

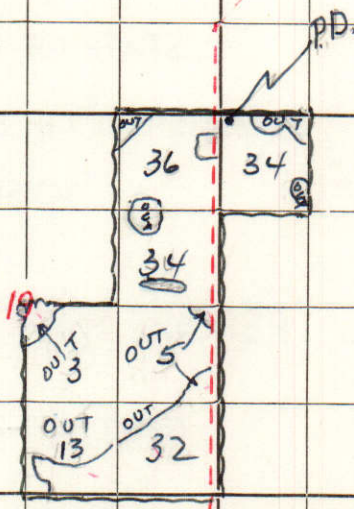
60
24/6

5 Rev. 4 minutes 27 Sec
1.87 cfs (No Factor) 93 1/2 inches
267/500

TO WENDELL

R-15E.

T.
8
S.



Subdivisions

7

AREA

157 acres

Q

1.87 cfs. or 93 1/2 inches

First published in the Irrigationist, Wendell, Idaho, on Thursday, December 15, 1960, for four consecutive issues, ending on Thursday, January 5, 1961.

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

Notice is hereby given that at

10 A.M., on the 7th day of January, 1961, at Wendell, County of Gooding, State of Idaho, before Clyde Peterson, Notary Public, proof will be submitted of the completion of works for the diversion of Two 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. G26134, 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 Virgil F. McHan, 346 Elm Ave., Idaho Falls, Ida.

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 Two cubic feet per second.

3. The use to which said water has been applied is Irrigation & Domestic purposes, and the amount applied to beneficial

use is Two cubic feet per second.

4. The point of diversion of said water is NW 1/4 NW 1/4 Sec. 20, T. 8 S. R. 15E.

5. The place where said water is used is N 1/2 SE 1/4 Sec. 19; S 1/2 SE 1/4 Sec. 19; E 1/2 NE 1/4 Sec. 19; NW 1/4 NW 1/4 Sec. 20; all in T. 8S., R. 15 E.

6. The date of priority which said user is prepared to establish is Dec. 28, 1955.

GEO. N. CARTER
State Reclamation Engineer

RECEIVED
JAN 1 01961
Department of Reclamation

AFFIDAVIT OF PUBLICATON

STATE OF IDAHO }

ss

County of Gooding }

I, John Howard Zadd, being duly sworn, say that I am the editor of THE WENDELL IRRIGATIONIST, a weekly newspaper of general circulation published at Wendell, in the County of Gooding, State of Idaho; that the attached printed copy hereto annexed was published in THE WENDELL IRRIGATIONIST, in the regular edition thereof and not in a supplement, for consecutive weeks, commencing on the 15th day of December, 1960, and ending on the 5th day of January, 1961.

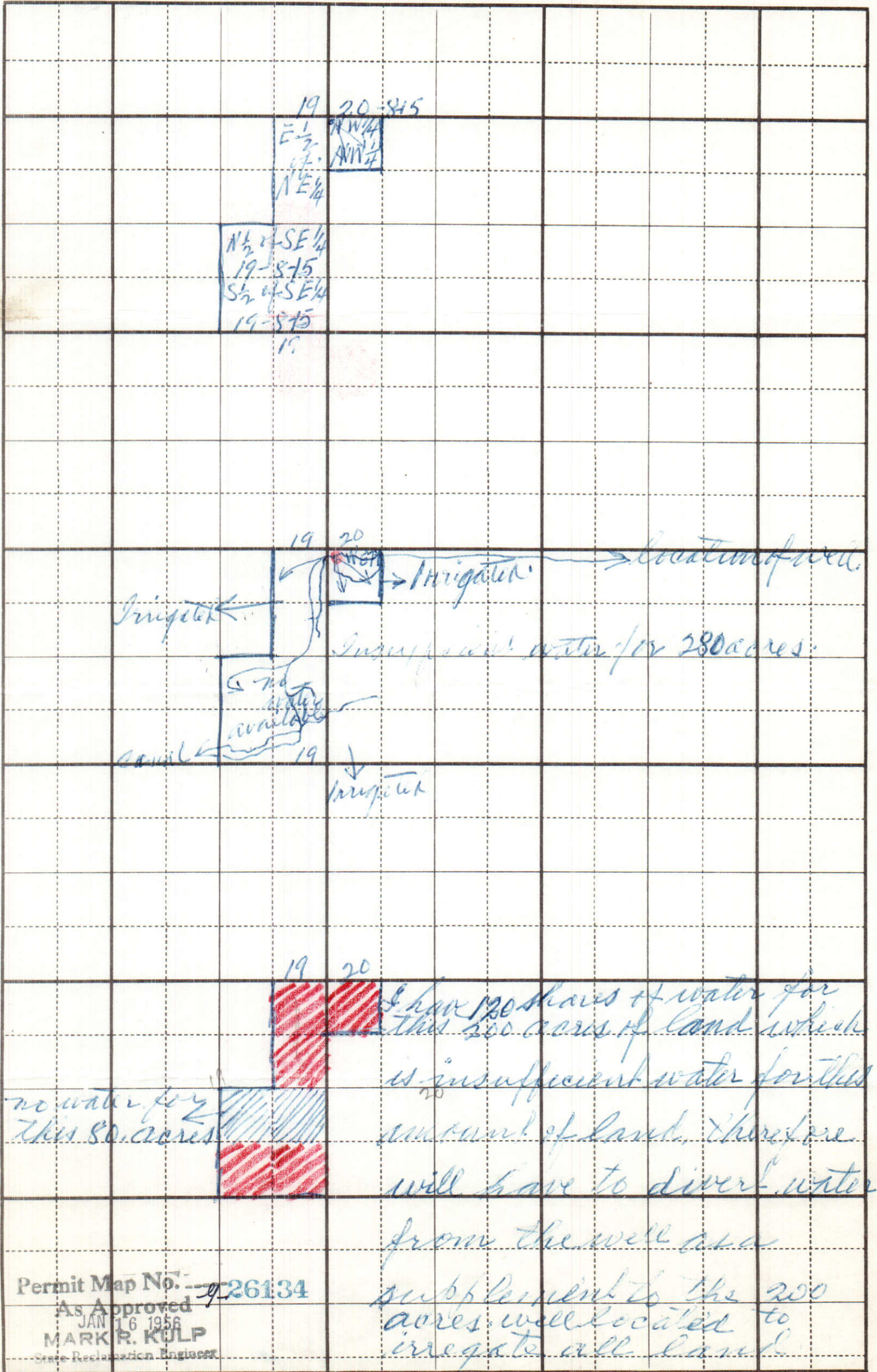
John Howard Zadd, Editor

Subscribed and sworn to before me this 7th day of January, 1961.

Clyde Peterson
Notary Public in and for the County of
Gooding, State of Idaho

My commission expires July 18, 1962
B26134

Virgil Floyd McHann



Permit Map No. 26134

As Approved

JAN 16 1956

MARK R. KULP

State Reclamation Engineer

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

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1. The name and postoffice address of the person or corporation holding said permit is Virgil F. McHan, 346 Elm Ave., Idaho Falls, Ida.

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 Two cubic feet per second.

3. The use to which said water has been applied is Irrigation & Domestic purposes, and the amount applied to beneficial

use is Two cubic feet per second.

4. The point of diversion of said water is NW 1/4 NW 1/4 Sec. 20, T. 8 S. R. 15E.

5. The place where said water is used is N 1/2 SE 1/4 Sec. 19; S 1/2 SE 1/4 Sec. 19; E 1/2 NE 1/4 Sec. 19; NW 1/4 NW 1/4 Sec. 20; all in T. 8S., R. 15 E.

6. The date of priority which said user is prepared to establish is Dec. 28, 1955.

GEO. N. CARTER

State Reclamation Engineer

RECEIVED

SEP 19 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form must be returned to the department or the water right will revert to the state of Idaho.

Water Right Number(s) 36-02290

Name of Water Right Holder(s) Larry B Dimond

Mailing Address 3027 SO 1800 E Wendell Id. 83355

Telephone Number 208-536-2022

Source of Water (Groundwater/Surface) Ground water

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 157 _____ (number of acres irrigated)

Other/Remarks _____

Total rate and/or volume of use 1.87 cfs _____ acre feet

Show the date water use will be or was resumed under this water right May 1994

Person to contact to accompany the Department representative if a field examination is conducted:

Name Larry B Dimond Telephone No. 208-536-2022

Address 3027 SO 1800 E Wendell Id. 83355

The above information is my true statement of the extent to which diversion and use of the above described water right has been resumed.

Date 9/16/97 Signature Larry Dimond

MICRO-TIME

OCT 22 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Application for Extension of Time to Avoid Forfeiture
of a Water Right

NOV 30 1992

Department of Water Resources

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited if the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

1. Name of water right holder ~~Virgil Floyd McHan~~ (Farm presently owned by John O. Elliott)
Post office address Rt. 2, Wendell, Idaho 83355

2. The right was obtained or is evidenced by: n/a

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____. Fully describe decree _____

b. License No. 36-2290 issued by the Department of Water Resources.

c. Claim No. 36-02290 on file with the Department of Water Resources.

3. Source of water Ground Water (Well) tributary to _____
(Name of stream or source)

4. Date of priority of right 12/28/55

5. Amount of water a. 1.87 c.f.s. and/or

b. ~~414~~ 628 acre feet/annum

6. Water is used for Irrigation from 4/1 to 10/31

from _____ to _____

from _____ to _____

(Purpose)

(Month-Day)

(Month-Day)

7. Location of point of diversion is NW 1/4 of Section 20

Township 8S, Range 15E, B.M., in Gooding County;

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

Twp.	Rge.	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	
8S	15E	19	36			34									5	3	13	32	123
8S	15E	20					34												34

Total number of acres irrigated 157

9. Give last date when water was applied to beneficial use 19 crop year
Length of extension of time requested 5 years, or until October 1, 1997
(Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use The present owner of this farm was discharged in Chapter 7 bankruptcy in 1987. He presently occupies the property, but no longer farms. He is not cooperative with FmHA and is disinterested in the farm. FmHA is in the process of acquiring title to the property which will in turn be resold. The priority date is important to any prospective owner of the property.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

[Signature]
ACTING COUNTY SUPERVISOR (Signature of Applicant)
FmHA

Subscribed and sworn to before me this 24th day of November, 1992.

[Signature]
(Notary Public)

My commission expires 3-6-94

Residing at Quincy, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

1. Use of water under this water right must resume on or before October 1, 1997.
2. Pursuant to the Directors Report filed in Basin 36 in the Snake River Basin Adjudication, only the 101 acres listed therein will be considered a part of this extension to avoid forfeiture.

Witness my hand this 25th day of May, 1993.

[Signature]
(Director)
L. Glen Saxton
Chief, Water Allocation Bureau

For Department Use Only

Received by MTS Date 11-30-92 Time 10:00am Preliminary check by [Signature]
Fee \$ 50.00 Receipted by MTS Date 11-30-92 Publication prepared by mb
Published in Gooding Co. Leader Dates 4/21 & 4/28/93
Publication approved by mb Date _____ Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for // Approval // Denial by _____

JUN 30 1993

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho } ss.
County of Gooding

APR 20 1993

Department of Water Resources
Southern Region Office

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of April, 1993 and the date of the last publication was on the 28 day of April, 1993.

Patty Nance
Subscribed and sworn to before me this 29th day of April, 1993.
(SEAL)

Norma De Voe
NOTARY PUBLIC

#18817 15638
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2815

Lines tabular at _____ 6¢/Pica
803 Lines straight at \$40.15 5¢/Pica
Subsequent lines at 32.12 4¢/Pica
TOTAL COST \$72.27

JUN 30 1993

COPY OF NOTICE

(Paste Here)

Notice of Application for Extension

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

No.36-02290

Notice is hereby given that USDA-Farmers Home Administration has applied on behalf of John O. Elliott, Wendell, ID to the Department of Water Resources for an extension of time to avoid forfeiture of Water Right No. 36-02290. The right was obtained and is evidenced by a License and is recorded as follows:

Amount: 1.87 cfs

Priority: 12/28/1955

Source: groundwater

Point of Diversion :
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.

Place of use: Domestic use and irrigation of 157 acres from 4/1 to 10/31 within the E1/2NE1/4, SE1/4, S19, T08S, R15E; NW1/4NW1/4, S20, T08S, R15E.

The extension is requested to avoid loss of the water right due to court litigation.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. 36-02290
Priority Date: 12/28/1955
Name: John Elliott
Basis of right: Licensed Right
No. 36-02290

Source: groundwater
Use: irrigation (1.87 cfs)
from 04/01 to 10/31
Point(s) of Diversion:
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.
Place of Use: 101 acres within
E1/2NE1/4, S19, T08S, R15E;
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in Gooding County
Leader on 4/21 & 4/28/93

Pub: 21.28 G18817

State of Idaho

License and Certificate of Water Right

Water License No. G-26134 Amount 1.87 c.f.s.

Water District No. _____ Priority Dec. 28, 1955

THIS IS TO CERTIFY that VIRGIL FLOYD McHAN
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 28, 1955; that Permit No. G-26134
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.87 second feet, was issued thereunder on November 15, 1961, showing that said works
were completed on the 7th day of January, 1961; and that on the 7th
day of January, 1961,

VIRGIL FLOYD McHAN

of Idaho Falls, 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-26134 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
12 of Licenses at page 7212, on the 15 day of November, 1961;
The right hereby confirmed dates from December 28, 1955;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 20, Tp. 8 S, R. 15 E., B. M. Gooding 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 1.87 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S	15 E	19	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	36
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	34
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	5
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	3
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	13
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	32
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	34
			Total number of acres to be irrigated:		157
		20			

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of November, 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

2211
+

State of Idaho
License and Certificate of Water Right

Water License No. G-25222 Amount 1.0 c.f.s.
Water District No. Priority October 7, 1954

THIS IS TO CERTIFY that THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a corp. sole of Fairfield, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 7, 1954; that Permit No. G-25222 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.0 second feet, was issued thereunder on November 15, 1961, showing that said works were completed on the 14th day of September, 1959; and that on the 14th day of September, 1959, THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a corporation sole of Fairfield, 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, stock, domestic & industrial/^{uses}, under Use Permit No. G-25222 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 12 of Licenses at page 7211, on the 15 day of November, 1961; The right hereby confirmed dates from October 7, 1954; The Point of Diversion is located in the NW 1/4 SE 1/4, Sec. 9, Tp. 1 S, R. 14 E, B. M. Camas 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 1.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	14 E	9	NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	20	18
			Total number of acres to be irrigated:		58

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 15th day of November, 1961.

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

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34009
Permit No. G- 26134
District No.

1. Name of Applicant: VIRGIL FLOYD MCHAN
Postoffice address: 346 Elm Ave., Idaho Falls County: Bonneville State: Idaho
2. Quantity of water claimed: 2 C.F.S.
 (a) Rate of withdrawal in cubic feet per second. Two or Idaho
Miners' inches or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20
Twp. 8 So. , Rge. 15 E. , B.M., County of Gooding
5. Water is to be used for: Irrigation & Domestic
6. ~~If for municipal, industrial or recreational purposes, give:~~
 (a) Point of use of water is in the N $\frac{1}{2}$ ~~1/2~~ of the SE $\frac{1}{4}$ of Section 19 , Twp. 8
Rge. 15 , B.M.
 (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well & electric pump
8. Estimated cost of works: \$ 3500.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years 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: 60 shares No. Side Canal Co. Ltd., Jerome, Idaho; & 60 shares of North Side Canal Co. Ltd., Jerome, Idaho.
 (a) 40 inches (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) 60 in. (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

Idaho as herein set forth.

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26134

Recorded in Book 92 Page 26134 Approved Jan. 16, 1956

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 16, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 16, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before January 16, 1961

Witness my hand this 16th day of January, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 16th
day of January, 19 56

STATE OF IDAHO

By ROBERT E. SMYLIE

Governor

By Paula L. Fleenor *Secretary of State.*

Deputy Secretary of State

12.

[illegible]

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-26134

Comes now VIRGIL F. McHAN and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26134, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, T. 8 S., R. 19 E.	80 acres
S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, T. 8 S., R. 19 E.	80 acres
E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 19, T. 8 S., R. 19 E.	80 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 8 S., R. 19 E.	40 acres , making a total of 280 acres

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, Idaho, this 29th day of November, 1960.

s/ VIRGIL F. McHAN

Date of Receipt at office of Department of Reclamation November 30, 1960.

APPROVAL OF STATE RECLAMATION ENGINEER

Deputy

I, RALPH W. THOMAS, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26134. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: December 8, 1960

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-26134

Comes now VIRGIL F. McHAN and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26134, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 8 S., R. 15 E., B. M., making a total of 280 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, Idaho, this 16th day of December, 1960.

s/ VIRGIL F. McHAN

Date of Receipt at office of Department of Reclamation: Dec. 22, 1960.

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26134. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: December 22, 1960

Permit No. G-26134
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that VIRGIL FLOYD McHAN of Idaho Falls, County of Bonneville, and State of Idaho, the holder of Permit No. G-26134, issued upon Application No. G-34009, bearing date of priority of December 28, 1955, authorizing the diversion of 2.0 second feet of waters of a well, County of Gooding, State of Idaho, for irrigation and domestic 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 1.87 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 8 S., R. 15 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

157 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20; E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 19, T. 8 S., R. 15 E., B. M.

Witness my hand this 15 day of November, A. D. 1961

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: January 7, 1961

LICENSE ISSUED FOR 1.87 SEC. FT.

Page 72/2



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 19, 1997

Gary B Dimond
3027 S 1800 E
Wendell ID 83355

RESUMPTION OF WATER ACKNOWLEDGMENT

RE: Water Right No. 36-02290

Dear Mr. Dimond:

The Department acknowledges receipt of the statement of resumed beneficial use of water submitted in connection with the above referenced water right.

Since Section 42-222.2, Idaho Code, authorizes the Department to grant only one five (5) year extension of time to avoid forfeiture, it is essential that you use the water as authorized by the water right without a five year period of non-use.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

C: IDWR - Regional Office

MICROFILMED
OCT 22 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 30, 1997

John O. Elliott
Route 2
Wendell, ID 83355

2590062139

NOTICE TO RESUME WATER USE

RE: Water Right No. 36-02290

Dear Mr. Elliott:

One of the conditions of department approval of the application for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water right, was that beneficial use of water be resumed on or before October 1, 1997. Enclosed is a form which when submitted will notify the department that you have again established beneficial use of water as authorized by the water right.

Failure to resume the use of water for the water right and to notify the department of resumed use will be cause for the water to revert back to the state and again be available for appropriation.

Please fill out and return the resumption form within sixty (60) days of receipt of this letter. Please address your correspondence to my attention.

If you have any questions concerning this matter, please contact me at 327-7900.

Sincerely,

A handwritten signature in cursive script that reads "Julie L. Yarbrough".

JULIE L. YARBROUGH
Sr. Secretary

Enclosure

MICROFILMED
OCT 22 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1993

John O. Elliott
Rt 2
Wendell, ID 83355

Re: 36-02290

Dear Permit Holder:

Enclosed is an approved copy of the Application for Extension of Time to Avoid Forfeiture of a Water Right. Please note that you must resume use of the water on or before October 1, 1997.

Please notify the Department as soon as you resume use. If you have not notified the Department, 60 days prior to October 15, 1997, the Department will notify you by certified mail of the need to do so.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR - Region Office
H Raeburn Ormond, USDA Farm Home Administration

JUN 30 1993

DATE: NOV-2-1992
PAGE: A-1502

BASIS OF CLAIM

BENEFICIAL USE

CFS

MESESE

SESE
f1.

LICENSE

MMN

MINI

SENE 39.0

COMBINED WITH WATER FROM

35

EXTENSION OF TIME TO AVOID FORFEITURE Elliott, John O.
ANALYSIS SHEET

1. INITIAL REVIEW BY: J. F. Stanton
2. RIGHT NUMBER 36-02290 APPLICANT _____
3. TYPE OF RIGHT: ☐ Decree ☐ License ☐ Claim
4. Is reason for request extension given on application?
✓ Yes _____ No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use
- (b) ✓ Description of Point(s) of Diversion
- (c) ✓ Description of Place of Use *shows licensed P/U. SRBA recom-*
- (d) ✓ Check for correct Signature, Notarization, Fee *mends 10 acres only.*

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by: Claimed for owner by FmHA in SRBA

- (a) _____ Copy of Tax Notice, Deed, or other _____
in file.
- (b) _____ County Assessor records. Date Contacted _____

7. Is the right in a Watermaster District? _____ Yes ✓ No Dist. _____
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by J. F. Stanton

- (a) Is Application published correctly? ✓ Yes _____ No
- (b) Protest Received? _____ Yes ✓ No

RECOMMENDED ACTION — See Director's Report - # 36-2290.

_____ Approve
_____ Deny

Any Award should agree w/ SRBA findings

Conditions: _____

NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

No.36-02290

Notice is hereby given that
USDA-Farmers Home
Administration has applied on
behalf of John O. Elliott,
Wendell, ID to the Department
of Water Resources for an
extension of time to avoid
forfeiture of Water Right No.
36-02290. The right was
obtained and is evidenced by a
License and is recorded as
follows:

Amount: 1.87 cfs

Priority: 12/28/1955

Source: groundwater

Point of Diversion :
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.

Place of use: Domestic use and
irrigation of 157 acres from
4/1 to 10/31 within the
E1/2NE1/4, SE1/4, S19, T08S,
R15E; NW1/4NW1/4, S20, T08S,
R15E.

The extension is requested to
avoid loss of the water right
due to court litigation.

WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. 36-02290
Priority Date: 12/28/1955
Name: John Elliott
Basis of right: Licensed Right
No. 36-02290
Source: groundwater
Use: irrigation (1.87 cfs)
from 04/01 to 10/31
Point(s) of Diversion:
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.
Place of Use: 101 acres within
E1/2NE1/4, S19, T08S, R15E;
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.

Any protests against the
approval of the above proposed
request described above must be
filed with the Director, Dept.
of Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before May 10, 1993.

R. Keith Higginson, Director

Published in Gooding County
Leader on 4/21 & 4/28/93

MICROFILMED

JUN 30 1993

Public Notice

NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

No.36-02290

Notice is hereby given that
USDA-Farmers Home
Administration has applied on
behalf of John O. Elliott,
Wendell, ID to the Department
of Water Resources for an
extension of time to avoid
forfeiture of Water Right No.
36-02290. The right was
obtained and is evidenced by a
License and is recorded as
follows:

Gooding County Leader

April 21, 1993

Amount: 1.87 cfs

Priority: 12/28/1955

Page 20

Source: groundwater

Point of Diversion :
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.

Place of use: Domestic use and
irrigation of 157 acres from
4/1 to 10/31 within the
E1/2NE1/4, SE1/4, S19, T08S,
R15E; NW1/4NW1/4, S20, T08S,
R15E.

The extension is requested to
avoid loss of the water right
due to court litigation.

WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. 36-02290
Priority Date: 12/28/1955
Name: John Elliott
Basis of right: Licensed Right
No. 36-02290
Source: groundwater
Use: irrigation (1.87 cfs)
from 04/01 to 10/31
Point(s) of Diversion:
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.
Place of Use: 101 acres within
E1/2NE1/4, S19, T08S, R15E;
NW1/4NW1/4, S20, T08S, R15E;
Gooding County.

Any protests against the
approval of the above proposed
request described above must be
filed with the Director, Dept.
of Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before May 10, 1993.

R. Keith Higginson, Director

Published in Gooding County
Leader on 4/21 & 4/28/93

Pub: 21.28 G18817

RECEIVED

JUN 30 1993

OK
NB
4-26-93



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

09-Apr-1993

R. KEITH HIGGINSON
Director

GOODING COUNTY LEADER
200 N MAIN
GOODING ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

JUN 20 1993

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

No.36-02290

Notice is hereby given that USDA-Farmers Home Administration has applied on behalf of John O. Elliott, Wendell, ID to the Department of Water Resources for an extension of time to avoid forfeiture of Water Right No. 36-02290. The right was obtained and is evidenced by a License and is recorded as follows:

Amount: 1.87 cfs

Priority: 12/28/1955

Source: groundwater

Point of Diversion : NW1/4NW1/4, S20, T08S, R15E; Gooding County.

Place of use: Domestic use and irrigation of 157 acres from 4/1 to 10/31 within the E1/2NE1/4, SE1/4, S19, T08S, R15E; NW1/4NW1/4, S20, T08S, R15E.

The extension is requested to avoid loss of the water right due to court litigation.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. 36-02290

Priority Date: 12/28/1955

Name: John Elliott

Basis of right: Licensed Right No. 36-02290

Source: groundwater

Use: irrigation (1.87 cfs) from 04/01 to 10/31

Point(s) of Diversion: NW1/4NW1/4, S20, T08S, R15E; Gooding County.

Place of Use: 101 acres within E1/2NE1/4, S19, T08S, R15E; NW1/4NW1/4, S20, T08S, R15E; Gooding County.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 10, 1993.

R. Keith Higginson, Director

Published in Gooding County Leader on 4/21 & 4/28/93

RECORDED

JUN 30 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

08-Apr-1993

R. KEITH HIGGINSON
Director

H RAEURN ORMOND
ASSISTANT COUNTY SUPERVISOR
USDA-FARMER HOME ADMINISTRATION
113 EAST AVENUE F
JEROME ID 83338

Re: Application for Extension of Time To Avoid Forfeiture,
No. 36-02290 (Elliott, John)

Dear Mr. Ormond:

The Department of Water Resources acknowledges receipt of an application for extension of time to avoid forfeiture filed on behalf of John O. Elliott, as referenced above.

This office will be advertising the application in the Gooding County Leader on 4/21 & 4/28/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

JUN 30 1993

Date: November 30, 1992

To: Phil Rassier
Deputy Attorney General
Legal Services Dept.

From: Mel Schulte
Senior Water Resource Agent
Southern Region

MTS

Re: Forfeiture of federally owned rights

Attached are copies of two Applications for Extension of Time to Avoid Forfeiture submitted by the Farmers Home Administration. Also, attached is a letter from H. Raeburn Ormond challenging the forfeiture provisions of the Idaho Code as they might apply to federal property interests and our required filing fees for the applications.

We have receipted the U.S. Treasury check received from the FmHA and will process the applications through the normal channels unless you advise to the contrary. Please respond directly to Mr. Ormond as to the application of Idaho Code sections 42-222 and 42-221 as they relate to federally owned water rights.

If you need any additional information or assistance I can provide please let me know.

MTS
(attachments)



Home
Administration

113 East Avenue : F
Jerome, Idaho 83338
(208) 324-2306

RECEIVED

NOV 30 1992

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
220 Shoshone East
Twin Falls, Idaho 83301

November 25, 1992

re: Giesler, Richard
Elliott, John

Dear Sir:

The attached fees are voluntarily submitted to the State of Idaho in comity and under protest. By so tendering the fees, neither the United States, nor the Farmer's Home Administration, acknowledges the propriety of such fees, or that Idaho forfeiture or abandonment provisions apply to federal property interests. By submitting said fees, the United States does not waive any privileges or rights, and does reserve all arguments concerning the application of Idaho law to federal property interests. The State of Idaho is also hereby placed on notice that said fees may be requested to be returned to the United States in the event of a final judgement finding that Idaho's forfeiture and/or abandonment provisions do not apply to federal property interests.

H. Raeburn Ormond

H. RAEBURN ORMOND
Assistant County Supervisor

November 16, 1961

Re: Permit No. G-26134

Mr. Virgil McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

Enclosed are Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-26134.

Also enclosed is departmental receipt No. G-6672
in the amount of \$19.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

D 26134

October 9, 1961

Re: Permit No. G-26134

Virgil McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

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-26134 shows the well is (are) capable of conveying 93.5 miner's inches, or 1.87 c.f.s. of water for the irrigation of 157 acres.

Upon receipt of the statutory fees, totaling \$ 19.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 14.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of December 28, 1955 to the use of 1.87 second feet of subterranean water with the point of diversion in the NW¹/₄ NW¹/₄ of Section 20 for domestic use and irrigation of 147 acres in the E¹/₄ NE¹/₄, SE¹/₄, Sec. 19; NW¹/₄ NW¹/₄ of Sec. 20, T. 8 S., R. 15 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:gr

26134

580

1.87

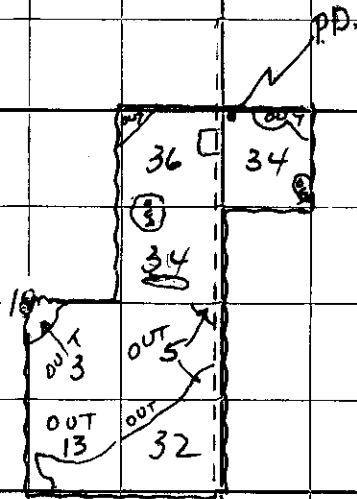
Net Factor

177.142

TO WENDELL

R-15E.

T.
8
S.



70

34

8

45

157

Subdivisions

7

AREA

157 acres

Q

1.87 cfs. or 93 1/2 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26134

REPORT ON PROOF OF Completion of Works & Beneficial Use

Virgil McHan, 346 Elm Ave., Idaho Falls, Idaho

Virgil McHan
KEB-2960
before Henry

Virgil McHan
346 Elm Avenue
Idaho Falls, Idaho
Permit No. G-26134

Examination for Completion of Works & Beneficial Use

County Gooding

Sec. 20 T. 8 S R. 15 E B. M.

Quantity: 2.0 a.f.s.

Source: Well

P.D.: NW. NW, Sec. 20, T. 8 S. - R. 15 E. B. M.

Use: Irrigation & Domestic

Filed: Dec. 28, 1955

Due: Jan. 16, 1961

Extension: —

Completion of Works: —

Other Rights: 60 shares No. 1 Side Canal Co.
Ltd. and 60 " " " "
Driller - G. B. Eaton & Sons.

Protests: ??

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
OCT 9 1961

Department of Reclamation

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

Permit No. G-26134

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

1. Name of applicant Virgil Floyd McHan

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NW 1/4 of Section 20

T. 8 S R. 15 ERM County of Gooding

4. Describe works as they exist, giving dimensions and capacities of same: 30 HP U.S. Motor
#1046404, Lyne-Bowles Pump #22535 (9.50 GPM @ 105 ft. @ 1270 RPM)
6" discharge

5. Water is used for: irrigation and domestic

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):

SE 1/4, E 1/4, Sec. 19., NW 1/4, Sec. 20., Twp. 8 S., Rge. 15 E.B.M.

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

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

Remarks: Mr. Charles Doty (operator of farm) along

Measured by Sparling meter 5 Rev. in 4 minutes 27 seconds.

This examination was made on the 4th day of October, 1961

(Signed) Loyd Johnson Examiner.

G26134

January 11, 1961

RE: Permit No. G-26134

Mr. Virgil Floyd McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Wendell Irrigatorist, all submitted in proof of completion of works and beneficial use on Permit No. G-26134.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

26134

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEPARTMENT OF RECLAMATION

Permit No. G 26134

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. ✓ Virgil Floyd McHan, 346 Elm Avenue, Idaho Falls, Idaho

Retired Farmer

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

Ans. _____

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

Ans. Permit #G 26134, January 16, 1956 Date of Priority Dec. 28, 1955

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

Ans. Subterranean with point of diversion in NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 20, Twp. 8S,
Range 15 E.B.M., Gooding County

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. Drilled well & electric pump conveying 2 second feet of water by farm ditch.

Well depth -155 ft., static water level 105 ft., 5 ft. 15 in. casing

8" discharge measured by Orifice Plate.

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. For irrigation in SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 19, Twp. 8S, Range 15 E.B.M., Gooding Co.
& NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp. 8S, Range 15 E.B.M. Land now cultivated. About 60 acres
in use.

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

Ans. S. B. Eaton & Sons, Wendell, Idaho

G26134

78

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

Ans. None

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

Ans. 2 cubic feet

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. All of water has been used on this land since 1956

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. Also use 120 shares of North Side Water on the 280 acres I own.

(Sign)

Torgil F. McHan

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 Wendell, County of Gooding, State of Idaho, on this 7th day of January, A. D. 1961.

Ceyde Petersen

My commission expires January 18, 1962

B26134

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 1 01961
Department of Reclamation

Permit No. G 26134

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. Robert F. Burks, Jr., 41, Route 2, Wendell, Idaho - Farmer

Ques. 2. Are you acquainted with Virgil F. McHan, the holder of Permit No. G 26134? How long have you known him and where does he reside?

Ans. 5 years and he resides at 346 Elm Avenue, Idaho Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. G 26134, 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 - Place of diversion is NW¹/₄ of NW¹/₄, Sec. 20, Twp. 8S, Range 15 E.B.M., Gooding Co. and is conveyed by 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

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. 2 ft estimated because of past experience.

26134

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. For irrigation on SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 19 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 8S, Range 15 E.B.M., Gooding Co. About 60 more acres of sagebrush land has been put under cultivation.

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

Ans. none

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. Sandy soil with about 60 in. of water needed.

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. Have lived as neighbor since well has been drilled and have frequently been on the place and observed use of water.

(Signed)

Robert F. Burks Jr.

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 Wendelo, County of Gooding, State of Idaho, on this 7th day of January, A. D. 1961.

Cecile Petersen
Notary Public.

My commission expires July 18, 1962

26134

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
JAN 1 1961
Department of Reclamation

Permit No. G 26134

**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. Ernest A. Bartee, 46, Route 2, Wendell, Idaho - Farmer

Ques. 2. Are you acquainted with Virgil F. McHan, the holder of Permit No. G 26134? How long have you known him and where does he reside?

Ans. 4 Years. He resides at 346 Elm Avenue, Idaho Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. G 26134, 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. ^{1/4}

Ans. Subterranean - Place of Diversion is NW ^{1/4} of NW ^{1/4}, Sec. 20, Twp. 8S
Range 15 E.B. M., Gooding Co. and is conveyed by farm 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

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. 2 second feet. Estimated as I have done the irrigating

826134

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. For irrigation on SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 19 and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Twp. 8S, Range 15 E.B.M. About 60 more acres of sagebrush land has been put under cultivation.

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

Ans. none

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. Sandy soil with about 60 inches of water needed.

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. Have done the irrigating for past three years.

(Signed) Ernest A. Bartee

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 Wendell, County of Gooding, State of Idaho, on this 7th day of January, A. D. 1961.

Clyde Peterson
Notary Public.

My commission expires July 18, 1962

826134

First published in the Irrigationist, Wendell, Idaho, on Thursday, December 15, 1960, for four consecutive issues, ending on Thursday, January 5, 1961.

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

Notice is hereby given that at

10 A.M., on the 7th day of January, 1961, at Wendell, County of Gooding, State of Idaho, before Clyde Peterson, Notary Public, proof will be submitted of the completion of works for the diversion of Two 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. G26134 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 Virgil F. McHan, 346 Elm Ave., Idaho Falls, Ida.

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 Two cubic feet per second.

3. The use to which said water has been applied is Irrigation & Domestic purposes, and the amount applied to beneficial

use is Two cubic feet per second.

4. The point of diversion of said water is NW 1/4 NW 1/4 Sec. 20, T. 8 S. R. 15E.

5. The place where said water is used is N 1/2 SE 1/4 Sec. 19; S 1/2 SE 1/4 Sec. 19; E 1/2 NE 1/4 Sec. 19; NW 1/4 NW 1/4 Sec. 20; all in T. 8S., R. 15 E.

6. The date of priority which said user is prepared to establish is Dec. 28, 1955.

GEO. N. CARTER
State Reclamation Engineer

RECEIVED
JAN 1 01961

Department of Reclamation

AFFIDAVIT OF PUBLICATON

STATE OF IDAHO }

County of Gooding }

ss

I, John Howard Todd, being duly sworn, say that I am the editor of THE WENDELL IRRIGATIONIST, a weekly newspaper of general circulation published at Wendell, in the County of Gooding, State of Idaho; that the attached printed copy hereto annexed was published in THE WENDELL IRRIGATIONIST, in the regular edition thereof and not in a supplement, for consecutive weeks, commencing on the 15th day of December, 1960, and ending on the 5th day of January, 1961.

John Howard Todd, Editor

Subscribed and sworn to before me this 7th day of

January, 1961

Clyde Peterson
Notary Public in and for the County of
Gooding, State of Idaho

My commission expires July 18, 1962

G26134

December 22, 1960

Re: Permit No. G-26134

Virgil F. McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

We enclose Application for Amendment to the land
list on Permit No. G-26134, which has been recorded in this
department.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

EPR:ew

By:

Enc. amendment

(Mrs.) Edna P. Mule
Chief Clerk

826134

RT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS

Department of Reclamation

OF THE STATE OF IDAHO, No. G-26134.

Comes now . . . Virgil F. McHan . . . , and represents
to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. G-26134 . . . , and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

SE 1/4, E 1/2 NE 1/4 Sec. 19, NW 1/4 NW 1/4 Sec. 20, T8S, R15E 8M)
SE 1/4, E 1/2 NE 1/4 Sec. 19, NW 1/4 NW 1/4 Sec. 20, T8S, R15E 8M

. . . making a total of . . . 280 . . . acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at *Idaho Falls, Ida.* this . *16th* . . . day of *December* 19 *60*
Virgil F. McHan

Date of receipt at office of Department of Reclamation . *December 22, 1960* . . .

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. . *G-26134* . . . This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

B26134

Geo. N. Carter
State Reclamation Engineer

December 19, 1960

Re: Permit No. G-26134
Virgil F. McHan

Wendell Irrigationist
Wendell, Idaho

Gentlemen:

On December 9, 1960 we send you a Notice for Publication on the above numbered permit in the name of Virgil F. McHan. To date we have not received a copy of tear sheet for proofing purposes.

Please mail a tear sheet to this office as soon as possible for our use.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:ew

826134

December 14, 1960

Re: Permit No. G-26134
Virgil F. McHan

Larry Petersen
Clyde Petersen Agency
Wendell, Idaho

Dear Mr. Petersen:

You may take the depositions of Mr. McHan and his two witnesses in regard to proof of completion of works and beneficial use of the water, however you must make an affidavit that Clyde Petersen was not in his office, that you were in his office, and that no protests were received in regard to said proofs.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

HT:ew

26134

CLYDE PETERSEN AGENCY
INSURANCE — REAL ESTATE — MORTGAGE LOANS
Telephone: KE 6-2071
P. O. Box 607
WENDELL, IDAHO

RECEIVED
DEC 14 1960
Department of Reclamation

December 13, 1960

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: George N. Carter

Re: Permit #G-26134
Virgil F. McHan

Gentlemen:

I am sorry to report that the date set for this Completion of Works application I will not be in my office. However, my substitute and son, Larry Petersen, will be on hand and, if it will be satisfactory for him to perform the notary service, will you so advise him. The address will be the same - Larry Petersen, Clyde Petersen Agency, Wendell, Idaho.

Very truly yours,

CLYDE PETERSEN AGENCY

Clyde Petersen
Clyde Petersen

CP:irm

826134

Representing HARTFORD FIRE INSURANCE COMPANY and HARTFORD ACCIDENT AND INDEMNITY COMPANY



HARTFORD FIRE INSURANCE COMPANY GROUP

HARTFORD 15, CONNECTICUT

December 9, 1960

Re: Permit G-26134

Virgil F. McHan
346 Elm Ave
Idaho Falls, Idaho

Dear Mr. McHan:

Enclosed is form for amending the land list under your permit to correct the error in the amendment which was inadvertently approved and recorded on the permit record.

There will be no fee due for this amendment as you paid for the amendment which showed Range 19 East instead of Range 15 East.

The legal notice of intention to make the proofs is being sent to the paper showing R. 15 E. instead of R. 19 E.

Kindly complete the form and return to this office. The form shows the SE $\frac{1}{4}$, Sec. 19 as a unit instead of the NE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, being the same land in either description.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. amendment form

826134

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

December 9, 1960

Re: Permit No. G-26134

Mr. Virgil F. McHan,
346 Elm Ave.,
Idaho Falls, Idaho

Dear Mr. McHan:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26134. The proofs are to be made at 10:00 o'clock A.M., on the 7th day of January, 1961, ~~1960~~ before Glyde Peterson, Wendell, Idaho, Notary Public.

As of this date we have mailed the Notice to the Wendall Irrigationist 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. ~~Edna P. [illegible]~~
Chief Clerk

B26134

Encl.
EPR: ~~pk~~
cc: Notary

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No.G-26134
Virgil F. McHan

Date: Dec. 9, 1960

Wendell Irrigationist,
Wendell, Idaho
Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **January 7, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

Virgil F. McHan of **346 Elm Ave., Idaho Falls, Idaho** to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

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

Encl.

J 26134

RECEIVED
NOV 23 1960

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
DEC 9 1960

Department of Reclamation

(Date) Nov 19 - 1960
(P.O.) Wendell 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 Wendell Irrigation of Wendell Idaho published in the county in which the works are situated.

Recording Clerk

Virgil F. M. Ham
Nov 19 - 1960

(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.

826134

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Dec; 6 1960
(P. O.) Mendell 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

Mendell Irrigationist of Mendell Idaho Gooding Co. published in
the county in which the works are situated.

Virgil F. McHale
Dec 6 - 1960

(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.

B26131

December 8, 1960

Re: Permit No. G-26134

Mr. Virgil F. McMan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McMan:

Enclosed is Application for Amendment to the land
list which has been recorded in this office.

we also enclose departmental receipt No. G-5421 in
the amount of \$1.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment
receipt

26134

RT

RECEIVED
DEC 6 1960

NOTICE OF PROOF OF COMPLETION OF WORKS ^{Department of Reclamation}
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A M., on the 7th day of January ~~December~~ 1960, at Wendell, County of Gooding, State of Idaho, before Clyde Peterson, Notary Public, ~~at (business) Wendell~~ ~~Idaho~~, proof will be submitted of the completion of works for the diversion of Two 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 26134, 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 Virgil F. McHau ^{346 Elm Ave.} Idaho Falls, 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 Two cubic feet per second.

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

4. The ^{place where such water is used} ~~point of diversion~~ of said water is N¹/₂ SE¹/₄ Sec. 19; S¹/₂ SE¹/₄ Sec. 19; E¹/₂ NE¹/₄ Sec. 19; NW¹/₄ NW¹/₄ Sec. 20; all in T. 8 S., R. ¹⁵ ~~14~~ E. ✓

5. The ^{point of diversion} ~~place where said water is used~~ is NW¹/₄ NW¹/₄ Sec. 20; T 8 S., R. ¹⁵ ~~14~~ E. ✓

6. The date of priority which said user is prepared to establish is Dec. 28, 1955 ~~Jan. 16, 1956~~

Paul H. Carter
State Reclamation Engineer

G26134

RT

These are reversed
OK on the copy

December 5, 1960

Re: Permit No. G-26134

Virgil F. McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

An error in the Range which apparently first started in the form for changing the land list carried forward in part of our letter of December 1 and now in the legal notice. Range 15 East is apparently correct which is now shown as Range 19 East. The error will be corrected in this office upon your approval.

You neglected to return Form 11 with the two copies of the legal notice. An extra Form 11 is enclosed in case the other form is lost. We must have the authorization to have the notice published.

The date for making the depositions before the Notary Public will have to be advanced. We will change the date to January 7, 1961, if that date is satisfactory.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 11

826134

December 1, 1960

RE: Permit No. G-26134

Virgil F. McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

We received the two Forms 36 and Form 11 as you originally submitted, and Form No. 12 amending the land list, all of which are enclosed.

You still show only the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 19, T. 8 S., R. 15 E. as place of use. If that is the only land you are irrigating then the amount of water used beneficially must be reduced to 1.6 cubic feet per second and the balance of the land on the amendment will be crossed out.

If you are irrigating all of the land shown on the amendment form, the place of use of the water shown on Form 36 under "5" should be the SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 20, T. 8 S., R. 19 E. There is no advantage in showing land on the amendment or on the legal notice if it is not actually irrigated. The land should be shown if only a small part of the 40-acre subdivision is irrigated.

We regret the letter of November 23 was not sufficiently clear and hope this will assist you in completing the blank Forms No. 36 we previously sent to you. There is a recording fee of \$1.00 for each amendment to a permit which should accompany the amendment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
Enc. Form 36 2
11

B26134

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-26134

Date: Nov. 1, 1960

Virgil Floyd McHan
346 Elm Av.
Idaho Falls, 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- 26134 are due not later
than January 16, 1961.

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

826134

January 18, 1956

RE: Permit No. G-26134

Mr. Virgil Floyd McEwan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McEwan:

We enclose Permit No. G-26134 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. G-1606 for the \$5.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

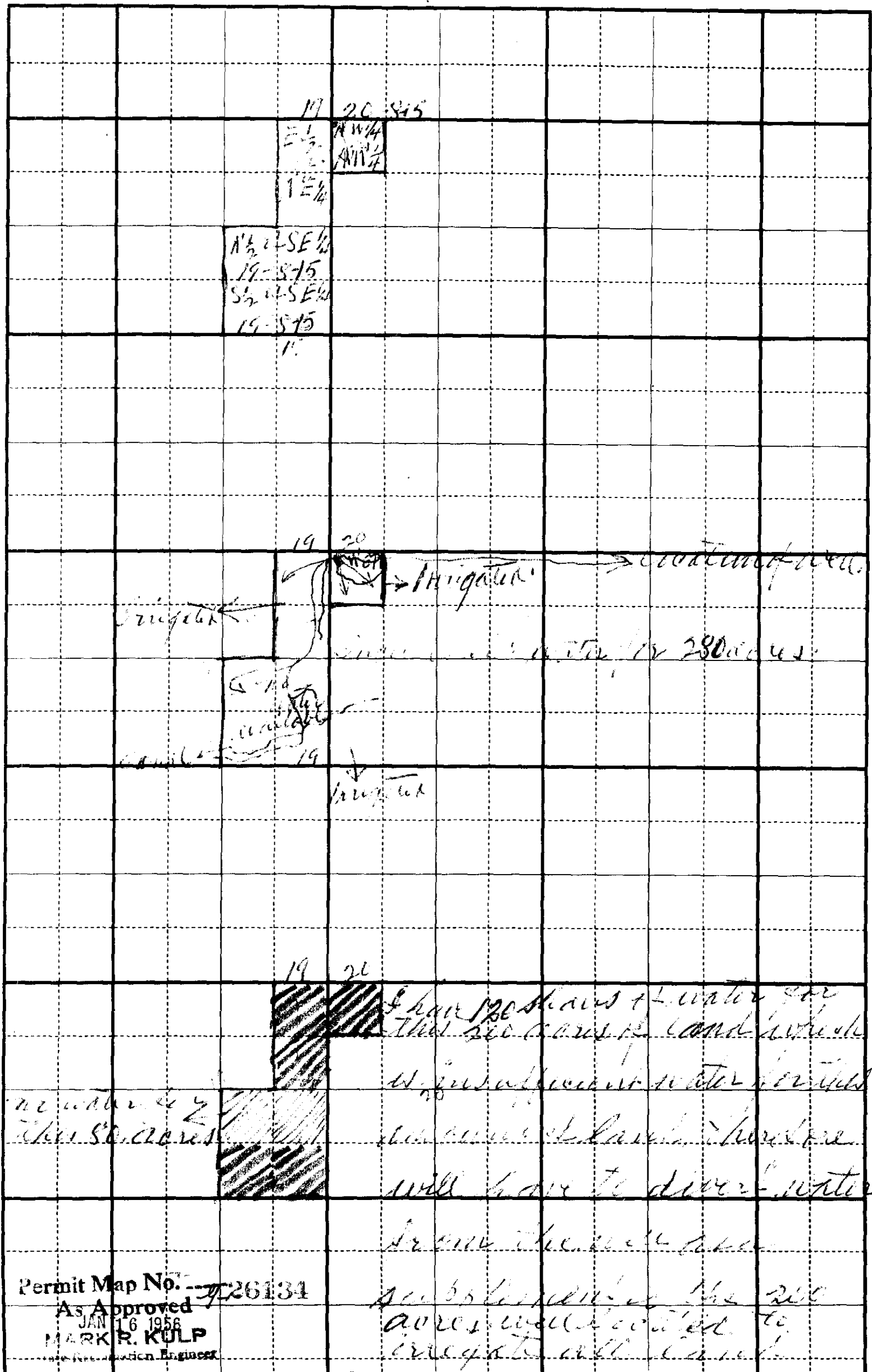
Chief Clerk

R:cu
Enc.

826134

WILL FLOYD McH. A.

Form No. 0



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

826134

Virgil P. McLean

December 29, 1955

Mr. Virgil Floyd McMan
341 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McMan:

We acknowledge receipt of your Application for Permit to appropriate 2 second feet of water from a well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 8 South, Range 15 East, B. M., accompanied by your check for the \$5.25 filing fee.

We are unable to determine from either the sketch map or Question 12 just what land is to be irrigated from this source, we therefor return the sketch map with the request that you cross-hatch or color each 40 acre subdivision on which the water is to be used.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

826134

December 12, 1955

Mr. V. F. McHan
346 Elm Avenue
Idaho Falls, Idaho

Dear Mr. McHan:

In reply to your letter of December 5, we enclose a form of application for permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application.

In order to complete your water right, proofs of completion of works and application of the water to beneficial use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

826134

Idaho Falls, Idaho
Dec. 5 1955

Bureau of Reclamation

Boise Idaho

RECEIVED
DEC 12 1955

Department of Reclamation

Mr Mark Kelp

Dear Sir:

I have recently purchased my Brothers farm at Wendell Idaho & would like to drill a well on it Pump capacity 900 gallons per minute.

My ranch is located 3 miles 20 & 1/2 miles west of Wendell, Co Gooding Township 19 Range 15

My brothers name is C. J. McHan

82617

Sincerely Yours.

346 Elm Ave

Idaho Falls Idaho

C. J. McHan

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

Notice is hereby given that at

10 A.M., on the 7th day of January, 1961, at Wendell, County of Gooding, State of Idaho, before Clyde Peterson, Notary Public, proof will be submitted of the completion of works for the diversion of Two 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. G26134, 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 Virgil F. McHan, 346 Elm Ave., Idaho Falls, Ida.

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 Two cubic feet per second.

3. The use to which said water has been applied is Irrigation & Domestic purposes, and the amount applied to beneficial

is Two cubic feet per second. The point of diversion of said water is NW 1/4 NW 1/4 Sec. 20, T. 8 S. R. 15 E.

5. The place where said water is used is N 1/2 SE 1/4 Sec. 19; S 1/2 SE 1/4 Sec. 19; E 1/2 NE 1/4 Sec. 19; NW 1/4 NW 1/4 Sec. 20; all in T. 8 S., R. 15 E.

6. The date of priority which said user is prepared to establish is Dec. 28, 1955.

GEO. N. CARTER
State Reclamation Engineer