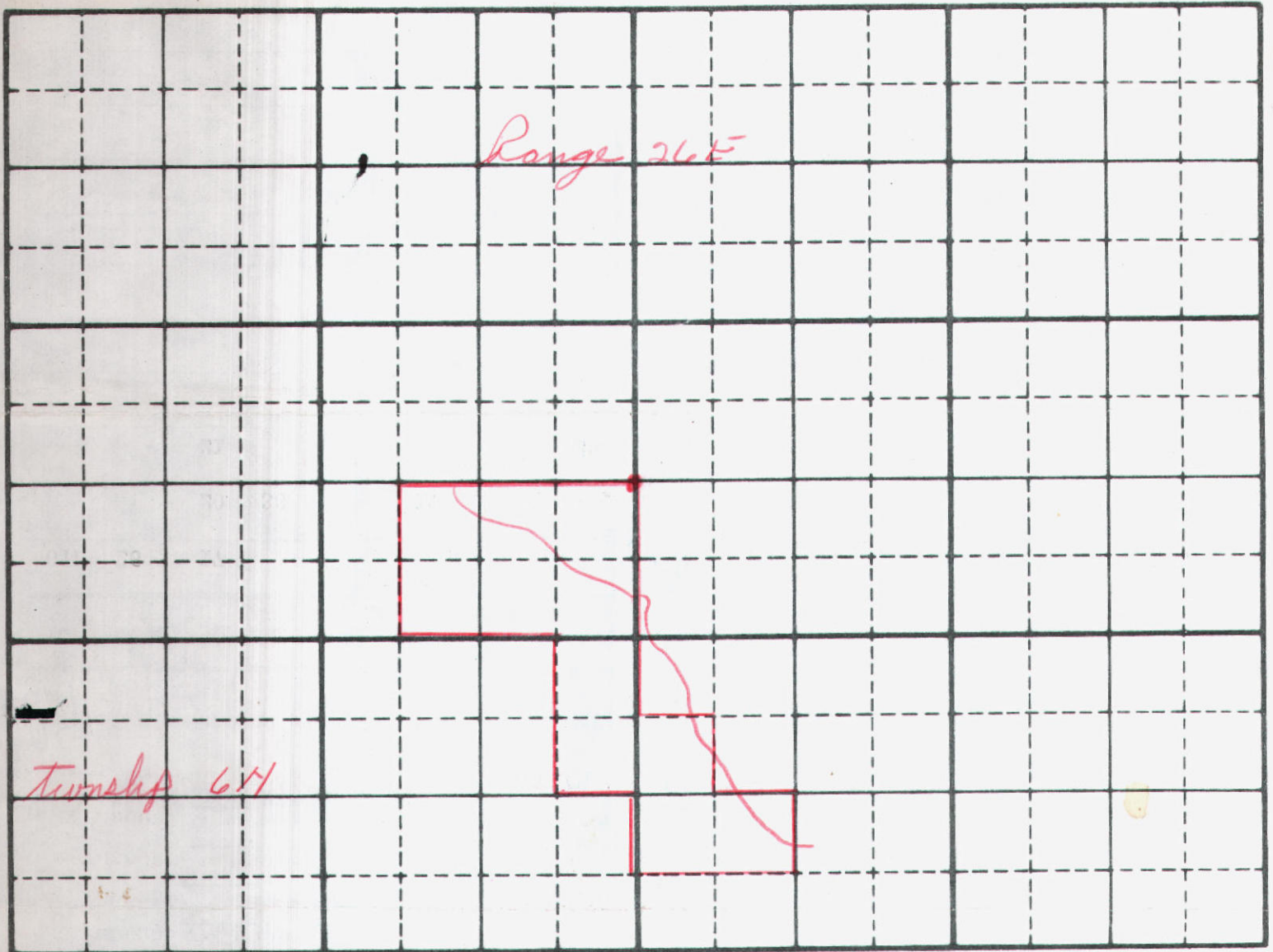


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at _____, this _____ day of _____, 19 ____.

Migard Evans
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 32945/34-2479.

Witness my hand this 2 day of October, 19 73.

R. Keith Higgins
Director

Affidavit of Publication

RECEIVED

SEP 30 1970

Department of Water Administration

I, Elizabeth L. Brammer, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for two consecutive weeks, commencing with

the issue dated August 27, 1970

and ending with the issue dated September 3, 1970

Elizabeth L. Brammer

Subscribed and sworn to before me this

8th day of Sept, 1970

Betty J. Mayo
Notary Public

Residence: Arco, Idaho. 2-4
My commission expires 1973

PUBLIC NOTICE

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Milford Evans, Route No. 1, Darlington, Idaho, has received an approved Permit No. G-32945/34-2479 issued by the Idaho Department of Water Administration authorizing the diversion of 6.4 cubic feet per second of water from a ground water source. The priority to be established under this permit is June 16, 1966 and the permit was approved June 24, 1966.

Water is to be diverted by well and pump from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 6 N., R. 26 E., B.M., Butte County, to be used for irrigation in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; E $\frac{1}{2}$ -NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20, T. 6 N., R. 26 E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 24, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director, Idaho Dept. of
Water Administration.

Published in the Arco Advertiser, Arco, Idaho, on August 27 and September 3, 1970.

dg
OK
9-30-70

34-2479

32945

MILFORD EVANS

17

36 20 8*

38 40 38

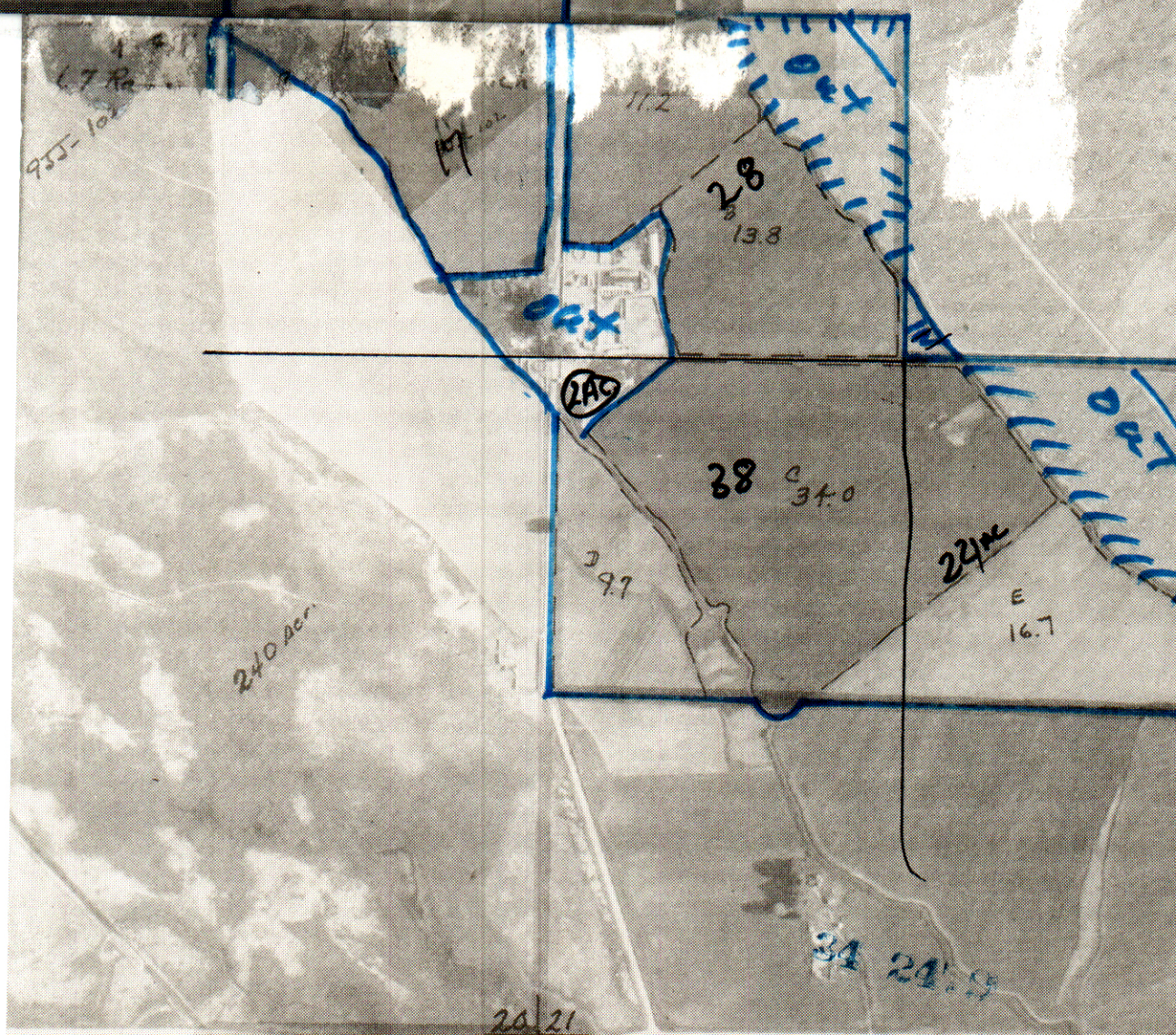
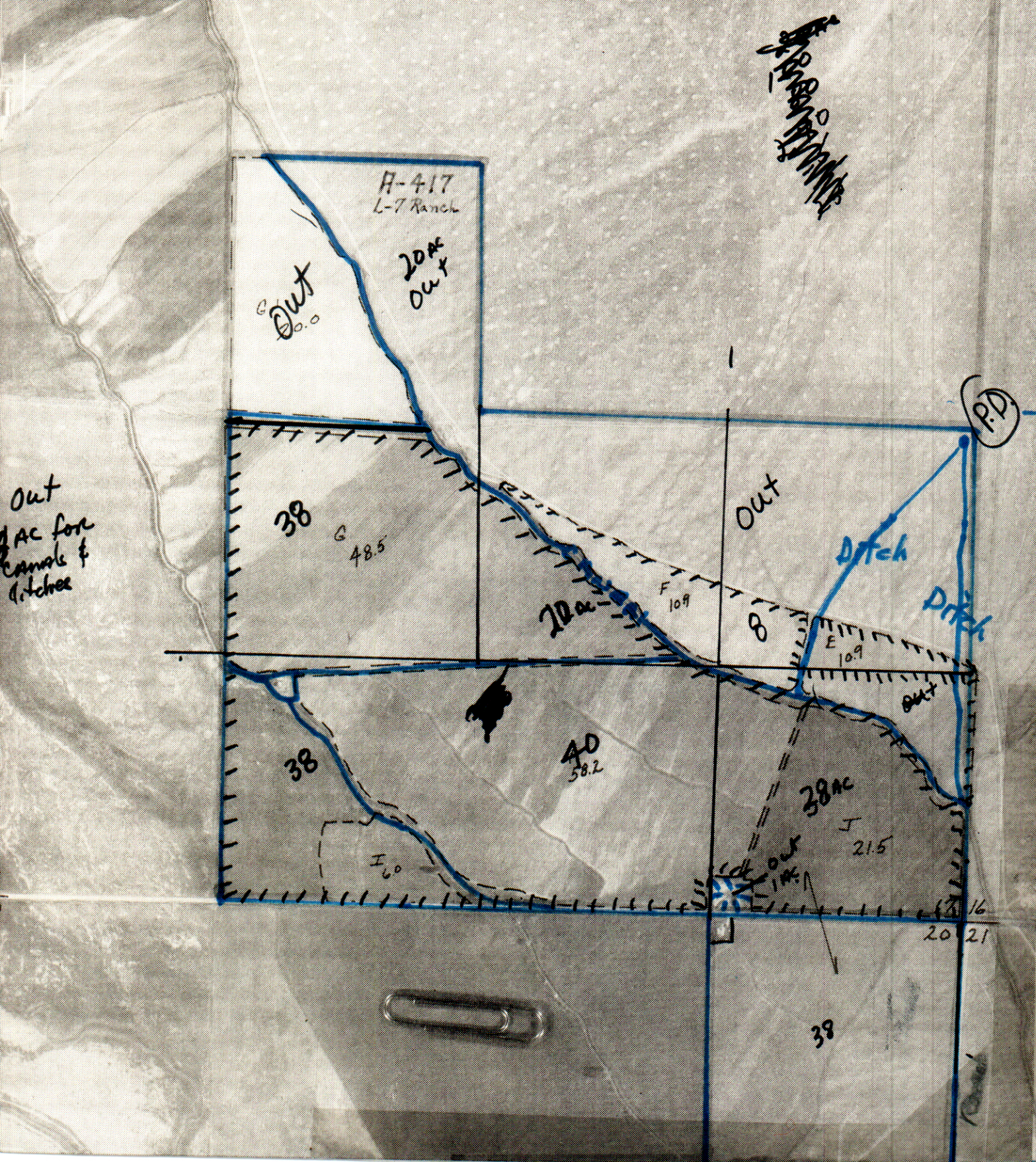
38

17 28

20 38 24

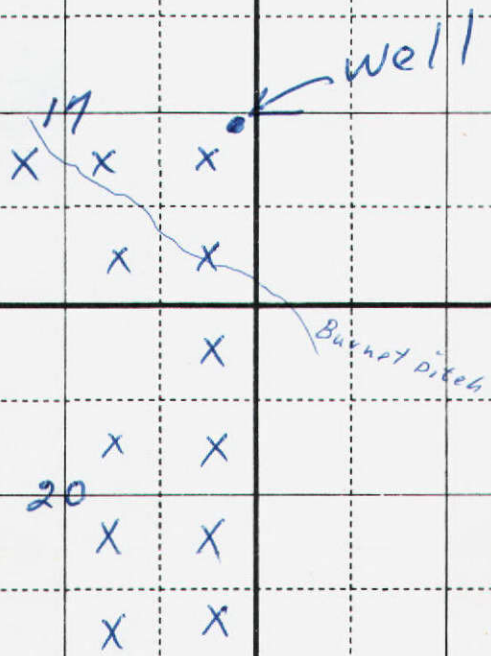
21 24



$$\begin{array}{r|l} 8 & 9 \\ \hline 17 & 16 \end{array}$$


NAME OF APPLICANT M. H. Ford Evans Twp 6 N R 26 E B. M

Form No. 0



Permit Map No. 32945
As Approved
CARL E. TAPPAN JUN 24 1906
State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32945/34-2479 Priority July 27, 1966 Amount 4.58 cfs
(late proof)

THIS IS TO CERTIFY, that EVANS & DUKES L-7 RANCHES, INC.
of Darlington, Idaho, has complied with the terms and conditions of Permit
No. 32945/34-2479 issued pursuant to Application for Permit dated June 16, 1966,
and has submitted proof to the Department of Water Administration on August 4, 1971,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 4.58 cfs, and that the water has in fact been applied to a
beneficial use: a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 4.58 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 4.58 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, Twp. 6 N, Rge. 26 E, B.M.

in the county of Butte; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 981 acre feet per year or _____
3.0 acre feet per acre.

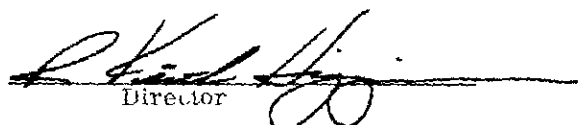
Description and location of place of use:

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	26 E	17									38			38	8	20	40	38	182
		20	38			17													55
		21							28		24	38							90

Total number of acres irrigated 327

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
October, 19 73.


Director

APPLICATION FOR AMENDMENT

Permit No. 32945/34-2479

327

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at _____, this _____ day of _____, 19 ____.

Miguel Evans
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 32945/34-2479.

Witness my hand this 2 day of October, 19 73.

R. Keith Higgins
Director

Identification No. _____

Permit No G-32945/34-2479

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

note

1. a) Name of Permit Holder Milford Evans
- b) Post Office Address Route 1 Darlington, Idaho 83231
2. Permit Number G-32945
3. Date of Priority that you are prepared to establish ~~July~~ June 16, 1966
4. a) Source from which water was appropriated well
- b) Location of the point of diversion: NE 1/4 SE 1/4, Section 17
Township 6N, Range 26E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied.
amount 6.4 for Irrigation purposes from summer months as needed to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
- b) Total amount appropriated 6.4 cfs and/or acre feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 275 miners inches measured by watermaster- Cloyd Olsen
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 - a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: private ditch
 - b) Describe the agreement or understanding by which you take water from the works: none
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 125 h.p. G.E. Western pump, well casing 20" depth of well 250 Ft. Bowls 180 Ft.
- b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
- c) Give well drillers name and address and date the well was completed Charles E. George for G & H Drilling Co.
Route 2 Wendell, Idaho Completed Aug 2, 1961

10261
2000 10/20/61 G-32945
12/2/61

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

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	
6N	26E	17									X				X	X	X	X	200
		20	X		X	X									X	X	X	X	280

Total number of acres irrigated 480

10. Remarks: Because of illness this proof was made late actually well was completed and used during 1961 season.

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date)

x Milford Evans
(Signature)

State of Idaho)

County of Butte) ss.

On this Second day of August, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Frank J. Dwyer
Notary Public residing at Arco, Idaho

My commission expires June 13, 1973

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32945/)
34-2479 in the name of MILFORD EVANS)

ORDER OF REINSTATEMENT

WHEREAS, on June 16, 1966, Milford Evans applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 6.4 cubic feet per second of water from a ground water source within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17, T. 6N, R. 26E, B.M., Butte County, to be used for irrigation purposes; and,

WHEREAS, on June 24, 1966, the Department approved said application and issued Permit No. G-32945 with the condition that the whole of said work be completed and proof of the application of the water to beneficial use be submitted to the Department on or before June 24, 1971; and,

WHEREAS, on April 1, 1971, the Department notified the permit holder by certified mail that he was required to submit proof of beneficial use and was instructed as to the steps to be taken to make said proof; and,

WHEREAS, on July 7, 1971, the permit holder was notified that Permit No. G-32945/34-2479 had lapsed for failure to submit the required proof of beneficial use; and,

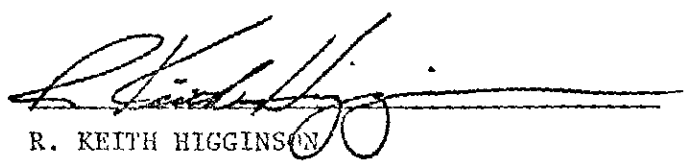
WHEREAS, on August 4, 1971, the Department received the required proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. G-32945/34-2479 be REINSTATED and the priority be advanced to July 27, 1966.

Dated this 24TH day of August, 1971.


R. KEITH HIGGINSON
Director

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, Milford H. Evans, hereby assign to EVANS AND DUKES L-7 RANCHES, INC.
of Darlington, Idaho

Address



All my right, title, and interest, in and to Permit No. 34-2479
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and
to Permit No. 34-2479 to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

11.58 cfs water to be diverted. Not to exceed 981 acre ft per year.

Irrigation of 327 acres within E¹SW¹, SE¹ (182) Sec. 17; E¹NE¹ (55)

Sec. 20; SW¹NE¹, NE¹SW¹ (90) Sec. 21, Twp. 6N, Rge. 26E, S.M.

Point of diversion: NW¹SE¹ Sec. 17, Twp 6N, Rge. 26 E.B.M.

Made this 16th day of December, 19 72.

Milford H. Evans

Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Burley) ss.

On this 8 day of April, 19 73, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Harold H. Ernst

Notary Public residing at

Darlington, Idaho

My commission expires:

August 1976

34-2479

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32945/34-2479)

in the name of Milford Evans)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER
)

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

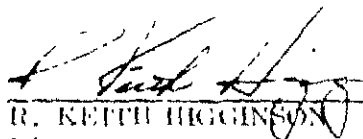
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32945 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 31st day of July, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

34-2479
32945-

34- 103935
D

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41125
Permit No. G- 32945
District No.

Fred H. Boyer
P.O. Box B, Arco, Idaho

1. Name of Applicant: Milford Evans
Postoffice address: Darlington County: Butte State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches 320 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 NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17
Twp. 6 N , Rge. 26 E , B.M., County of Butte
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give.
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp , Rge , B M
7. Kind of works: well and electric pump
8. Estimated cost of works: \$ 15,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. Five
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors
 - II. The financial resources of the applicant are (a) Cash onhand \$
(b) Treasury stock (c) Bonds to be issued:
(d) Other resources
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 147", 1884; 45", 1887;
40", 1904; with some storage rights in Mackay Reservoir.
 - (a) 6.4 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supple-
mental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Purpose of this application for well is for supplemental water during short water years. No new lands to be developed.

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

/s/ MILFORD EVANS Applicant

By FRED H. BOYER Agent.

Date of first receipt at Department of Reclamation. June 16, 1966 9:15 A.M.

Returned to applicant for correction

Corrected application received

Approval of State Reclamation Engineer

The number of this permit is G— 32945
Recorded in Book 115 Page 32945 Approved June 24, 1966

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

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

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

One-fifth of the work above specified to be completed on or before December 24, 1968

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 24, 1971

Witness my hand this 24th day of June, 1966 /s/ R. KEITH HIGGINSON, Deputy STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, 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 24TH day of June, 1966

Countersigned STATE OF IDAHO
(SEAL) By /s/ LOUIS E. CLAPP Secretary of State. By /s/ ROBERT E. SMYLIE Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
6 N	26 E	17										x				x	x	x	x	200
		20	x		x	x									x	x	x	x	280	
		Total number of acres to be irrigated:																		480

1,958

1.7.58

REC-111 U

SEP 30 1970

Department of Water Administration

Affidavit of Publication

I, Elizabeth L. Brammer ... of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof.

for two consecutive weeks, commencing with

the issue dated August 27, 1970 ..

and ending with the issue dated September 3, 1970

Elizabeth L. Brammer

Subscribed and sworn to before me this

8th day of Sept, 19 70

Betty J. Maepo
Notary Public

Residence: Arco, Idaho. 2-4, 19 73
My commission expires .., 19 ..

PUBLIC NOTICE

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Milford Evans, Route 1, Butte County, Idaho, has received an approved Permit No. 32945/34-2479 issued by the Idaho Department of Water Administration authorizing the diversion of 6.4 cubic feet per second of water from a ground water source. The priority to be established under this permit is June 24, 1966 and the permit was approved June 24, 1966.

Water is to be diverted by well and pump from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 6 N., R. 26 E., B.M., Butte County, to be used for irrigation in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20, T. 6 N., R. 26 E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 24, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH, Director,
Idaho Department of
Water Administration.

Published in the Arco Advertiser, Arco, Idaho, on August 27 and September 3, 1970.

34-2479

32945

MILFORD EVANS

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 17, 1973

Re: Permit No. 32945/34-2479

Evans and Dukes L-7 Ranches, Inc.
L-7 Ranch
Darlington, Idaho 83231

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

We are also enclosing a copy of the approved amendment for this permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosures

September 24, 1973

Department of Water Administration

Bobby D. Fleenor
Assistant Director

Dear Sir:

Since writing to you the first time I have found other correspondence with your Department that has apparently never been answered. It is my intent to do everything possible in the shortest time possible to get this thing straightened up and the well in question properly licensed.

One such letter dated December 13, 1972 shows a drawing of the lands to be included in this license which included 40 acres that is BLM land. Yet in the water use description this acreage was not included.

Regarding the 20 acres that was pencilled in to the lands you had authorized for license this can be omitted to correspond with the designation of the license.

Also I will correct the Assignment of Permit land description to read the same as your letter dated July 13, 1973 on the subject of "Beneficial Use". Although the legal descriptions are different there has been no change in the boundaries during the transfer from private ownership to that of L7 Ranches Inc.

If there is anything else needed to get this matter brought up-to-date please let me know.

Respectfully,

Robert S. Duke

Vice-President
L7 Ranches Inc.

34 2170

September 21, 1973

Re: Permit No. 32945/34-2479

Mr. Robert Duke, Vice-President
L-7 Ranches, Inc.
Darlington, ID 83231

Dear Mr. Duke:

We have received the application for amendment and assignment in connection with the above referenced permit.

Before we can process the amendment it must be signed by Mr. Evans, therefore, we are returning the application along with Receipt No. 12178 covering the filing fee. Also, we note that 20 acres has been added in the SE¹/₄ of Section 17. Our field report does not indicate that this acreage is being irrigated from the well covered under this permit, therefore, we could not approve the amendment with that 20 acres included.

We also have questions regarding the assignment submitted. The assignment indicates that "all right, title and interest" is to be transferred, however, a break down of acreage is listed and that list includes land not proposed under the pending water license for this permit. We are also returning the assignment and ask that you clarify the matter.

If you have any questions, please contact us at your earliest convenience.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DDR:cd

Enc: Application for Amendment
Receipt No. 12178
Assignment

34 21

STATE OF TEXAS
COUNTY OF DALLAS

DEAR SIR:

This letter is written in regard to the license of Clifford Evans in Berlin, Tex for the irrigation well in question.

Enclosed you will find a notarized Transfer from Clifford Evans to Evans & Dulles 17 Ranches Inc. Since this was noted as sold it too has become delinquent.

I have changed the permit accordingly to your request to include that part of section 17 that was omitted and from the description of the rest of the land it appears that all is now included that this well will be used on.

There is a check for \$10.00 enclosed from 17 Ranches Inc. to cover the cost you mentioned.

Very truly,
Yours,

Robert F. Cooke
Vice. Pres. of 17 Ranches Inc.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.



Show to whom, date and address
where delivered



Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO

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

CERTIFIED NO.

1

McClure Press

24823

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

31 2173

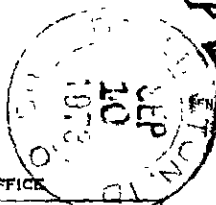
DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

9-10-73

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



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

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

**RETURN
TO**



DEPARTMENT OF WATER ADMINISTRATION
STATE OF IDAHO ANNEX #2
BOISE, IDAHO 83707

34 2111

September 7, 1973

CERTIFIED MAIL

24823

Re: Permit No. 32945/34-2479

Mr. Milford Evans, Jr.
Route #1
Darlington, Idaho 83831

Dear Mr. Evans:

On July 13, 1973, the Department requested that you amend the above referenced permit to change the place of use to that actually found by our field examiner. You were advised that when such amendment was approved, the Department could issue a water license.

The Department has failed to receive said amendment and, as a result, is unable to issue a water license. Therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation for failure to complete the permit as required, and you are required to show cause before the Director of the Department of Water Administration on or before October 20, 1973, as to why said permit should not be cancelled.

Permit No. 32945/34-2479 claims the use of 6.4 cubic feet per second of water from a ground water source and the permit was approved June 24, 1966.

R. KEITH HIGGINSON
Director

RKH/jc

34-2479

July 13, 1973

Mr. Wilford Evans, Jr.
Route #1
Darlington, Idaho 83231

Dear Mr. Evans:

A representative of this Department has made an examination of the works covered by your Permit No. 32945/34-2479 and has found the following:

Quantity of water diverted: 4.58 cfs

Amount of water that can be recognized as beneficially used
under Idaho law: 4.58 cfs

The maximum quantity diverted shall not exceed 981 acre feet per
year.

Beneficial use: Irrigation of 327 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ (182) Sec. 17; E $\frac{1}{2}$ NE $\frac{1}{4}$ (55) Sec. 20; SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ (90) Sec.
21, Twp. 6 N, Rge. 26 E, B.M.

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17, Twp. 6N, Rge. 26 E, B.M.

Priority date established: July 27, 1966 (late proof)

The lands found by our field examiners differ from those lands listed in your permit, therefore, it will be necessary for you to amend the permit before a water license can be issued. We are enclosing a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10.00 filing fee within 10 days of the date of this letter in order that we may issue a water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 10 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:bjg

Enclosure

FIELD REPORT

- 480

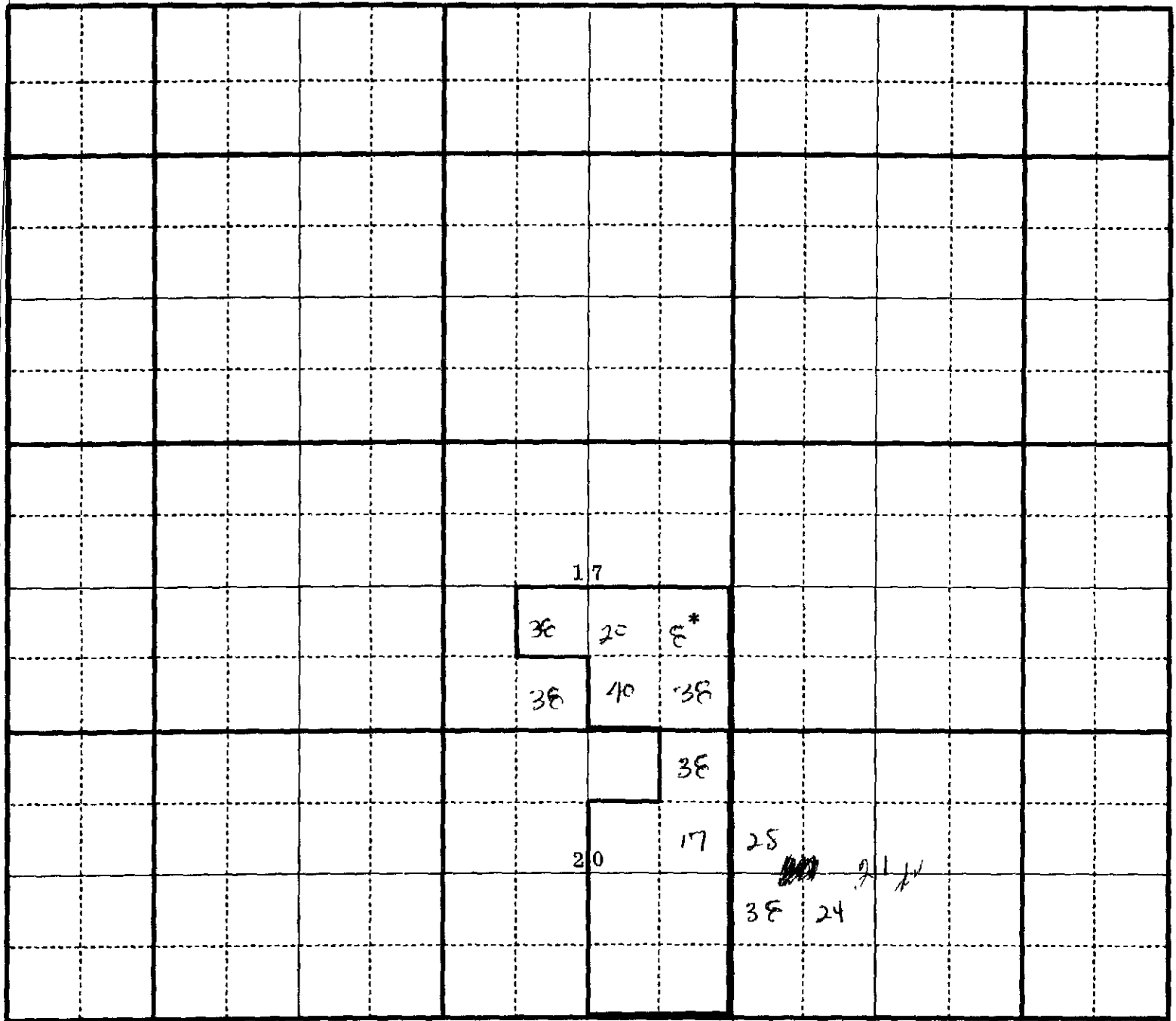
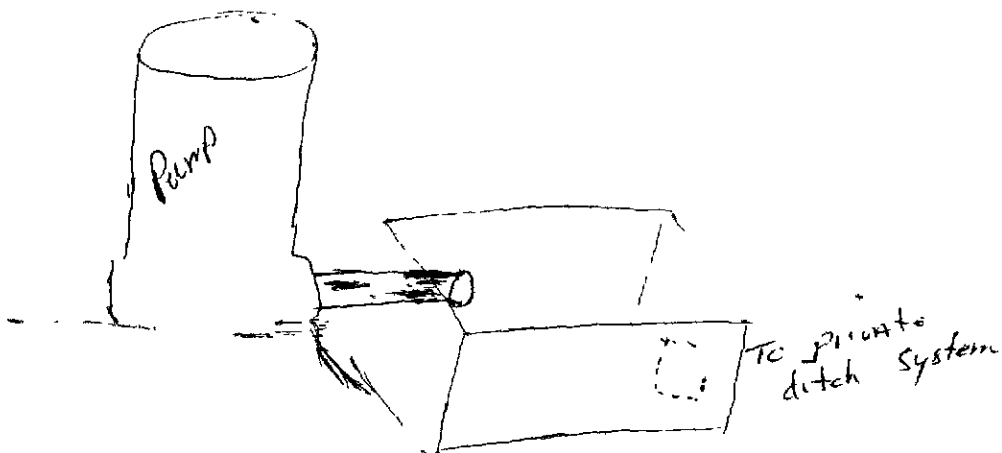
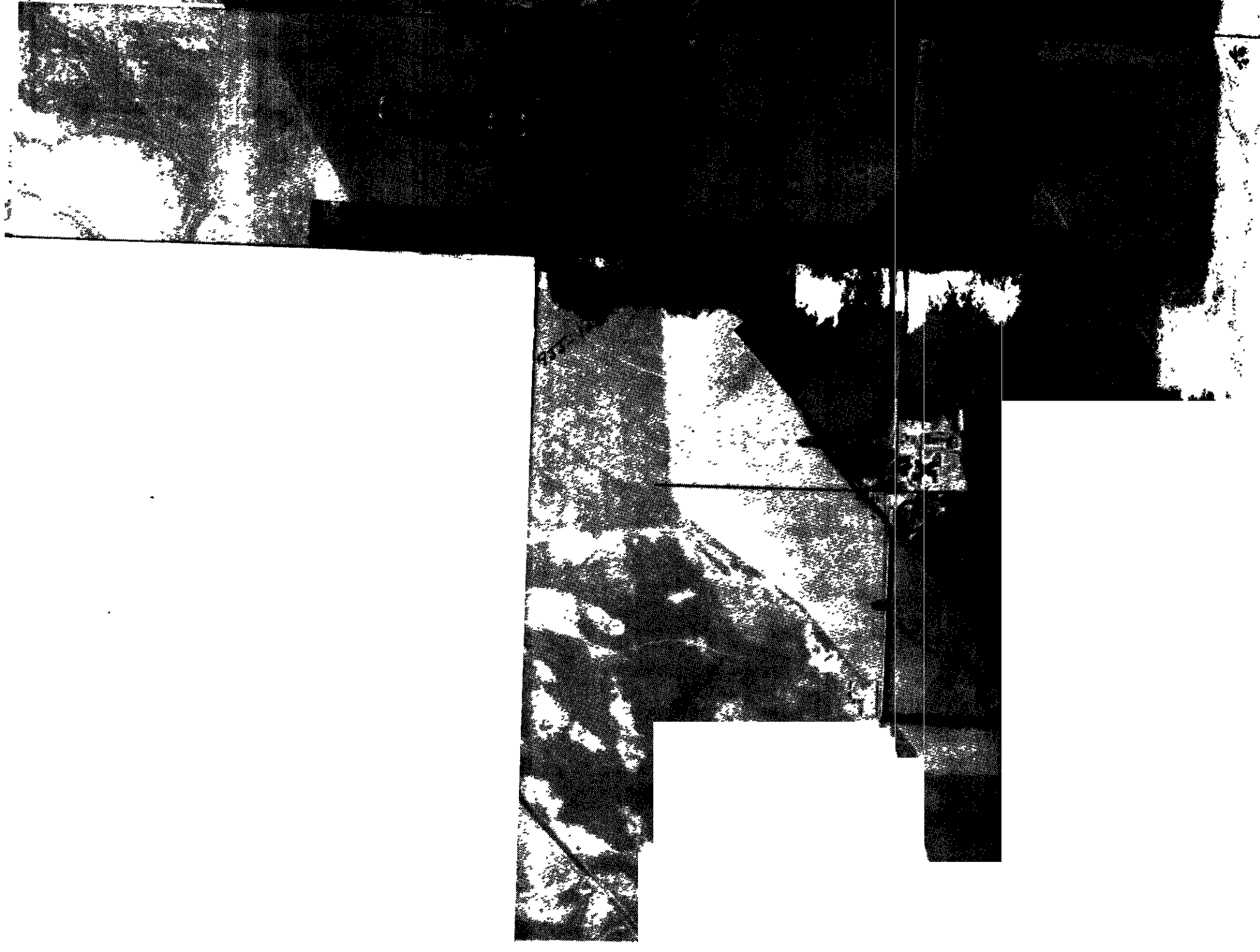


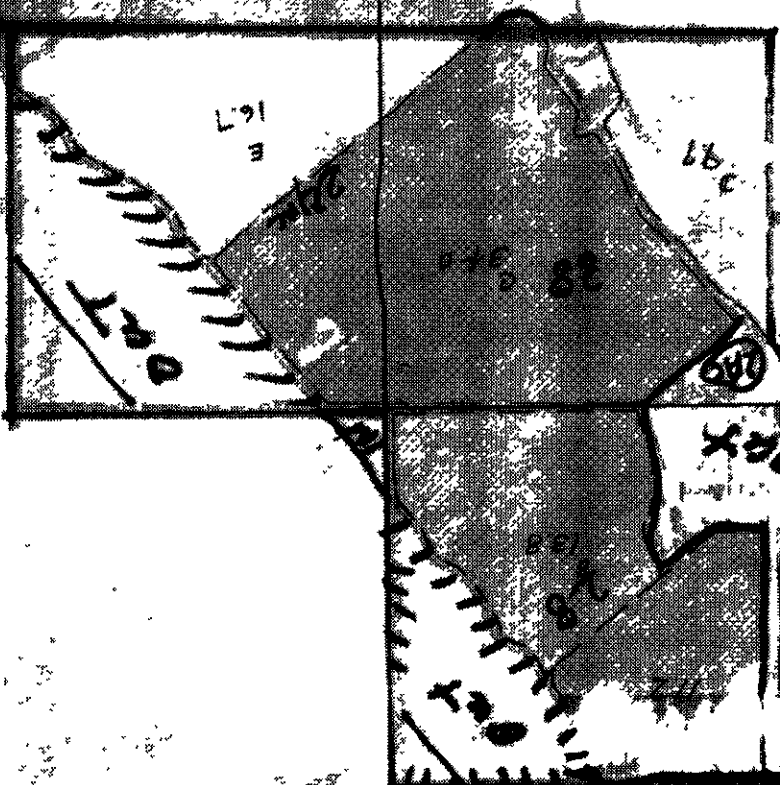
Diagram of System



South Side View



20.21
29.28



WPR

20

OUT

DATE OF EXAM Aug 11, 1972

ACREAGE
Found 328 327
Recommended 328

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 4.58 c.f.s. V= 981 AF/Ann. from April 1 to Nov 1
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source. N.A.
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: N.A.
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp _____ N/S, Rge N.A. E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp _____ N/S, Rge N.A. E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 4.58 Method of measurement Spurling

Total Q recommended 4.58 Meter No. 54580 Type _____ Condition Dept equipment

Total V recommended 981 AF/Ann = 327(3)

Recommended Amendments:

P.D. _____
Place of Use ☒ Amendment submitted Aug 31, 1972
Other _____
None _____

MEASUREMENT CALCULATION:

435.6 cuft in 95 sec = 4.58 cf/sec

(4.58 cf/sec) (1.9835) (244 d) = 2216 AF/Ann

SYSTEM DESCRIPTION:

GE TRI Clad Pump Motor Ser # VTJB19136, 125Hp
Western Pump Ser # 14205

8" open discharge into 8'x4'x4' concrete box with
private ditches

REMARKS:

System Shown by owner

Recommend acceptance of Amendment since total Acreage
is less than asked for originally

Examiner's Signature William R. Rhoads Date Aug 14, 1972

Checked by _____ Date _____

Approved by _____ Date _____

August 31, 1972

Re: Permit No. 34-2479

Mr. Milford Evans, Jr.
Route #1
Darlington, ID

Dear Mr. Evans:

The water rights examination held on your ranch during August indicated that land in Section 21 was being irrigated. Under Permit No. 34-2479, only land in Sections 17 and 20 had been applied for. Therefore, it is necessary to amend the permit to include the 91 acres in Section 21.

We have completed an Application for Amendment and have enclosed it for the signature. If you sign the amendment, you must have the permit assigned to you by the Administrator of the Estate of Milford Evans, Sr. If you do not make the assignment, the Administrator of the Estate will be required to make the amendment.

Please complete the application for amendment and return it to this office with a \$10 filing fee. If you choose to sign the amendment, please be sure to complete the enclosed assignment form and return it to this office with the amendment.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

WILLIAM R. RHOADS
Water Resource Examiner

WRR:ba
Enclosures

22

August 26, 1971

Re: Permit No. G-32945/34-2479

**Mr. Milford Evans
Route 1
Darlington, Idaho 83231**

Dear Mr. Evans:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed please find an order which reinstates this permit; you will note that the priority has been advanced.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enc: Order of Reinstatement
cc: Fred H. Boyer
Lost River Title Co.**

32 5-8-71

July 20, 1971

Re: Permit No. G-32945/34-2479 - Milford Evans

Mr. Fred H. Boyer
LOST RIVER TITLE COMPANY
Arco, Idaho 83213

Dear Mr. Boyer:

In receipt of your letter of July 10, 1971 concerning the above referenced permit, we are enclosing a copy of the permit as requested. We are also enclosing a beneficial use form and instructions for your use in submitting proof of beneficial use as required.

You should be advised that the permit has lapsed and the permit holder has 60 days from July 7, 1971 to secure reinstatement of the permit or forfeit the permit entirely. Upon reasonable showing, the permit could be reinstated and we would accept the adequate proof of beneficial use as reasonable cause. Idaho Code prevents us from approving an extension of time in connection with this matter inasmuch as all extensions must be received before the date proof of beneficial use is due.

If we may be of further assistance to you, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DW1/bb

Enc: b/u form
copy of permit



FRED BOYER AGENCY Post Office Box B, Arco, Idaho 83213 -- Telephone 527-8517

SAFECO INSURANCE COMPANY OF AMERICA
SAFECO LIFE INSURANCE COMPANY
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA

July 10, 1971

R. Keith Higginson, Director
State of Idaho
Department of Water Administration
Statehouse-Annex 2
Boise, Idaho

Re: Milford Evans
Permit No. G 32945/
34-2479

Dear Mr. Higginson:

Due to illness of Mr. Evans and the fact that their permit seems to have been mislaid because of giving it to a company who re-financed the property, we are unable to locate the permit to complete the papers on the above. Will you therefore please grant us an extension until permit can be located, or perhaps you could issue us a ~~copy~~ copy so that we might be able to complete the proof of completion of this well. Your consideration will be appreciated.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read 'Fred Boyer'.

34 2479



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

July 7, 1971

Re: Permit No. G-32945/34-2479

Milford Evans
Route 1
Darlington, Idaho 83231

Dear Mr. Evans:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit G-32945/34-2479 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.



R. KEITH HIGGINSON
Director

RKH:DR

cc: Fred H. Boyer
P.O. Box B
Arco, Idaho

34 2 177

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

22598

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

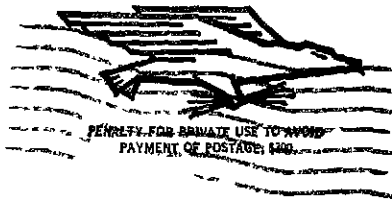
APR

5 1977

3

34-2479

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE: \$200.

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

34 2429

RETURN
TO



POST OFFICE DEPARTMENT
BUREAU OF POSTAL INSPECTION
WASHINGTON, D.C. 20503

April 1, 1971

CERTIFIED MAIL #22598

Re: Permit No. G-32945/34-2479

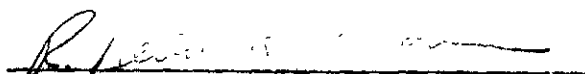
Milford Evans
Route 1
Darlington, Idaho 83231

Dear Mr. Evans:

One of the conditions of approval of your water Permit No. G-32945/34-2479 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 24, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


R. KEITH HIGGINSON
Director

34 2479

Enc: Proof affidavit
dr

cc: Fred H. Boyer
P.O. Box B, Arco, Idaho

October 2, 1970

Re: Permit No. G-32945/34-2479

Mr. Milford Evans
Route #1
Darlington, Idaho 83231

Dear Mr. Evans:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until June 24, 1971, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

34-2479
32945

September 28, 1970

Re: Permit No. G-32945/34-2479

Mr. Milford Evans
Route #1
Darlington, Idaho 83231

Dear Mr. Evans:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until June 24, 1971; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Arco Advertiser, Arco, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

34-2479
32945

August 14, 1970

Re: Permit No. G-32945/3402479

Mr. Milford Evans
Route #1
Darlington, Idaho 83231

Dear Mr. Evans:

The legal notice for the above-referenced permit is being published in the

Arco Advertiser, Arco, Idaho on August 27
and September 3, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURE

P.S. We are returning your ORDER MODIFYING REQUIREMENT FOR COMPLETION OF PERMIT
TO APPROPRIATE WATER. We suggest that you keep it for your records.

34-2479
32945

August 14, 1970

Re: Permit No. G-32945/34-2479

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Milford Evans, Route #1, Darlington, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

34-2479
32945

August 11, 1970

Re: Permit No. G-32945/34-2479

Mr. Milford Evans
Darlington,
Idaho

Dear Mr. Evans:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order
advertising package

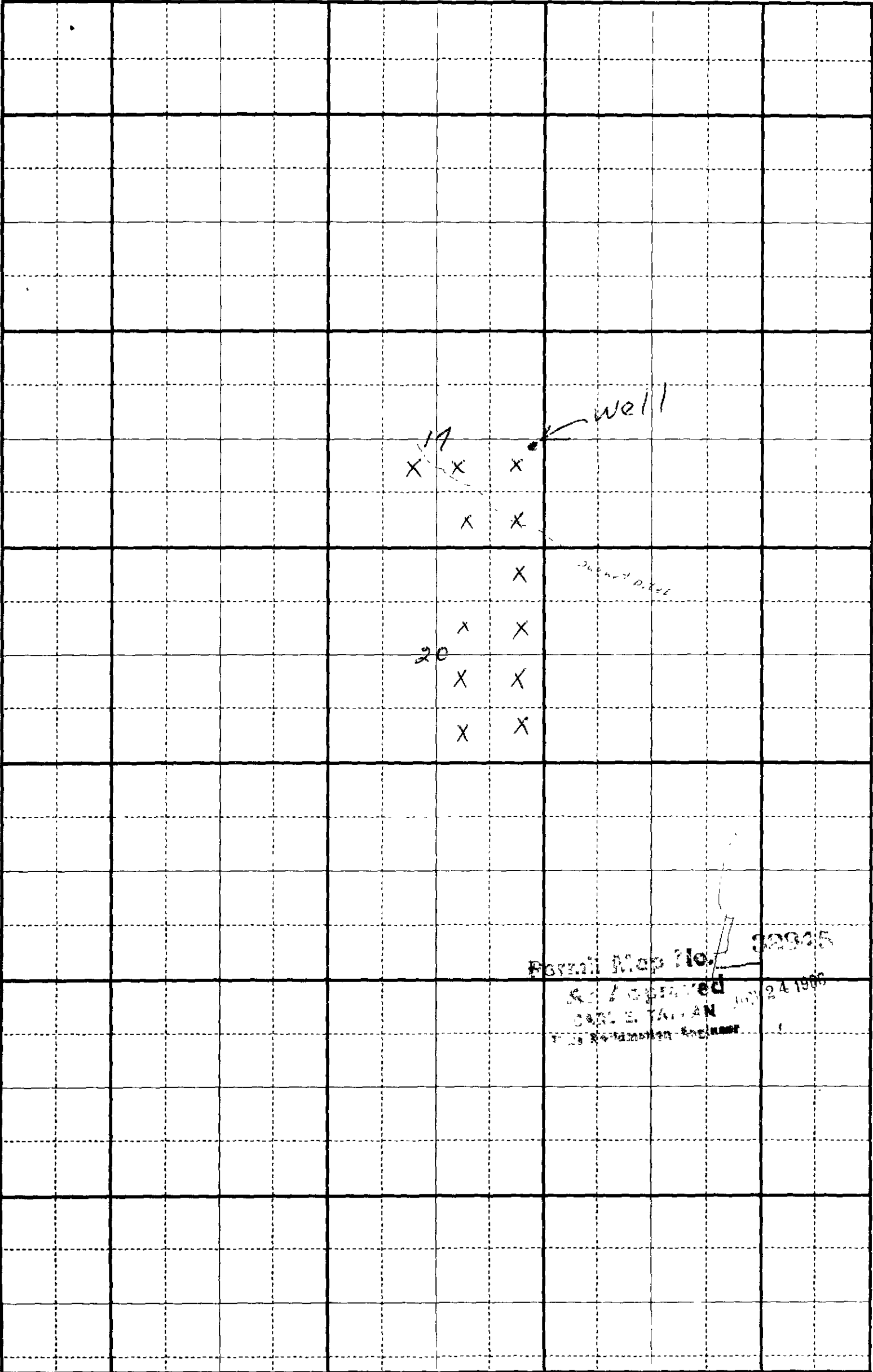
cc: Fred H. Boyer

34.2479

32945

NAME OF APPLICANT M. H. Evans Twp 6 N R 26 E B. M.

Form No. 0



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

36145

G-32945

Re: Permit No.

**Fred H. Boyer
P.O. Box B
Arco, Idaho**

Dear Mr. Boyer:

G-32945

We enclose Permit No. _____ in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

G-10491

We also enclose Departmental Receipt No. 6.50 which was issued covering payment in the amount of \$ _____ for the filing fee of the above mentioned permit.

Very truly yours,

**M. RUSSELL BOSCH
Office Manager**

**MRBtefw
permit
Enc: receipt**

**cc: Milford Evans
Darlington, Idaho**

ROBERT E. SMYLIE
Governor



CARLE TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 16, 1966

RECEIVED
JUN 20 1966

Department of Reclamation

1-32945

RE: Milford Evans Application

Fred H. Boyer
Lost River Title Company
Arco, Idaho

Dear Mr. Boyer:

In reply to your letter of June 14, 1966, we are sorry to advise you that there is no way to back date this permit to the date Mr. Evans requested the forms. The State statutes say the date of priority will be the date the application is received in our office. Therefore, this permit will be issued with a priority of June 16, 1966.

We are returning Mr. Evans check in the amount of \$6.35. This check should have been for \$6.50. The permit cannot be issued until we receive a check in the right amount.

Very truly yours,

M. Sumrell Smith
M. SUMRELL SMITH
Office Manager

WDB:ejw
Encl: check# 822

Check corrected & returned herewith
[Signature]

June 16, 1966

32945

RE: Milford Evans Application

Fred H. Boyer
Lost River Title Company
Arco, Idaho

Dear Mr. Boyer:

In reply to your letter of June 14, 1966, we are sorry to advise you that there is no way to back date this permit to the date Mr. Evans requested the forms. The State statutes say the date of priority will be the date the application is received in our office. Therefore, this permit will be issued with a priority of June 16, 1966.

We are returning Mr. Evans check in the amount of \$6.35. This check should have been for \$6.50. The permit cannot be issued until we receive a check in the right amount.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Enc: check# 822

OK
If they accept the
check!

32945

32945

Darlington Idaho
May 18, 1961

Bureau of Reclamation
Room 104

State House
Boise Idaho

RECEIVED

MAY 19 1961

Dear Sirs; Department of Reclamation

I'm planning on drilling
an Irrigation Well as soon
as possible. Will you Mail
Me the necessary blanks
for a permit.

Thanking you.

Yours Truly

Wilford Evans

Route #1

Darlington Idaho

RECEIVED

JUN 18 1966

Department of Reclamation

32945

LOST RIVER TITLE COMPANY

TITLE INSURANCE ESCROWS ABSTRACTS
ARCO, IDAHO

June 14, 1966

RECEIVED
JUN 16 1966

Department of Reclamation

State of Idaho
Room 107
State House
Boise, Idaho

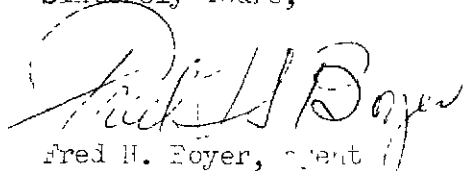
Gentlemen:

Re: Permit for Well
Milford Evans
Darlington, Idaho

In May of 1961 Milford Evans wrote your office for application for permit for well. He went ahead and drilled the well and has been using it every year since but had assumed that the driller had completed his permit. Now that 5 years have elapsed it is discovered that he probably didn't even have permit.

We have filled out the application enclosed for him together with sketch map in duplicate with his check for filing fee. Also attached is letter to your office dated May 18, 1961 which indicates that you received it May 19, 1961. Is it possible to back date the permit with this evidence? If so to so or indicate how it can be dated as of the time it was actually drilled and used. If this dating cannot be done for some time in 1961, please complete the application anyhow so proof can be made on this well.

Sincerely Yours,


Fred H. Foyer, Agent
for Milford Evans.