

September 27, 1960

Re: Permit No. G-25296

Kenneth M. Neilson
Montevideo, Idaho

Dear Mr. Neilson:

We enclose Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-25296.

We also enclose departmental receipt No. G-5239
in the amount of \$13.00 covering fees.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

Enc. certificate
license
receipt

G25296

RECEIVED
DEC 9 1959

Department of Reclamation

RECEIVED
DEC 14 1959

Department of Reclamation

Affidavit of Publication
THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

four consecutive issues thereof; first publication having been made on the

29th day of *October*, 19*59*

and the last publication on the

19th day of *November*, 19*59*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this *25th*

day of *November*, 19*59*

(SEAL)

R H Hamm

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.
My commission expires _____, 19____

Publication Fee: \$ *Pd*

MY COMMISSION EXPIRES JULY 17, 1961

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

Notice is hereby given that at 2:00 p.m., on the 7th day of December, 1959, at Mud Lake Village, County of Jefferson, State of Idaho before Idaho W. Smith, Notary Public, at Post Office Address Terreton, Idaho, proof will be submitted of the completion of works for the diversion of 3.0 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-25296, 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 Kenneth H. Neilson, Montevieu, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use of which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 2.2 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E.B.M. Jefferson County, Idaho

5. The place where said water is used is NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E.B.M. Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is December 1, 1954.

GEO. W. CARTER,
State Reclamation Engineer.
(Pub. Oct. 29, Nov. 5-12-19, 1959)

A25296

RECEIVED
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Department of Reclamation

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

Notice is hereby given that at 2:00, P. M., on the 7th day of December, 1959, at Mud Lake Village, County of Jefferson, State of Idaho before Idaho W. Smith, Notary Public, at (address) Post Office Address Terretton, Idaho, proof will be submitted of the completion of works for the diversion of 2.2 ^{3.0} 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 25296, 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 Kenneth H. Neilson, Montevue, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use of which said water has been applied is irrigation & domestic purposes, and the amount applied to beneficial use is 2.2 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E. B. M. Jefferson County, Idaho

5. The place where said water is used is NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E. B. M. Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is December 7, 1954.

Geo. H. Carter
State Reclamation Engineer

25296

R

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G- 25296

Date: Oct. 1, 1959

Kenneth H. Neilson

H. R. Harn
Box 7
Dubois, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of Water to Benefi-
cial Use, as set out under the terms of Permit No. G- 25296 are due not later
than December 7, 1959.

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 Per-
mit, including any amendments made in connection with a change of point of diver-
sion or land list which has been recorded in this department. If changes have
been made and no amendments are on record, we advise that 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 above 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
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 of, 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 Form 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,

GEO. N. CARTER
STATE RECLAMATION ENGINEER

Enclosures Form 36 - 11
instructions
cc: Kenneth H. Neilson
Montevieu, Idaho

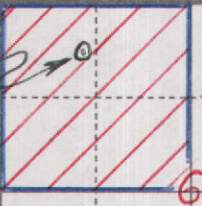
825296

NAME OF APPLICANT KENNEDY H. NEILSON

Form No. 0

R-34E.

Point of Diversion - WELL



T.
7
N.

Permit Map No. 9-25296
As Approved
DEC 7 1951
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. G-25296

Amount 2.5 c.f.s.

Water District No.

Priority Dec. 1, 1954

THIS IS TO CERTIFY that KENNETH H. NEILSON
of Montevue, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 1, 1954; that Permit No. G-25296
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.5 second feet, was issued thereunder on September 26, 1960, showing that said works
were completed on the 7th day of December, 1959; and that on the 7th
day of December, 1959,

KENNETH H. NEILSON

of Montevue, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of Irrigation and
domestic use, under Use Permit No. G-25296 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
11 of Licenses at page 695, on the 26th day of September, 1960;
The right hereby confirmed dates from December 1, 1954;
The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 6, Tp. 7 N, R. 34 E., B. M. County of Jefferson
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 2.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	34 E.	6	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	35
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			Total number of acres to be irrigated:		155

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
26th day of September, 1960.

/s/ GEO. M. CARTER

State Reclamation Engineer.

(SEAL)

31 2338

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

Application No. G- 33145
Permit No. G- 25296
District No.

1. Name of Applicant: KENNETH H. NEILSON
Postoffice address: Montevieu County: Jefferson State: Idaho
2. Quantity of water claimed: 3.0 cubic feet per second
(a) Rate of withdrawal in cubic feet per second. 3.0 or Idaho
Miners' inches 150 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (Well)
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 6
Twp. 7 N. , Rge. 34 E. , B.M., County of Jefferson
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and ditches
8. Estimated cost of works: \$5,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash 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
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

By _____ Agent.

Corrected application received:

Witness my hand this 7th day of December, 1954

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, 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 7th
day of December, 1954

STATE OF IDAHO

By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
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	
7 N.	34 E.	6		40 40 40 40			160
Permit No. G-25296 CERTIFICATE OF COMPLETION OF WORKS ✓							
TO ALL WHOM IT MAY CONCERN: This is to certify that KENNETH H. NEILSON of Montevieu, County of Jefferson, and State of Idaho, the holder of No. G-25296, issued upon Application No. G-33145 bearing date of priority of December 1, 1954, authorizing the 3.0 second feet of waters of a well County of Jefferson, State of Idaho, for irrigation & domestic purposes, has complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works are adequate for diverting and conveying to the place of 2.5 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NW¹/₄ T. 7 N., R. 34 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as for 155 acres in NW¹/₄, Sec. 6, T. 7 N., R. 34 E., B.M. Witness my hand this 26th day of September, A. D. 1960. /s/ GEO. N. CARTER State Reclamation Engineer Proof of Completion of Works Made: December 7, 1959							

LICENSE ISSUED FOR 2.5 SEC. FT.
 Page 6975

September 27, 1960

Re: Permit No. G-25296

Kenneth H. Neilson
Montevideo, Idaho

Dear Mr. Neilson:

We enclose Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-25296.

We also enclose departmental receipt No. G-5239
in the amount of \$13.00 covering fees.

Very truly yours,

OEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

Enc. certificate
license
receipt

G25296

RECEIVED
SEP 2 3 1960

Department of Reclamation

Montiview Idaho

Sept. 14, 1960.

State of Idaho

Department of Reclamation

Dear Sirs,

Regarding your letter of
July 26 on Permit No. C-25296
- I am enclosing a
check for \$13⁰⁰. Sorry
to be so slow but
I've been busy and
short of money.

yours truly
Kenneth H. Wilson
Montiview Idaho

L25296

July 26, 1960

Re: Permit No. G-25296

Kenneth H. Neilson
Montevideo, Idaho

Dear Mr. Neilson:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-25296 shows the well is ~~(xxx)~~ capable of conveying 125 miner's inches, or 2.5 c.f.s. of water for the irrigation of 155 acres.

Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 8.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of December 1, 1954 to the use of 2.5 second feet of subterranean water with the point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6 for irrigation of 155 acres in the NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

25296

RT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25296

REPORT ON PROOF OF Completion of Works & Beneficial Use

Kenneth H. Neilson, Montevideo, Idaho

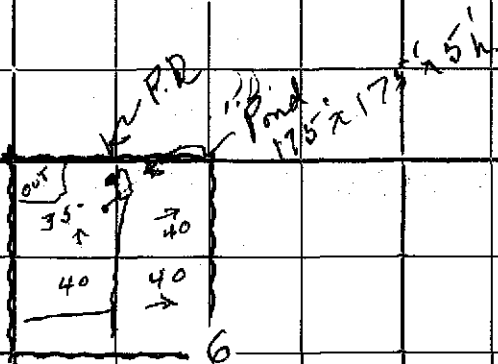
3.0 yds
acres 160
Exam: 2.5 yds
acres: 155

R-33E.

R-34E.

T.
7
N.

TO MONTEVIEW



Subdivisions = 4

Area = 155 acres

Q = 12.5"

2.5 cfs.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25296

This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Kenneth H. Neilson2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW 1/4 NW 1/4 of Section 6T. 7 N R. 34 E.B.M. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 18" x 35' cast iron
h = 13' lift = 35' Col. = 6" x 35' 1 stage 12" bowl dd = 2' to 3'
10 hp V.S. motor # 1020349 No protection
184278 Peerless [D] controls on post to East 6'
put on ties over well. Delivery thru 8" x 30' pipe into a
holding pond

5. Water is used for: irrigation and domestic6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4 of Sec. 6., Twp. 7 N., Rge. 34 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: _____

Q = by observation, checked by calculationThis examination was made on the 13 day of June, 19 60

(Signed)

E. N. Humphrey

Examiner.

25296

Benneth H. Neilson
Montevideo, Idaho

No 35133

Permit No. 6025296

Examination for Completion of Works & Beneficial Use

County Jefferson

6-7N.-34E.

Q = 3.0 c.f.s.

S = Well

P.D. = NW. NW., Sec. 6, T. 7N. - R. 34E.

Use = Irrigation & Domestic

Filed = Dec. 1, 1954

Due = Dec. 7, 1959

no other right

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
JUL 1 8 1960

Department of Reclamation

December 14, 1959

RE: Permit No. G-25296

Mr. Kenneth H. Neilson
Montevieu, Idaho

Dear Mr. Neilson:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Rigby Star, all submitted in proof of completion of works and beneficial use on Permit No. G-25296.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

RPR

G25296

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 9 1959

Department of Reclamation

RECEIVED
DEC 14 1959

Department of Reclamation

Permit No. 25296

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

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

Ans. Kenneth H. Neilson
Montevideo Idaho

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

Ans. _____

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

Ans. 25296; 3 P.M. November 1, 1954 Dec. 7, 1954

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

Ans. Subterranean flow - (Well)
N.W. 1/4 of the N.W. 1/4 of Section 6, Twp 7 N. Range 34 E, B.M. Jefferson

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Ditches to handle (3) three second ft. Well depth 35 ft.
Twenty (20) inch casing to Rock (approx 25 ft) (18) Eighteen inch casing beyond
Average twelve (12) feet to water. Pump discharge 2.2 second feet.

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. Irrigation and Domestic use; Irrigates One hundred
Twenty acres (20) Cultivated land. County of Jefferson N.W. 1/4 of
Section 6, Twp 7 N. Range 34 E B.M.

25296

RT

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. _____

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. Sixty Acres (60) irrigated in 1958. One hundred twenty (120) Acres irrigated in 1959. Crop produced Barley.

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. None

(Sign) Kenneth H. Milon

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 Mud Lake, County of Jefferson

State of Idaho, on this 17 day of December, A. D. 1959.

Idaho W. Smith

My commission expires 3.29.61

25296

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 9 1959

Department of Reclamation

RECEIVED
DEC 14 1959

Department of Reclamation

Permit No. 25296

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

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

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

Ans. Albert J. Violette, Senior Station Operator,
Montevideo, Jefferson County, Idaho

Ques. 2. Are you acquainted with Kenneth H. Nelson, the
holder of Permit No. 25296? How long have you known him and where does
he reside?

Ans. Nineteen years, resides Montevideo Idaho

Ques. 3. Have you read or heard read said Permit No. 25296, 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 con-
veying water from point of diversion to place of use.

Ans. Subterranean flow (well) NW 1/4 of NW 1/4 Sec 6, Twp 7N,
Range 34 E. B.M. Ditches to bundle three (3) Sec ft.
water from well to place of use

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. Three (3) Sec ft, ~~that is~~ Two and two tenths (2.2)

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. Two and two tenths 2.2 Sec ft.
Estimate from experience as a Canal rider

25296

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 & domestic use. One hundred twenty acres
Cultivated land. N.W. 1/4 of Sec 16 Twp 7N Range 34 E 13 m.
Jefferson County

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. Reclaimed desert land requiring 1 inch to 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. Observed almost daily for four years the
development of above project

(Signed) Albert H. Violette

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 Mad Lake,
County of Jefferson, State of Idaho, on this 7 day of December
A. D. 1957.

Idaho 20 Smith
Notary Public.

My commission expires 3. 29. 61

25296

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEC 9 1959
Department of Reclamation

RECEIVED
DEC 14 1959
Department of Reclamation

Permit No. 425296

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. Jesse J. Tracy, Farmer, Monticello, Idaho

Ques. 2. Are you acquainted with Kenneth H. Nelson, the holder of Permit No. 425296? How long have you known him and where does he reside?

Ans. Twenty One Years
Monticello, Idaho

Ques. 3. Have you read or heard read said Permit No. 425296, 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 flow (well) N. W. 1/4 of NW 1/4 Sec 6, Twp 7 N. Range 34 E, R. 3 M. ditches to handle three (3) Sec. 11 water from well to place of use

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. Three (3) Sec ft; Two and two tenths (2.2) Sec ft.

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. Two and two tenths 2.2 Sec ft
Knowledge of Pumping and experience as farmer

425296

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 & domestic use, One hundred twenty acres cultivated land NW 1/4 Sec. 6, Twp 7 N. Range 34 E. B. M. Jefferson County

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. Reclaimed desert land, requiring 1 inch water per 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.

Absolutely none -

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. Observed almost daily for four years the development of above project

(Signed)

Jesse L. Iraaf

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 Mud Lake, County of Jefferson, State of Idaho, on this 7 day of December, A. D. 1959.

Idaho W. Smith
Notary Public.

My commission expires 3.29.61

825296

DEC 9 1959

Department of Reclamation

Department of Reclamation

Affidavit of Publication
THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

four consecutive issues thereof; first publication having been made on the

29th day of *October*, 19*59*

and the last publication on the

19th day of *November*, 19*59*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this *25th*

day of *November*, 19*59*

(SEAL)

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.
My commission expires _____, 19____

Publication Fee: \$ *21*

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

Notice is hereby given that at 2:00 p.m., on the 7th day of December, 1959, at Mud Lake Village, County of Jefferson, State of Idaho before Idaho W. Smith, Notary Public, at Post Office Address Terretton, Idaho, proof will be submitted of the completion of works for the diversion of 3.0 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-25296, 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 Kenneth H. Neilson, Montevieu, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use of which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 2.2 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E.B.M. Jefferson County, Idaho.

5. The place where said water is used is NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E.B.M. Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is December 1, 1954.

GEO. W. CARTER,
State Reclamation Engineer.
(Pub. Oct. 29, Nov. 5-12-19, 1959)

G25296

NOT COMMISSION EXPIRES JUL 17, 1961

December 10, 1959

Re: Permit No. G-25296

Kenneth H. Neilson
Montevieu, Idaho

Dear Mr. Neilson:

Enclosed are the depositions of yourself and two witnesses
and the affidavit of publication.

Mr. Jesse T. Tracy did not answer question 10. That question
must be answered to show he is qualified to be a witness.

Kindly have Mr. Tracy answer the question and return all papers
promptly.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. depositions
affidavit.

25296

12

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

October 26, 1959

Re: Permit No. G-25296

Mr. Kenneth H. Neilson,
Montevue, Idaho.

Dear Mr. Neilson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-25296. The proofs are to be made at 2:00 o'clock P.M., on the 7th day of December, 1959, before Idaho W. Smith, Terreton, Idaho,, Notary Public.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.

EPR: pmk

cc: Notary

825296

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: Oct. 26, 1959

Re: Permit No. G-25296
Kenneth H. Neilson

Rigby Star,
Rigby, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to December 7, 1959 the date set for proof; the expense of the publication is to be paid by the applicant

Kenneth H. Neilson of Montevieu, Idaho
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

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

25296

Encl.
EPR:pak

RECEIVED
OCT. 2 6 1959

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 24, 1959

(P. O.) Montevideo, 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

RIGBY STAR

of Rigby, Idaho

published in

the county in which the works are situated.

Jefferson Co. ✓

Kenneth H. Neilson
Kenneth H. Neilson

(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.

825296

RECEIVED
OCT 26 1959
Department of Reclamation

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

Notice is hereby given that at 2:00, P M., on the 7th day of December,
1959, at Mud Lake Village, County of Jefferson, State of Idaho
before Idaho W. Smith, Notary Public, at (address) Post Office
Address Terreton, Idaho, proof will be submitted of the completion of
works for the diversion of 2.2 ^(3.0) 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. 25296, 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 Kenneth H. Neilson, Montevieu, Idaho

2. Said works of diversion will be fully completed on the date set for such
completion, and the amount of water which said works are capable of conveying to the
place of use is 3 cubic feet per second.

3. The use of which said water has been applied is Irrigation & Domestic
purposes, and the amount applied to beneficial use is 2.2 cubic feet per second.

4. The point of diversion of said water is NW 1/4 of Section 6, Township 7
North, Range 34 E. B. M. Jefferson County, Idaho

5. The place where said water is used is NW 1/4 of Section 6, Township 7
North, Range 34 E. B. M. Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is December 4, 1954.

Geo. H. Carter
State Reclamation Engineer

25296

[Handwritten mark]

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-25296
Kenneth H. Neilson

Date: Oct. 1, 1959

H. R. Harn
Box 7
Dubois, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-25296 are due not later than December 7, 1959.

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 that 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 above 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 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 of, 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 Form 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,

GEO. N. CARTER
STATE RECLAMATION ENGINEER

Enclosures Form 36 - 11
instructions
cc: Kenneth H. Neilson
Montevideo, Idaho

825296

August 18, 1959

RE: Permit No. G-25296
Kenneth H. Neilson

H.R. Harn
Box 7
Dubois, Idaho

Dear Mr. Harn:

We acknowledge receipt of your letter in regard to Kenneth H. Neilson making final proof under his permit.

Enclosed are forms to be used in making final proof.

Also enclosed are 15 Form 3 and 10 special Instructions of Subterranean Filings.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:mr
enclosures

25296

Telephone
FR 4-5115

From Office of H. R. Harn
Dubois, Idaho

P.O. Box 7

To Department of Reclamation
State Capitol Building
Boise, Idaho

Date August 14, 1959

RECEIVED
AUG 17 1959

Subject Supplies

Department of Reclamation

Would very much appreciate receiving the following forms:

- 15 Form No. 3 Application for Subterranean Water.
- 10 Form Special Instructions on Subterranean Filings.

H. R. Harn

REPLY FROM:

DATE:

825296

Signature

PAYEE LOANS

ESTIMATOR

REAL ESTATE

Edna
H. R. HARN
DUBOIS, IDAHO
P.O. Box 7
Tele. FR 4-5115

August 15, 1959

RECEIVED
AUG 17 1959
Department of Reclamation

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: Permit No. G 25296, Kenneth H. Neilson,
Monteview, Idaho

Gentlemen:

Mr. Neilson has requested that I inform you that he will be ready to make final proof under his permit prior to December 7, 1959.

It is Mr. Neilson's desire that his proof be made before me as a Notary Public.

Will you please acknowledge receipt so that I may inform Mr. Neilson on this matter.

Yours very truly,

H. R. Harn
H. R. Harn

cc: Kenneth H. Neilson
Monteview, Idaho

825296

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. G-25296

Date December 15, 1954

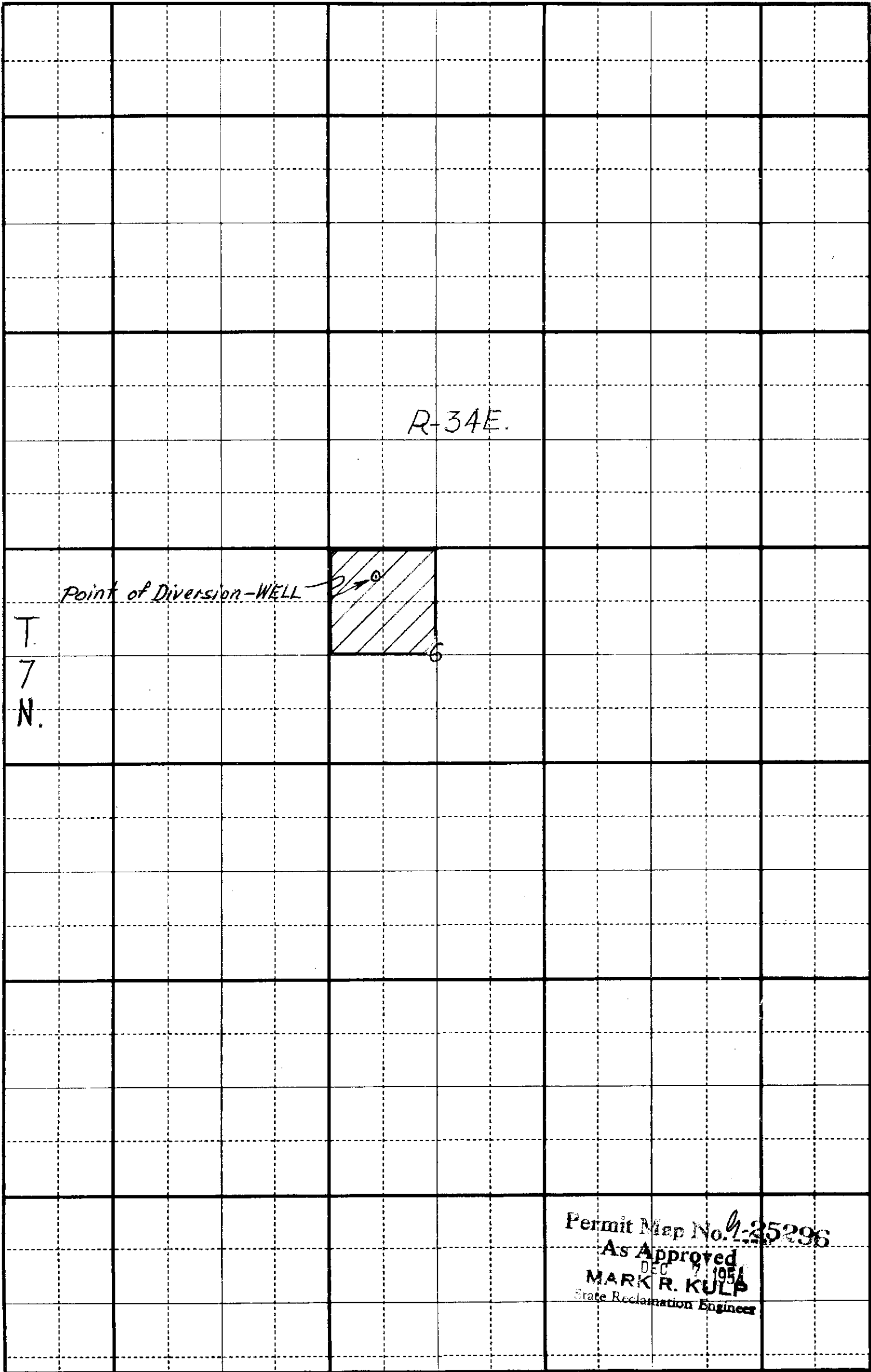
We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Kenneth H. Neilson
Montevieu
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. G-879

825296



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

Notice is hereby given that at 10 p.m., on the 7th day of December, 1954, at Mud Lake Village, County of Jefferson, State of Idaho before Idaho W. Smith, Notary Public, at Post Office Address Terreton, Idaho, proof will be submitted of the completion of works for the diversion of 3.0 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 25296, 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 Kenneth H. Neilson, Montevieu, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use of which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 2.2 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E.B.M. Jefferson County, Idaho.

5. The place where said water is used is NW $\frac{1}{4}$ of Section 6, Township 7 North, Range 34 E.B.M. Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is December 1, 1954.

GEO. W. CARTER,

State Reclamation Engineer.

(Pub. Oct. 29, Nov. 5-12-19, 1959)