 25- 53

Dept of Reclamation

Dear Sirs:

Would you please send me
the necessary forms to fill out
in order to make final proof on
John A. Edison well

Respectfully
Lans Edison

Malta 2da.

P.S.

I am unable to complete my
work under permit No. 20679
so I guess you will have to
cancel it.

Lans Edison 20838

2083 -

I

15-7E11W 31-13 Δ 22E

12-31-53

ST

20839

1,2- E2hN SE 6 - 14 Δ 22E

made

Permit No. 20838

Application for Extension of Time
FOR COMPLETION OF WORKS

John A. Elison, of Malta
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 20838

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by Dec 1, 1952

That he has heretofore performed the following work described under said permit:

Completed the well

costing \$250.00

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

Because of the death of John A. Elison
holder of said permit

WHEREFORE, He asks that the State Reclamation Engineer
extend the time for the completion of works under said permit to Dec 31, 1953

Subscribed and sworn to before me this 30 day of October, 1952

My commission expires January-25-1953.

Date of receipt at office of Department of Reclamation Nov. 3-1952

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION
I, Mark R. Kulp, State Reclamation Engineer
hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 20838
to December 31, 1953

Witness my hand this 3rd day of November, 1952

Mark R. Kulp
State Reclamation Engineer

September 23, 1953

Re: Permits No. 20838 & G-22465

Burley Bulletin
Burley, Idaho

Gentlemen:

We have checked the notice for Completion of Works and Beneficial Use on the John A. Ellison permit No. 20838 in your issue of September 22, and note an error which is not your fault, but was in the copy sent you.

In the next to last line of Paragraph 3, the amount should be 1.5 cubic feet per second instead of 1.8.

Also in the notice on Permit No. G-22465, we note one small typographical error in the 11th line. It should be "Rce 22 East."

Please make these corrections in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/rs

20838

Burley, Idaho
Sept 22, 1953

Dear Mr. Kulp:

Your letter stating for us to run the John A. Elison legal was dated Sept. 8, but did not reach this office until the end of the past week and we put it in the first available paper which was today's, to run four consecutive issues. Under separate cover, we are mailing a copy of the paper with first publication dated Sept. 22. *also made Baker legal*

Very truly yours,

Burley Herald-Bulletin
Hazel B. Woodall

20838

RECEIVED
SEP 23 1953

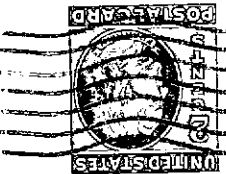
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho



SIDE OF CARD IS FOR ADDRESS

State Reclamation Engineer
Dept. of Reclamation



20838

September 8, 1953

RE: Permit No. 20838

Mrs. Mary E. Elison
Malta
Idaho

Dear Mrs. Elison:

We acknowledge receipt of duplicate notice of completion of works and beneficial use proof on Permit No. 20838, with authorization to publish it in the Burley Bulletin.

Since this permit is of record in the name of John A. Elison, the proof will have to be made in the name of the John A. Elison Estate, and we have amended the notice accordingly.

Of course, after the proof has been made and the report of our field engineer on file, if the estate has been probated and you are the present owner, the license can be made in your own name rather than in the name of the estate.

A copy of the notice has been sent to the Burley Bulletin with instructions to publish it once a week for four weeks prior to October 15, 1953, the date set for proof, and to send Mr. Lano Elison, administrator, the affidavit of publication together with statement of costs.

We shall send Mr. J. Henry Thompson, Notary Public, the necessary forms of deposition to be used in making these proofs and at the time set you should appear before him together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20838

September 21, 1953

Re: Permit No. 20838

Burley Bulletin
Burley, Idaho

Gentlemen:

On September 8th, we sent you notice for proof on Permit No. 20838 in the name of John A. Elison Estate.

To date we have not received acknowledgment of this notice, nor a copy of your issue containing same as requested.

Please advise if the notice is being published and if so, send us a copy of your first issue containing same.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

20838

October 18, 1955

RE: Permit No. 20838

Mr. Leno Elison
Administrator, John A. Elison, Estate
Malta, Idaho

Dear Mr. Elison:

The report of our field engineer on examination for beneficial use on Permit No. 20838 shows that 40 acres in the NE 1/4 Section 31, Township 13 South, Range 27 East, B.M., have been irrigated from the well in that subdivision.

A License can, therefore, be issued for 40 inches or .3 of a second foot upon receipt of the statutory fee of \$2.00.

The License will have to be issued in the name of the John A. Elison, Estate unless the Estate has been probated; in which case, you may send us a copy of the Decree of Distribution showing the present owner.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20838

October 29, 1953

RE: Permit No. 20838

Mr. Lano Ellison, Administrator
Estate of John A. Ellison
Malta, Idaho

Dear Mr. Ellison:

We enclose Certificate of Completion of Works issued on Permit No. 20838 of the John A. Ellison Estate for the diversion of 1.6 second feet of water from a well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 13 South, Range 27 East, B.M., for the irrigation of land in Lot 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 13 South, Range 27 East, B.M.

We also enclose departmental receipt No. 26289 for the \$5.00 fee in connection therewith.

We have placed on file the depositions of yourself and two witnesses, also affidavit of publication in the Burley Herald, all submitted in proof of beneficial use under this permit, but 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.

You understand that when license is issued, it will have to be in the name of John A. Ellison Estate unless in the meantime the estate has been settled in which case the license can go to the present owner upon receipt of a copy of the Decree of Distribution of said estate.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20838

November 4, 1952

RE: Permit No. 20838

Mr. Leno Ellison
Melts
Idaho

Dear Mr. Ellison:

We enclose approval by the State Reclamation Engineer of application for extension of time for completion of works under Permit No. 20838 to December 31, 1953.

This should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20838

October 13, 1952

RE: Permit No. 20838

Mr. Lano Elison
Malta
Idaho

Dear Mr. Elison:

In answer to your letter of October 9, 1952, requesting more time for completion of works under the above numbered permit.

Five years is the maximum time limit on completion of works. Therefore, by filling out the enclosed form of application for extension of time, we can extend the time to December 31, 1953.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:fg
Enc.

20838



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 13, 1952

RE: Permit No. 20838

RECEIVED
NOV 3 1952

Department of Reclamation

Mr. Lano Ellison
Malta
Idaho

Dear Mr. Ellison:

In answer to your letter of October 9, 1952, requesting more time for completion of works under the above numbered permit.

Five years is the maximum time limit on completion of works. Therefore, by filling out the enclosed form of application for extension of time, we can extend the time to December 31, 1953.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Ray W. Thompson
Ray W. Thompson

Supervisor of Water Distribution

RWT:fg
Enc.

20838

RECEIVED
OCT 11 1952

Department of Reclamation

To: Mr. J. J. 194-3
Malta 2 du

Oct 9-52

Dept of Reclamation

Dear Sirs:

In regard to your letter of Oct 1,
about Permit NO. 20838 issued to
John A. Elison.

Mr. Elison was killed last
May and his place is going thru
the process of the estate being
settled and nothing has been
done with his well, so if it is
possible we would like an
extension of time to pump up on
the well. We would like it ex-
tended as long as possible.

Respectfully
Lano Elison

Malta 20838
2 du

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. John A. Ellison

Boise, Idaho

October 1, 1952

Malta, Idaho

Dear Sir:-

Under the terms of your Permit No. 20838.....you are required to complete your diversion works on or before December 31, 1952..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intened use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20838

✓
January 28, 1952

RE: Permit No. 20838

Mr. Karl J. Magleby
Farmer's Home Administration
110 Motor Avenue
Salt Lake City 1, Utah

Dear Mr. Magleby:

Reference is made to an inquiry regarding the status of Permit No. 20838 in the name of John L. Elison.

This permit is for 1.5 second feet (or 75 inches) of water from a well in the NE¹ NE¹ Section 31, Township 13 South, Range 27 East, B.M., for the irrigation of the NE¹ NE¹ of said Section 31.

The priority date, or date of filing, is December 29, 1948. Proof of completion of works was originally due December 31, 1950, and proof of beneficial use December 31, 1952.

An extension of time has been allowed for proof of completion of works to December 31, 1952, which automatically extends time for beneficial use for the same length of time, or until December 31, 1954.

Since the statutes allow a maximum of 5 years for completion of works, an additional extension could be allowed, if necessary and applied for, to December 31, 1953, and a similar extension could be allowed on proof of beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. R. J. Thomas

20838

February 10, 1951

Re: Permit No. 20838

Mr. John A. Ellison
Malta, Idaho

Dear Mr. Ellison:

We enclose the approval of the State Reclamation Engineer of your Application for Extension of Time for Completion of Works under Permit No. 20838 to December 31, 1952.

This should be attached to the original Permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20838

Permit No. 20838

Application for Extension of Time

FOR COMPLETION OF WORKS

John A. Ellison, of Malta, Idaho.
State of Idaho., being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 20838

Under the terms and conditions of said permit, construction work thereunder was required to be completed by December 31, 1950

That he has heretofore performed the following work described under said permit:
Well has been dug to a depth of 20 feet with a clam shell bucket,
to hard-pan, however to get efficient water it will be necessary to
drill through the hard-pan to a greater depth,

costing \$ 200.00

THAT he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

To date it has just been impossible to get a driller, on account of
so many wells being drilled in the immediate vicinity.

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ ^{STATE RECLAMATION ENGINEER} extend the time for the completion of construction work under said permit, to December 31, 1952

Subscribed and sworn to before me this 9,th, day of February, 1951

My commission expires Feb. 16, 1953

Dillon W. Lates
Notary Public.

Date of receipt at Department of Reclamation.

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~ ^{STATE RECLAMATION ENGINEER}
I, MARK. R. KULP. ^{State Reclamation Engineer}
~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 20838 to December 31, 1952

Witness my hand this Ninth day of February, 1951

Mark R. Kulp
State Reclamation Engineer,

By

January 30, 1951

Re: Permit No. 20838

Mr. John A. Ellison
Box 82
Malta, Idaho

Dear Mr. Ellison:

Your letter of January 27, 1951, evidently crossed our letter addressed you on January 29, in regard to land description given in the Beneficial Use Proof on Permit No. 20839.

We enclose a form of Application for Extension of Time for Completion of Works on Permit No. 20838 which should be executed before a Notary Public and returned to this Department for approval by the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20838

Box 82
Malta, Idaho

Jwn. 27th 1951

Department of Reclamation
Boise, Idaho
Gentlemen,

In making final proof of Beneficial use of water as indicated in permit No. 20839 as shown on papers already sent in to your office on the 25th inst. I showed that this water had also been used on the west $\frac{1}{2}$ of Lot 8 I in Sec. 6 and also on the west $\frac{1}{2}$ of the South-east $\frac{1}{4}$ of the South-east $\frac{1}{4}$ of Sec. 31, Tp. 13 So., R. 27 E.B.M. but publication of these two latter descriptions was omitted unintentionally but if there is no legal objection to this being done I should like to have it entered that way, otherwise let it show on the ~~69~~ ⁶⁸ acres indicated.

My reason for asking this is that the Raft River ^{water} used on these two tracts of land enter my land right at the corner where the well is located and I hold these streams together in irrigating and rotate it on the two tracts. I thought it would be better to get it applied to the latter piece, but as stated above, I can get along by rotating it with the River water, if there are ~~no~~ objections, to the former course.

I also hold a permit No. 20838 for a well on which I should have made proof of works Dec. 31, 1950. The work has been done amounting to \$250.00 in the digging of the well. I have also tested the well which shows it produces 65 miners inches of water, but at 20ft. depth I struck a hardpan which the clam-shell would not penetrate and inasmuch as other wells in that vicinity are producing double that amount of water by drilling through the hardpan I have been waiting on a drilling machine to go through the hardpan, and would therefore like an extension of one-year's time in which to make proof of work and use of water to Beneficial use. By the way I see my present permit already permits proof of use of water till 1952, so I will ask for one year ~~only~~ extension of time to make final proof of works only.

Thanking you in advance for your favorable consideration of these matters I am

Sincerely Yours

Jno. A. Edison

Map is here enclosed showing land on which I desired to use water as described in first part of letter.

12-31-48

RECEIVED
JAN 29 1951
Department of Reclamation
20838

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. John A. Elison

Malta, Idaho

Boise, Idaho **October 2, 1950**

Dear Sir:-

Under the terms of your permit No. ~~20838~~-----you are required to complete your diversion works on or before---~~December 31, 1950~~ I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit Nos. 20838 & 20839

Date January 6, 1949

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

MARK R. KULP
State Reclamation Engineer

Mr. Jno A. Elison
Malta, Idaho

Enc. Departmental Receipt No. 21139

20838

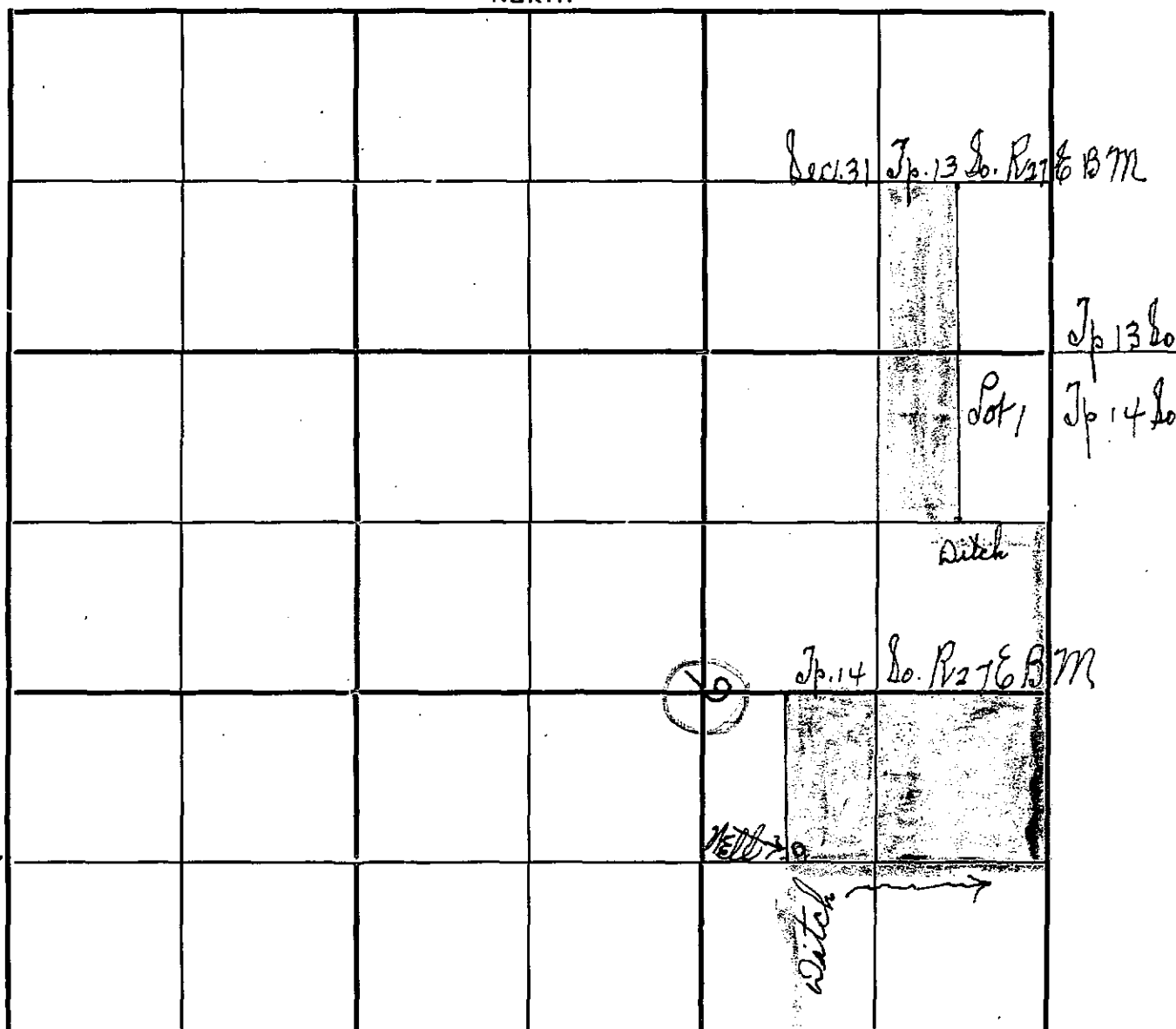
No. _____

Map of the Property Described in the Foregoing Caption

(Scale—40 Chains to the Inch)

Township Sec. 6 Tp. 14 So. and Sec 31- Tp 13 So. Range Range 27 E B M.

NORTH



SOUTH

SHEET NO. _____

Jno. A. Edison

20838

Jr. A. Edison - Malta, Ida

South

State Reclamation Engineers

M. R. 1498 P. DEC 27 1948

As Approved

Permit Map No. 20838

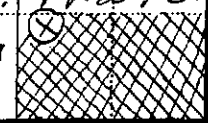
6

24

(31)

Sp. 13 So. R. 276. BM

Well



North

20838

LEGAL NOTICES
NOTICE OF PROOF OF
COMPLETION OF WORKS

AND
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 9:00 A.M. on the 15th day of October, 1953, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 1.5 cubic feet per second of the waters of subterranean well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Twp. 13 S., Range 27 E., R.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20338 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 John A. Elison Estate, Malta, 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, in accordance with the plans accompanying the application for such permit, is 1.5 cubic feet per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 1.5 cubic feet per second.

4. The place where said water is used is Lot 1, and NE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 31 Twp. 13 South, Range 27 E.B.M.

5. The date of priority which said user is prepared to establish is December 29, 1948.

MARK R. KULP

State Reclamation Engineer

Published in the Burley Bulletin,
Sept. 22-29, Oct. 6-13, 1953.