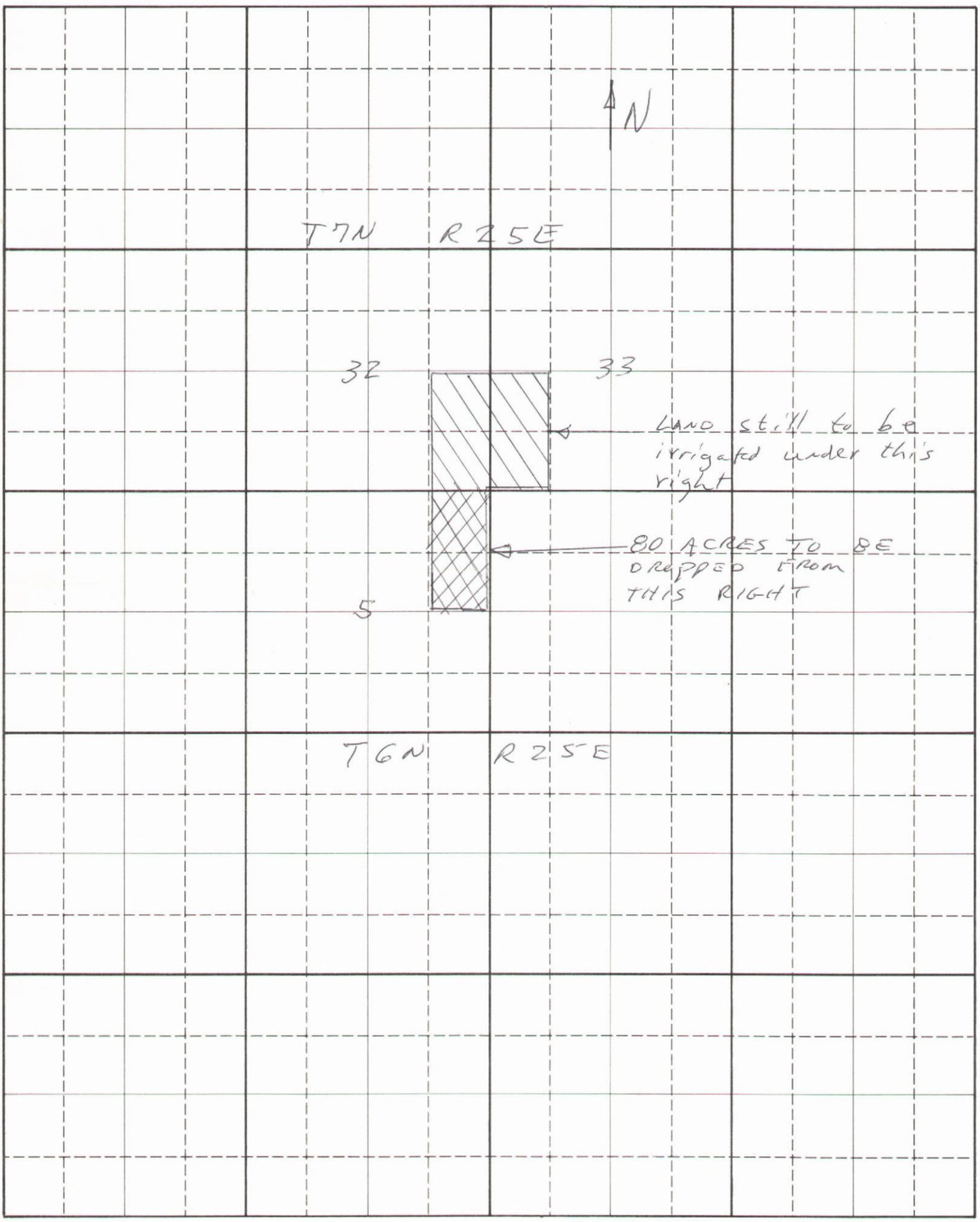
34 2352



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

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis Messenger for Two consecutive weeks, commencing with the issue dated Oct. 21, 1971, and ending with the issue dated Oct. 28, 1971.

Louis Kristan

Subscribed and sworn to before me this 1st day of Nov, 1971.

Jack B. Tracy

Notary Public, Residing at Challis, Idaho.

My Commission expires 5/4/73

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2352

Notice is hereby given that VERNON E. WARNER of Leslie, Idaho has applied to the Department of Water Administration for a change of place of use of the waters of a ground water source. The right sought to be changed is evidenced by License No. 34-2352 and is recorded as follows. Amount: 0.74 c.f.s. Priority: April 15, 1959 Point of Diversion: NE¼SE¼, Sec. 32, Twp. 7 N, Rge. 25 E., B.M., Custer County The water is used for irrigation purposes within the E½SE¼, Sec. 32, Twp. 7 N, Rge. 25 E., B.M. W½SW¼, Sec. 33, Twp 7 N, Rge. 25 E., B.M. W½SW¼, Sec. 33, Twp. 7 N, Rge. 25 E and the E½NE¼, Sec. 5, Twp. 6 N, Rge. 25 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: no change Point of Diversion: no change The water will be used for irrigation purposes Within the E½SE¼, Section 32, and the W½SW¼, Sec. 33, both in Twp. 7 N, Rge. 25 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before November 8, 1971.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis, Idaho on October 21, 1971 and October 28, 1971.

RECEIVED
NOV - 2 1971
Department of Water Administration

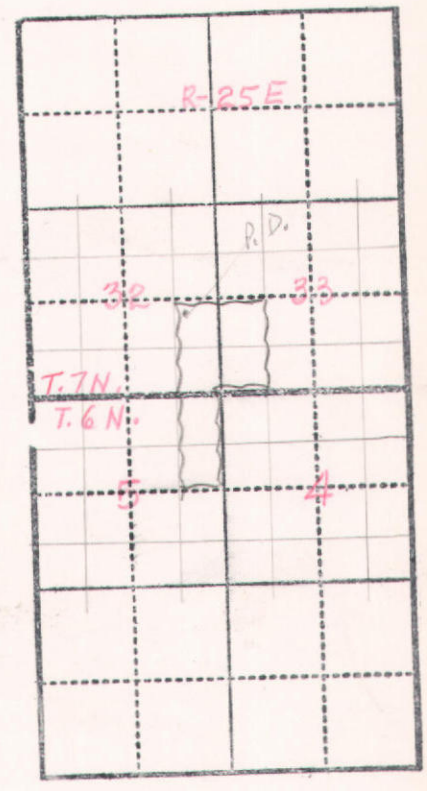
34 2352

4- 28062

APPLICATION FOR PERMIT 34-2352

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35828
Permit No. G- 28062
District No.



1. Name of Applicant: George R. Hone

   Postoffice address: Leslie County: Custer State: Idaho

2. Quantity of water claimed: 130 inches

   (a) Rate of withdrawal in cubic feet per second 2.6 or Idaho Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Irrigation well

4. Location of point of diversion or well is in the NE ¼ of the SE ¼ of Section 32 Twp. 7 N , Rge. 25 E , B.M., County of Custer

   Well for 21201 in same subdivision deepened and used also on this permit.

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 ¼ of the ¼ of Section , Twp. Rge. , B. M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. Kind of works: Farming Irrigation

8. Estimated cost of works: $ 4500.00

9. (a) Is reservoir to be used? no

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 inches decreed May 6, 1899 and 160 inches decreed Mar 30, 1894, in Big Lost River.

   License 21201 for 2.2 cfs
   (a) 130 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

FORM No. 880—WARRANTY DEED.

THIS INDENTURE, made this 29th day of April, 1968, between GEORGE R. HONE and N. MERLE HONE, his wife, of , County of Butte, State of Idaho, the part ies of the first part and VICTOR C. BOWMAN and ESTELLA I. BOWMAN, his wife, of , County of Blaine, State of Idaho, the part ies of the second part,

WITNESSETH, that the said part ies of the first part, for and in consideration of the sum of TEN AND NO/100 ($10.00) -- Dollars lawful money of the United States of America and other good and valuable considerations to them in hand paid by the part ies of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto the said part ies of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in , County of Custer, State of Idaho, to-wit:

The East Half of the Southeast Quarter (E½SE¼), Section Thirty-two (32), the West Half of the Southwest Quarter (W½SW¼), Section Thirty-three (33), Township Seven (7) North, Range Twenty-five (25), East of the Boise Meridian, and

The East Half of the Northeast Quarter (E½NE¼), Section Five (5), Township Six (6) North, Range Twenty-five (25), East of the Boise Meridian, EXCEPTING a fraction of Lot One (1), said Section, Township and Range, further described as commencing at the Northeast corner of said Section Five (5), thence West 209 feet, along the North line of said Section Five (5); thence South 209 feet; thence East 209 feet; thence North 209 feet along the East line of said Section Five (5) to the point of beginning; and

Together with all water and water rights, ditches and ditch rights, and particularly 3000 inches of storage water in Mackay Reservoir,

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said part ies of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part ies of the second part, their heirs and assigns, against the said part ies of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand s and seal s the day and year first above written.

--Executed and Delivered in the Presence of--

George R. Hone [SEAL]

N. Merle Hone [SEAL]

[SEAL]

[SEAL]

34 2352

STATE OF IDAHO,
County of Bonneville } ss.

On this 29th day of April in the year 1968, before me the undersigned, a Notary Public in and for said State, personally appeared GEORGE R. HONE and N. MERLE HONE, his wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that the y executed the same.

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

Ralph L. Albaugh
Notary Public for the State of Idaho,
Residing at Idaho Falls, Idaho.

NOTARIAL PUBLIC

No. 30764

WARRANTY DEED
(FORM No. 35).

TO

Dated , 19

STATE OF IDAHO, } ss.
County of Bonneville
I hereby certify that this instrument was filed for record at request of Bonneville County Title Co. at 45 minutes past 9 o'clock A. M., this 22nd day of April, 1968, in my office and duly entered in book 4 of Deeds at page 548.
Evan Mann
Ex-Officio Recorder.
By Deputy.
Fees, $2.50

Mail to

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

34 2352

WARRANTY DEED

For Value Received

VICTOR C. BOWMAN and ESTELLA I. BOWMAN, husband and wife,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

EUGENE GABERT and BARBARA GABERT, husband and wife,

Hereinafter called the Grantee, the following described premises situated in ~~Gooding~~ Custer County, Idaho, to-wit:

The East Half of the Southeast Quarter (E½SE¼), Section Thirty-two (32), The West Half of the Southwest Quarter (W½SW¼), Section Thirty-three (33), Township Seven (7) North, Range Twenty-five (25), East of the Boise Meridian, and

The East Half of the Northeast Quarter (E½NE¼) Section Five (5), Township Six (6), North, Range Twenty-five (25) East of the Boise Meridian, EXCEPTING a fraction of Lot One (1), Section Five (5), said Township and Range, further described as commencing at the Northeast corner of said Section Five (5), thence West 209 feet, along the North line of said Section Five (5); thence South 209 feet; thence East 209 feet; thence North 209 feet along the East line of said Section Five (5) to the point of beginning; and

Together with all water and water rights, ditches and ditch rights, tenements, hereditaments and appurtenances thereunto belonging and appertaining, and particularly 3000 inches of storage water in Mackay Reservoir.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 23, 1969

Victor C. Bowman

Estella I. Bowman

STATE OF IDAHO, COUNTY OF GOODING

On this 23 day of June, 1969, before me, a notary public in and for said State, personally appeared

VICTOR C. BOWMAN and ESTELLA I. BOWMAN, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Gooding, Idaho.

STATE OF IDAHO, COUNTY OF ~~GOODING~~ Custer

I hereby certify that this instrument was filed for record at the request of Custer County Title Inc at 45 minutes past 9:00 o'clock a.m., this 22nd day of April, 1971, in my office, and duly recorded ~~without fee~~ and filed of Deeds at page 4 ~~undefined~~.

Eva Mauer
Ex-Officio Recorder

By Deputy.

Fees $1.00

Mail to:

Instrument No. 134516

34 2852

USDA-FHA
Form FHA 427-12 Idaho
(Rev. 1-5-62)
(COMMUNITY)

Warranty Deed
(IDAHO)

KNOW ALL MEN BY THESE PRESENTS, That

EUGENE H. GABERT a/k/a EUGENE GABERT and BARBARA GABERT, his wife,

of the County of Custer, State of Idaho, Mackay,

parties of the first part, for and in consideration of the sum of TWENTY-FOUR THOUSAND AND NO/100 - Dollars ($ 24,000.00),

in lawful money of the United States of America, and other valuable consideration, to them in hand paid by VERNON E. WARNER and LELA WARNER

his wife, of Leslie, Custer County, Idaho, hereinafter called party of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second party, all of the following-described property situate, lying and being in the County of Custer, State of Idaho, to wit:

Township 7 North, Range 25 East, Boise Meridian

Section 33: W½SW¼
Section 32: E½SE¼

****

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to, water and ditch rights under the Big Lost River Irrigation District, and the following: 64 inches of the decreed waters of the Big Lost River, with a priority of 1900, rights to ground waters produced from wells under State of Idaho Licenses and Certificates of Water Rights Nos. 21201 and G-28062, approved by the Idaho State Reclamation Engineer, respectively on August 23, 1949, and on April 15, 1959.

Together with all irrigation equipment of every kind and character, now owned by parties of the first part and used in the irrigation of the above premises, especially but not limited to, pumps, pipe casing, motors, electrical panels and accessories to each.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to the burdens incident to the inclusion of the land within the boundaries of The Big Lost River Irrigation District.

34 2352

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the party of the second part, as community property, and to the heirs and assigns of the second party forever.

The parties of the first part, for themselves, and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 14 day of April, 1971.

Eugene H. Gabert [SEAL]
Eugene H. Gabert a/k/a (Husband)
Eugene Gabert

WITNESSES:

Barbara Gabert [SEAL]
Barbara Gabert (Wife)

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF CUSTER } ss:

On this 14 day of April, 1971, before me, a Notary Public in and for said County and State, personally appeared EUGENE H. GABERT a/k/a EUGENE GABERT and BARBARA GABERT, his wife, to me known to be the identical individual(s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

[SEAL] NOTARY PUBLIC STATE OF IDAHO

Notary Public in and for the State of Idaho
Residing at Salmon, Idaho
My commission expires: Sept. 25 1971

No. 130771
Released & Defeased
Recorded in ~~Book~~ of Records of Custer
County, Idaho, on April 22, 1971
~~, in Book~~
~~at Page~~

Eva Mann
Custer County Recorder

Fees $2.50

GPO 815-680

34 2352

RECEIVED MAY 10 1961 Department of Reclamation

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

Notice is hereby given that at 2:00 P.M., on the 2nd day of May 1961, at Mackay, County of Custer, State of Idaho, before Ilene Murray, Notary Public, at Big Lost River Irrigation Dist. Office, proof will be submitted of the completion of works for the diversion of 2.6 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-28062, 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 George R. Hone, Leslie, 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 2.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.6 cubic feet per second.

4. The point of diversion of said water is NE¼SE¼ Sec. 32; Twp. 7 N; Rge. 25 EBM.

5. The place where said water is used is E½NE¼ Sec. 5; Twp. 6 N; Rge. 25 E.B.M. W½SW¼ Sec. 33; E½SE¼ Sec. 32; Twp. 7 N; Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is April 15, 1959.

GEO. N. CARTER
State Reclamation Engineer

Pub. March 30, April 6, 13, 20, 1961

AFFIDAVIT OF PUBLICATION

State of Idaho, } ss:
County of Custer, }

Richard Swindell

I, ~~Halsey M. Gridley~~, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis Messenger for 4 consecutive weeks, commencing with the issue dated March 30, 1961, and ending with the issue dated April 20, 1961.

Richard Swindell

Subscribed and sworn to before me this 21st day of April, 1961

Notary Public, Residing at Challis, Idaho.

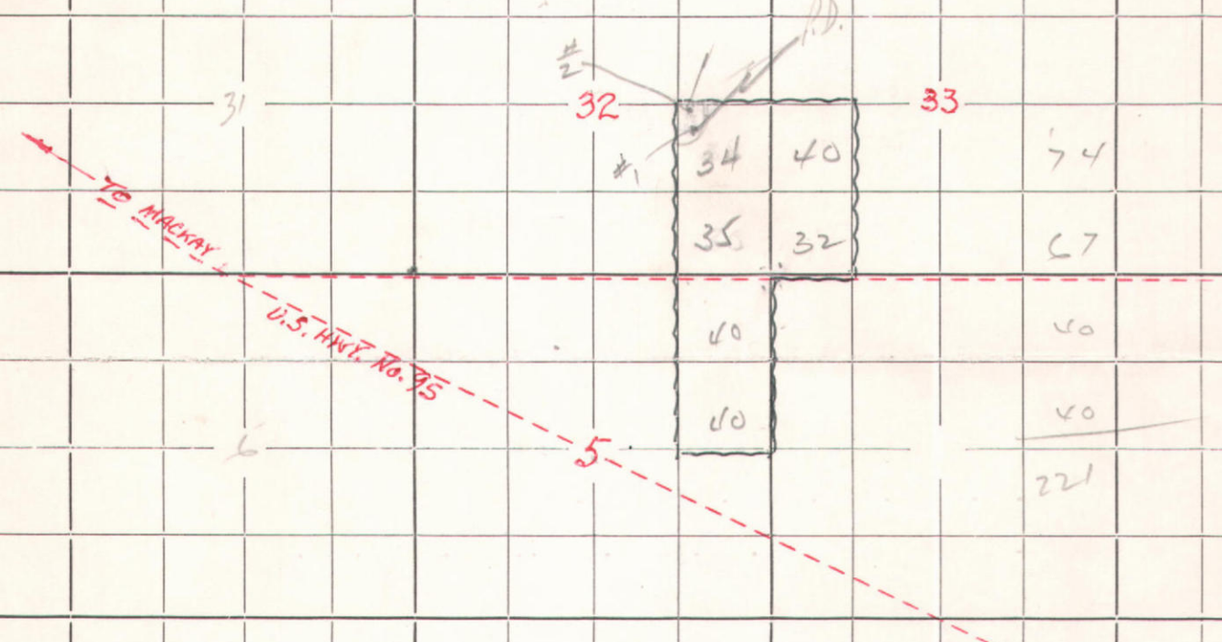
My Commission expires 2-1-63

28062

5 Rev 2 min 45 sec

165 ⟌ 500 3.03 x 97 2.94 cfs a 14" intake

R-25E.



Area 221

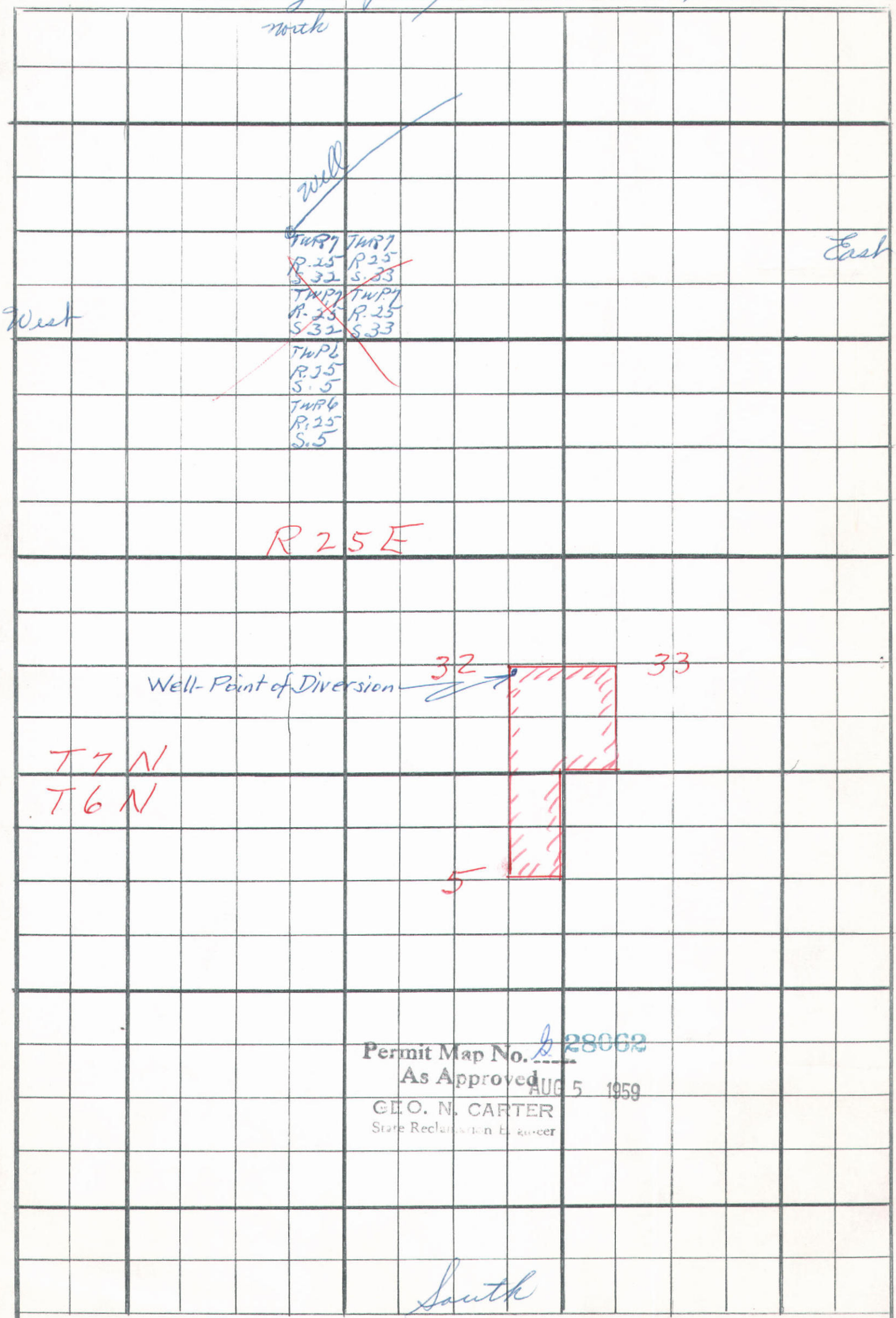
Subs- ~~6~~ 5

License No. 21201 = 2.2 CFS Q = 2.94 - 2.2 = 0.74 CFS 37 inches

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28062

NAME OF APPLICANT George R. Ford Leslie, Idaho Form No. 0



Scale: 2 inches equal 1 Mile. Draw Plan in ink.

28062

Identification No. 34-2352

Transfer No. 1802

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1 Name of Right Holder Vernon E. Warner

Post office address Leslie, Idaho

2 Right obtained by:

a Decree to _____ (Name) in Case of _____

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

Court. County of _____.

b License No 34-2352 issued by the State of Idaho, Department of Reclamation.

3 Source of water ground water (Name of stream or source) tributary to _____

4 Date of Priority April 15, 1959

5 Amount of water a. 0.74 c.f s. and/or

b. _____ acre feet/annum

6 Water is used for irrigation from April 15 (Month, Day) to Oct. 15 (Month, Day)

7 Original location of point of diversion is NE¼ SE¼ of Section 32,

Township 7N, Range 25E, B.M., in Custer County;

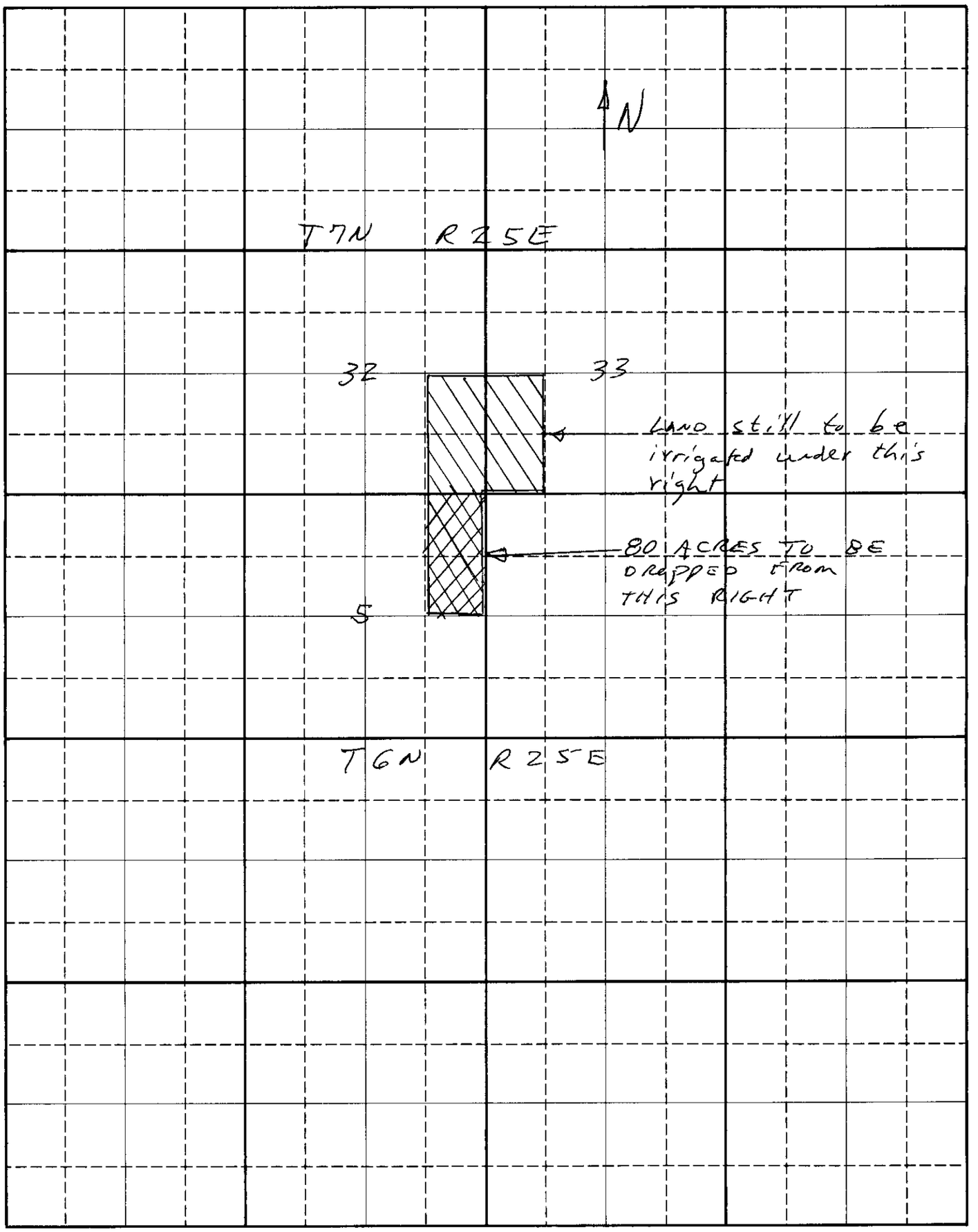
Additional points of diversion, if any None

8 Lands presently irrigated or place of use:

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	25E	32													40			40	80
7N	25E	33										40	40						80
6N	25E	5	40			40													80

Total number of acres presently irrigated 240

34 23352



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

9 If applicant was not the original holder of this right explain how it was acquired: The land was purchased outright from the original owner in April 1971. Copy of deed will be provided.

10. CHANGE IN POINT OF DIVERSION NO CHANGE

a Quantity to be diverted at new point:_____c.f.s and/or_____acre feet

b. New point of diversion:_____¼_____¼, Section_____,Township_____

_____, Range_____, B.M.

c Description of method of diversion and conveyance from new points of diversion:_____

d Is water to be conveyed to the lands previously irrigated? Yes_____ No_____.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

f Do you intend to make the transfer permanent?_____

g Do you intend to abandon completely the old point of diversion?_____

h Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a Describe the new lands on which you wish to use your right.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	25E	32													40			40	80
7N	25E	33										40	40						80

Total number of acres to be irrigated 160

34 23352

34 2352

b. Do you intend to make the transfer permanent? YES

c Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No, the 80 acres dropped under this right will be irrigated by another owner under decreed right #34-0492. A statement will be supplied from this owner accepting this change.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right. #34-2291

34-0450 Flood rights that usually cease to be delivered during early July.

e. Indicate on the above plat the new land to be irrigated and the point of diversion

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk The information contained in this application is true to the best of my knowledge

Vernon E. Warner
(signature of applicant)

Subscribed and sworn to before me this 3rd day of September, 1971

Norman C. Young
(notary public)

My commission expires 6/10/71.

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No 34-2352, and said application is hereby APPROVED.

1 Approval of said application is subject to the following limitations and conditions.

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons _____

Witness my hand this 6th day of June, 19 72

Director ~~State Reclamation Engineer~~

FOR DEPARTMENT USE ONLY

Received by ly Date 9-3-71

Prelim check by _____ Date _____

Fee received by ly Date 9-3-71 R # 7219 Fee $ 30.00

Approved for publication by _____

Published in Challis Messenger Dates 10-21-71 & 10-28-71

Hearing held _____

Watermaster Recommendation sent _____

Protest filed by:	Date

AFFIDAVIT
OF PUBLICATION

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis Messenger for Two consecutive weeks, commencing with the issue dated Oct. 21, 1971, and ending with the issue dated Oct. 28, 1971.

Louis Kristan

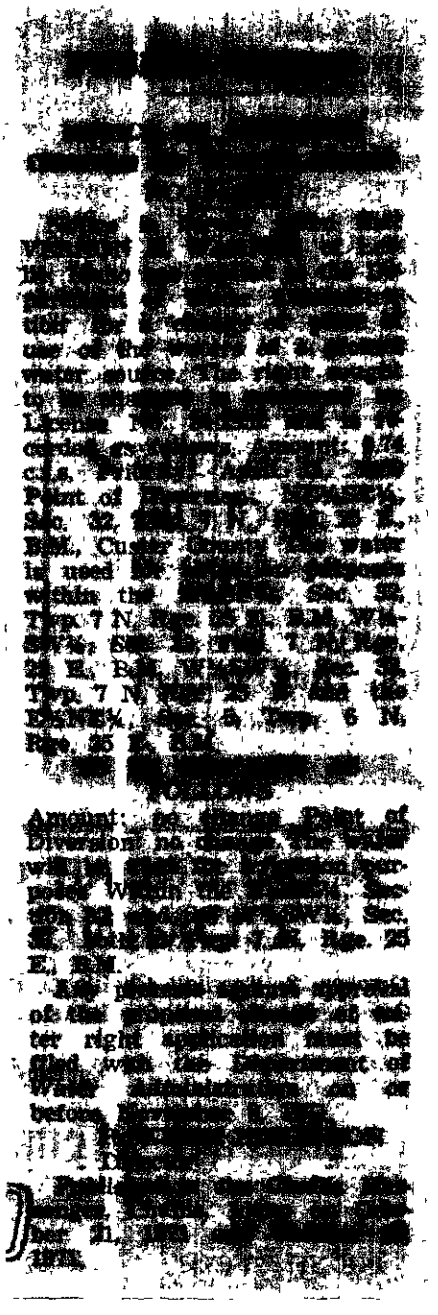
Subscribed and sworn to before me this 1st day of Nov, 1971.

James B. Tracy

Notary Public, Residing at Challis, Idaho.

My Commission expires

5/4/1973



34 2352

+7853

State of Idaho
License and Certificate of Water Right

Water License No. G-28062 Amount 0.74 c.f.s.

Water District No. Priority April 15, 1959

THIS IS TO CERTIFY that GEORGE R. HONE of Leslie, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 15, 1959; that Permit No. G-28062 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.74 second feet, was issued thereunder on June 24, 1964, showing that said works were completed on the 2nd day of May, 1961; and that on the 2nd day of May, 1961, GEORGE R. HONE of Leslie, 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, under Use Permit No. G-28062 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 7853, on the 24 day of June, 1964;

The right hereby confirmed dates from April 15, 1959;

The Point of Diversion is located

in the NE ¼ SE ¼, Sec. 32, Tp. 7 N., R. 25 E., B. M. Custer County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.74 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	25 E.	5	$NE\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$SE\frac{1}{4}$ $NE\frac{1}{4}$	40	40
7 N.	25 E	32	$NE\frac{1}{4}$ $SE\frac{1}{4}$	40	34
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	40	35
		33	$NW\frac{1}{4}$ $SW\frac{1}{4}$	40	40
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	40	32
			Total number of acres to be irrigated:		221

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.

34 2212

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 24th day of June, 1964.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

7854

State of Idaho
License and Certificate of Water Right

Water License No. G-25422 Amount 1.62 c.f.s.

Water District No. Priority February 3, 1955

THIS IS TO CERTIFY that FRANK C. LEE

of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 3, 1955; that Permit No. G-25422 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.62 second feet, was issued thereunder on June 24, 1964, showing that said works were completed on the 7th day of February, 1957; and that on the 7th day of February, 1957, FRANK C. LEE of Malta, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-25422 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 7854, on the 24 day of June, 1964;

The right hereby confirmed dates from February 3, 1955;

The Point of Diversion is located

in the NE ¼ NW ¼, Sec. 17, Tp. 14 S, R. 27 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.62 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	27 E	17	NE¼ NE¼	20	10
			NW¼ NE¼	20	20
			NE¼ NW¼	30	30
			NW¼ NW¼	30	30
			Total acres to be irrigated:		90

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 24th day of June, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

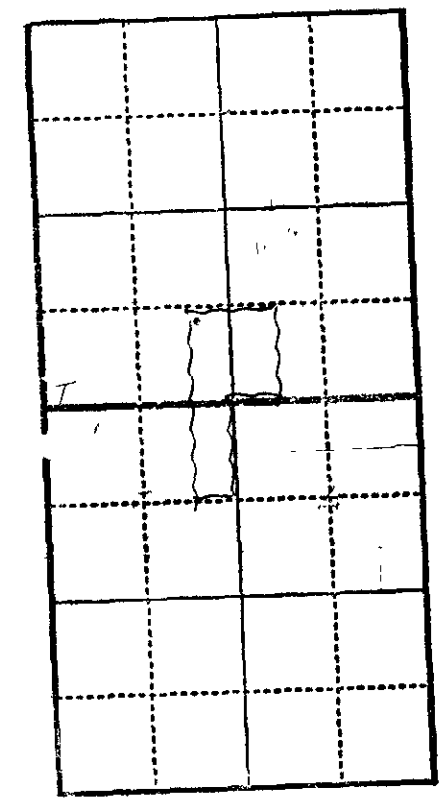
(SEAL)

G- 28062

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35828
Permit No. G- 28062
District No.



1. **Name of Applicant:** George R. Hone

   Postoffice address: Leslie **County:** Custer **State.** Idaho

2. **Quantity of water claimed:** 130 inches

   (a) **Rate of withdrawal in cubic feet per second** 2.6 **or Idaho Miners' inches** or gallons per minute

   (b) **Annual withdrawal in acre feet per annum**

3 Source of water **supply:** Irrigation well

4. Location of point of diversion or well is in the NE ¼ of the SE ¼ of Section 32

   Twp. 7 N , Rge. 25 E , B.M., County of Custer

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 ¼ of the ¼ of Section , Twp.

   Rge. , B. M.

   (b) Waste water or sewage effluent is to be returned to

   at a point in the ¼ of the ¼ of Section , Twp. , Rge , B. M.

7. Kind of works: Farming Irrigation

8. Estimated cost of works: $ 4500.00

9 (a) Is reservoir to be used? no

   (b) Capacity of reservoir:

10 The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11 If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in. $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12 The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 inches decreed May 6, 1899 and 160 inches decreed Mar 30, 1894, in Big Lost River.

   License 21201 for 2.2 cfs

   (a) 130 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks·

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

s/ George R. Hone *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. April 15, 1959

Returned to applicant for correction.

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28062

Recorded in Book 99 Page 28062 Approved August 5, 1959

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 deligently 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 February 5, 1962

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 August 5, 1964

Witness my hand this 5th day of August, 1959

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLOW, Acting, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th day of August, 1959

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State

STATE OF IDAHO

By W. E. DREVLOW,
Acting *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	25 E	5	40			40													80
7 N	25 E	33										X	X						80
		32													X			X	80
																			240

Application for Amendment
POINT OF DIVERSION
Permit No. G-28062

Comes now GEORGE R. HONE 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-28062.

That the point of diversion is described in said Permit as being located: NE¼SE¼, Sec. 32, T. 7 N., R. 25 E., B. M.

That he now requests that the point of diversion be changed to points located NE¼SE¼, Sec. 32, T. 7 N., R. 25 E., B. M. (2 points)

That the reason for desiring to make such change is as follows: insufficient water from one well.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Leslie, Idaho, this 8th day of September, 1961.

s/ GEORGE R. HONE

Date of Receipt at Department of Reclamation: September 11, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy 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-28062. 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/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Recorded: September 12, 1961

Permit No. G-28062
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that GEORGE R. HONE of Leslie, County of Custer, and State of Idaho, the holder of Permit No. G-28062, issued upon Application No. G-35828, bearing date of priority of April 15, 1959, authorizing the diversion of 2.6 second feet of waters of wells, County of Custer, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .74 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NE¼SE¼, Sec. 32, T. 7 N., R. 25 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

221 acres in E½NE¼, Sec. 5, T. 6 N., R. 25 E., B. M.; E½SE¼, Sec. 32; W½SW¼, Sec. 33, T. 7 N., R. 25 E B. M.

Witness my hand this 24th day of June, A. D. 1964.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Proof of Completion of Works Made: May 2, 1961

LICENSE ISSUED FOR .74 SEC. FT.
Page 7853

June 8, 1972

Re: Transfers No. 34-2291 & 34-2352

Mr. Vernon E. Warner
Leslie,
Idaho 83249

Dear Mr. Warner:

Enclosed is a copy of your approved Application for Transfer of Water Right No. 34-2291 and 34-2352.

We direct your attention to the condition of approval as listed on the fourth page of the transfers.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of transfer (2)

bc: Eastern District Office

34 2352

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

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

January 20, 1972

Re: Transfer Nos. 34-2352
34-2291

Mr. Vernon E. Warner
Leslie,
Idaho 83249

Dear Mr. Warner:

We have received a warranty deed conveying the title of the land located in the W½SW¼ of Section 33, and the E½SE¼, Section 32, both in Township 7 N, Range 25E, from Eugene Gabert, to yourself.

We also received a letter of agreement from Maurice H. Anderson, stating his approval of the proposed transfer of water under License Nos. 34-2352 and 34-2291, to be made appurtenant to only those lands located in the E½SE¼, Section 32; W½SW¼, Section 33, Township 7 N, Range 25 E, B.M. To assure that Licenses No. 34-2352 and 34-2291 are still appurtenant to the above stated lands, we will still need evidence showing that when the land was transferred from J. C. Moore, to George Hone, to Eugene Gabert, to yourself, the water was not deleted from the land. In other words, we need an abstract of title from J. C. Moore, to the present owner. After receiving a copy of these deeds, we will be able to process your transfer.

If we can be of any assistance in this matter, please feel free to contact our Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cs

Enclosed are copies of the requested deeds
Vernon E. Warner

34 2352

J. C. Moore to George Hone 33-111

Geo. Hone to Bowman #130769

Bowman to Gabert #127878
#130770

34

No. 113211

($1.10 U.S. Revenue Stamp attached and cancelled)

WARRANTY DEED

THIS INDENTURE, made this 10th day of December, 1956, between GRACE M. MOORE, a widow, of Corona, County of Riverside, State of California, the party of the first part and GEORGE R. HONE of _____, County of Bingham, State of Idaho, the party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 -- ($10.00) -- Dollars lawful money of the United States of America, and other good and valuable considerations to her in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real estate, situated in _____, County of Custer, State of Idaho, to-wit:

The Southeast Quarter of the Northeast Quarter (SE¼NE¼), and all the Northeast Quarter of the Northeast Quarter (NE¼NE¼), Section Five (5), Township Six (6) North, Range Twenty-five (25), East of the Boise Meridian, except the following described parcel of ground: Commencing at the Northeast corner of Section Five (5), Township Six (6) North, Range Twenty-five (25), East of the Boise Meridian, running thence West along the North Section Line of said Section Five (5), 209 feet thence South at right angles 209 feet; thence East at right angles 209 feet; thence North along the East Section Line of said Section 209 feet to the place of beginning,

ALSO, the Southwest Quarter of the Southwest Quarter (SW¼SW¼) and the Northwest Quarter of the Southwest Quarter (NW¼SW¼), Section Thirty-three (33); the Southeast Quarter of the Southeast Quarter (SE¼SE¼), the Northeast Quarter of the Southeast Quarter (NE¼SE¼) of Section Thirty-two (32), all in Township Seven (7) North, Range Twenty-five (25), East Boise Meridian,

Together with all ditch and ditch rights, water and water rights including particularly 80 inches of the waters of Big Lost River with a decreed priority date of May 6, 1899, and 160 inches of the waters of Big Lost River with a decreed priority date of March 30, 1894.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the

said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Executed and Delivered in the Presende of)
)
Robert C. Allen) Grace M. Moore (SEAL)
Corona Calif.)
)
Catherine Price)
Norco, Calif.)

STATE OF CALIFORNIA)
) ss.
County of RIVERSIDE)

On this 14th day of December in the year 1956, before me the undersigned, a Notary Public in and for said State, personally appeared GRACE M. MOORE, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(Seal)

Mildred L. Henson
Notary Public for the State of California
Residing at Corona, California
My Commission Expires Sept. 20, 1958

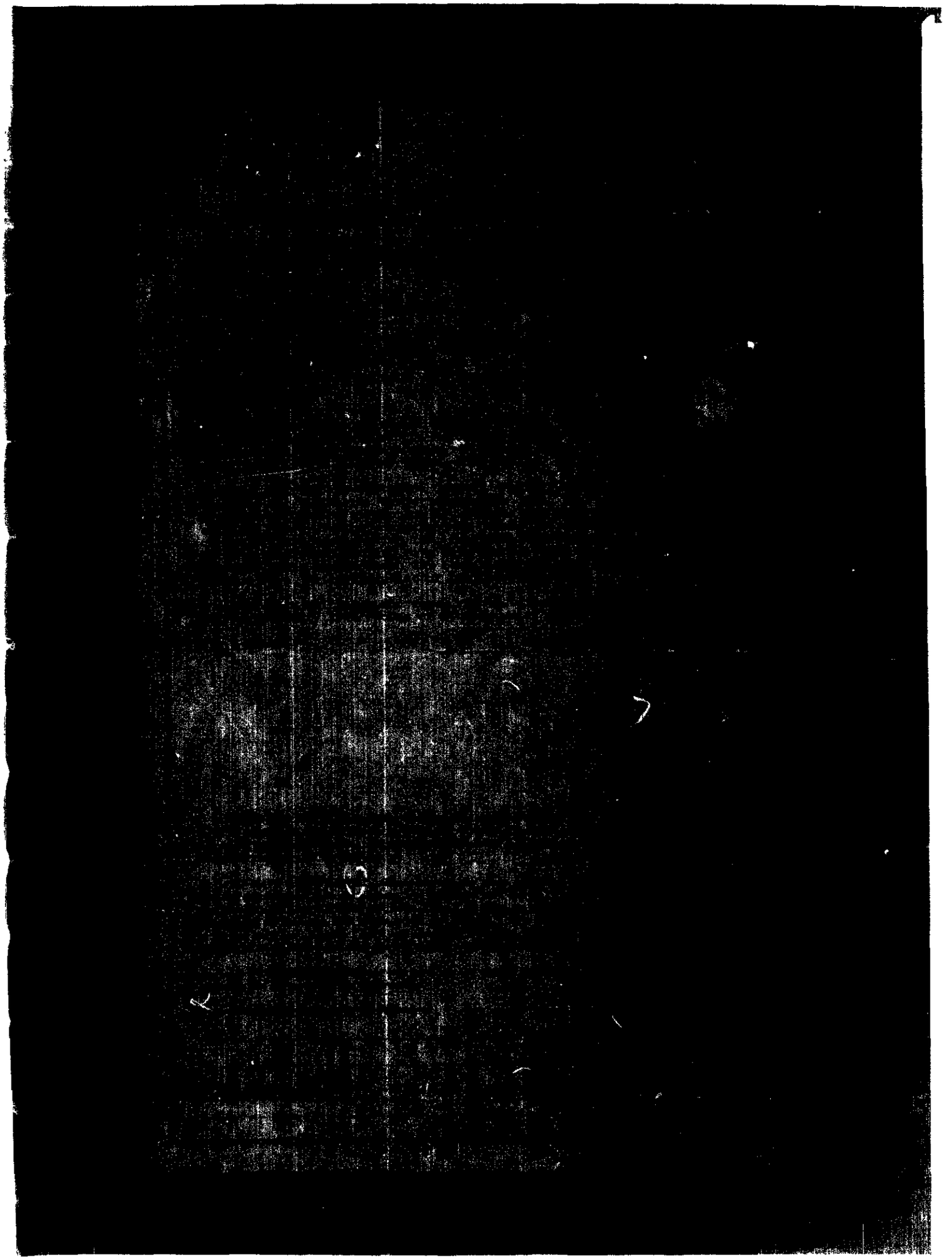
STATE OF IDAHO)
) ss.
County of Custer)

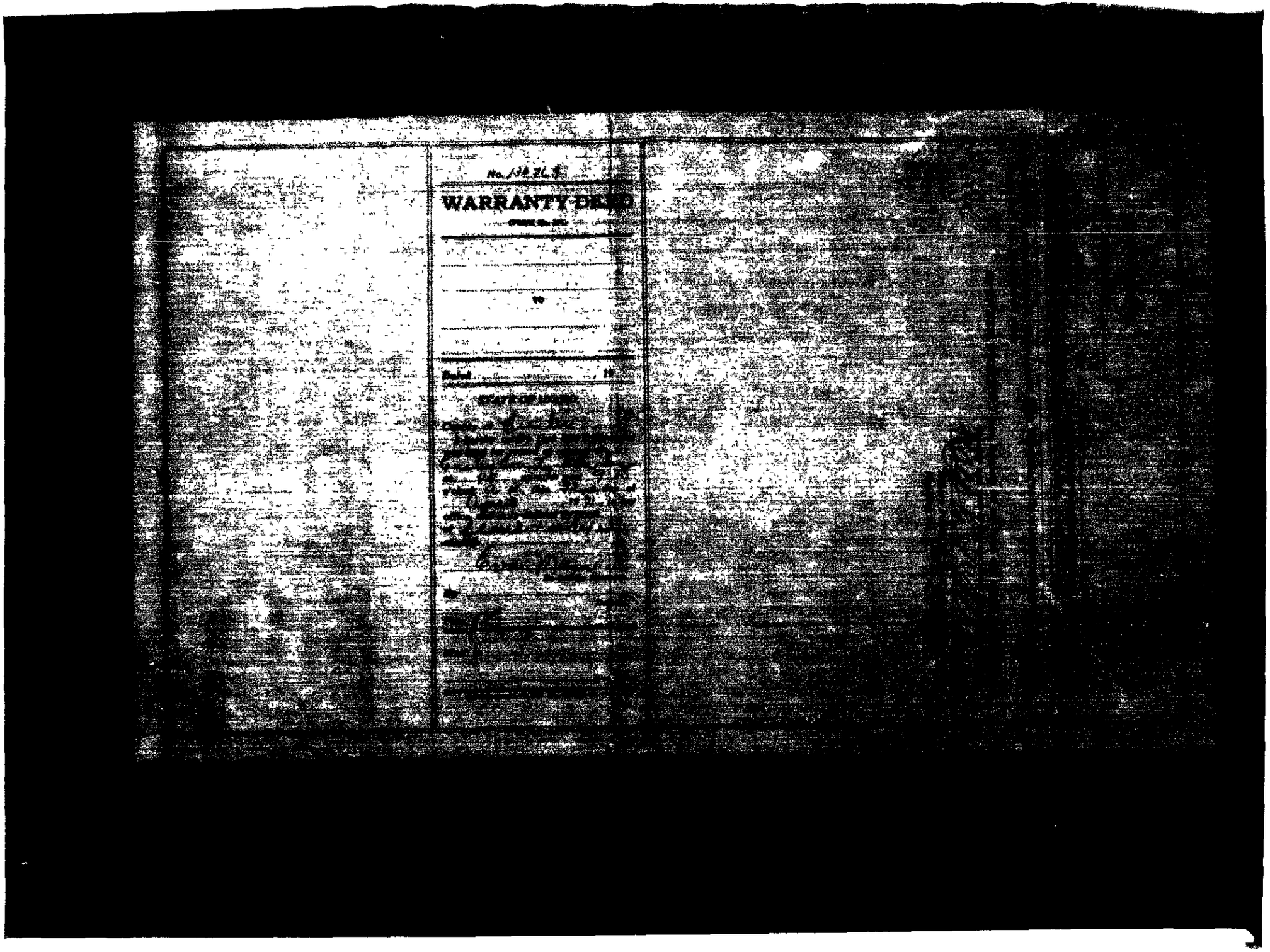
I hereby certify that this instrument was filed for record at request of Custer County Bank at 15 minutes past 9 o'clock A. M., this 14th day of August, 1959, in my office, and duly entered in Book 33 of Deeds at page 111.

Howard Baxter
Ex-Officio Recorder. 2352

By [signature]
Deputy

Fees, $2.10





No. 1312 Z.L.

WARRANTY DEED

To

Dated , 19

WARRANTY DEED

For Value Received

VICTOR C. BOWMAN and ESTELLA I. BOWMAN, husband and wife,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

EUGENE GABERT and BARBARA GABERT, husband and wife,

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

The East Half of the Southeast Quarter (E½SE¼), Section Thirty-two (32), The West Half of the Southwest Quarter (W½SW¼), Section Thirty-three (33), Township Seven (7) North, Range Twenty-Five (25), East of the Boise Meridian, and

The East Half of the Northeast Quarter (E½NE¼) Section Five (5), Township Six (6), North, Range Twenty-Five (25) East of the Boise Meridian, EXCEPTING a fraction of Lot One (1), Section Five (5), said Township and Range, further described as commencing at the Northeast corner of said Section Five (5), thence West 209 feet, along the North line of said Section Five (5); thence South 209 feet; thence East 209 feet; thence North 209 feet along the East line of said Section Five (5) to the point of beginning; and

Together with all water and water rights, ditches and ditch rights, tenements, hereditaments and appurtenances thereunto belonging and appertaining, and particularly 3000 inches of storage water in Mackay Reservoir.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 23, 1969

Victor C. Bowman

Estella I. Bowman

STATE OF IDAHO, COUNTY OF GOODING

On this 23 day of June 1969, before me, a notary public in and for said State, personally appeared

VICTOR C. BOWMAN and ESTELLA I. BOWMAN, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

Notary Public, Idaho.
Residing at Gooding

STATE OF IDAHO, COUNTY OF Gooding

I hereby certify that this instrument was filed for record at the request of Grantee Eugene Gabert at 45 minutes past 9 o'clock A.M. on this 23rd day of June 1971, in my office, and duly recorded in Deed Book 4 on page 4 thereof.

Ex-Officio Recorder

By

Fees $1.00

Mail to:

January 20, 1972

Re: Transfer Nos. 34-2352
34-2291

Mr. Vernon E. Warner
Leslie,
Idaho 83249

Dear Mr. Warner:

We have received a warranty deed conveying the title of the land located in the W½SW¼ of Section 33, and the E½SE¼, Section 32, both in Township 7 N, Range 25E, from Eugene Gabert, to yourself.

We also received a letter of agreement from Maurice H. Anderson, stating his approval of the proposed transfer of water under License Nos. 34-2352 and 34-2291, to be made appurtenant to only those lands located in the E½SE¼, Section 32; W½SW¼, Section 33, Township 7 N, Range 25 E, B.M. To assure that Licenses No. 34-2352 and 34-2291 are still appurtenant to the above stated lands, we will still need evidence showing that when the land was transferred from J. C. Moore, to George Hone, to Eugene Gabert, to yourself, the water was not deleted from the land. In other words, we need an abstract of title from J. C. Moore, to the present owner. After receiving a copy of these deeds, we will be able to process your transfer.

If we can be of any assistance in this matter, please feel free to contact our Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cs

34 2352

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

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

November 19, 1971

Re: License No. 34-2352

Vernon E. Warner
Leslie,
Idaho 83249

Dear Mr. Warner:

In reviewing your application for transfer, it is our understanding that you wish to have all the water rights (0.74 c.f.s.) under License No. 34-2352 appurtenant to 141 acres of land listed as the E½SE¼, Section 32, and the W½SW¼, Section 33, Township 7 North, Range 25 East, B.M. and that you want to delete all water rights on the 80 acres located in the E½NE¼, Section 5, Township 6 North, Range 25 East, B.M.

If this is the case, then we will have to require evidence showing that you are now the only owner of License No. 34-2352 and that all water rights from this license no longer are appurtenant to the land located in the E½NE¼, Sec. 5, T. 6N, R. 25E, B.M., or that you own the 80 acres in the E½NE¼, Sec. 5, T. 6N, R. 25E, B.M. from which you are deleting the water.

To simplify matters, we need to know if you still own the 80 acres from which you are deleting the water, and if not, we need to know whether you sold the 80 acres without the water rights and we need proof of this action. As soon as we receive this evidence, we can start processing your transfer.

Your cooperation in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Department of Water Administration

Enclosed is a letter from the owner of the above mintioned 80 acres, also a copy of my deed to my property. Thank you.

Your trade 34-2352
Vernon E. Warner

Leslie, Idaho
Dec. 29, 1971

Department Of Water Administration
Department Of Water Administration
Statehouse- Annex 2
Boise, Idaho

Dear Sir:

I, Maurice H. Anderson, being the sole owner of the following described real estate, (E½ NE¼, Section 5, Township 6 North, Range 25 East, B.M.) have no objection to the following transfers of water rights, being made by Vernon E. Warner.

License No. 34-2352 and License No. 34-2291

Transfered from- E½SE¼, Section 32, and the W½SW¼, Section 33, Township 7 North, Range 25 East, B.M. and the E½NE¼, Section 5, Township 6 N., Range 25 East, B.M.

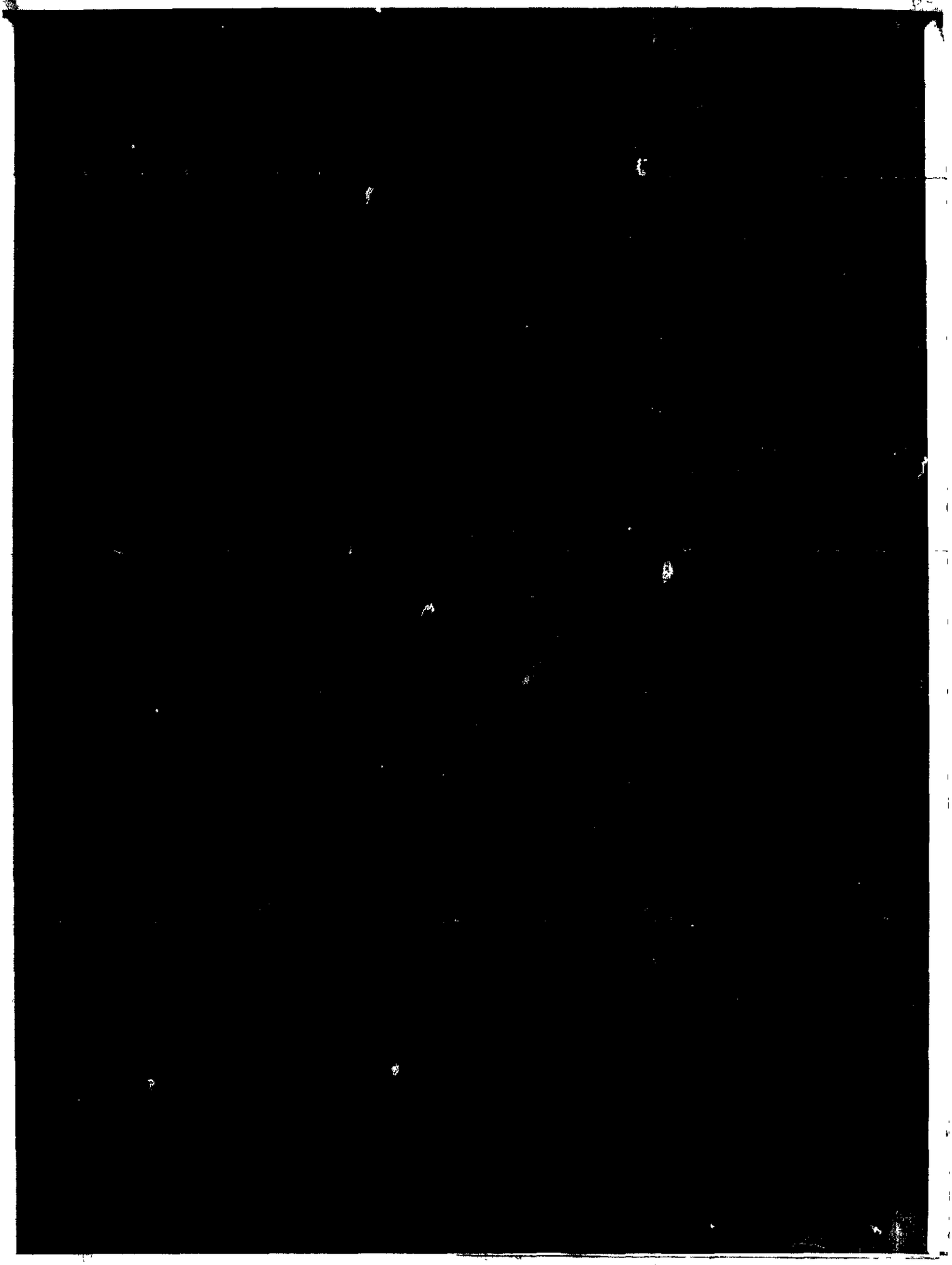
Transfered to - E½SE¼, Section 32 and the W½SW¼, Section 33, Township 7 North, Range 25 East, B.M.

Mr. Warner and I purchased our respective properties with the understanding that the water from the wells (License No. 34-2352 and License No. 34-2291) would be made appurtenant to the Warner property, and all storage rights in the Mackay reservoir would be made appurtenant to my property.

The transfer of the storage water to my property has been made by the Directors of The Big Lost River Irrigation District.

Yours truly,
Maurice H. Anderson
Maurice H. Anderson
406 Ponderosa Court
Apt. 102
Moscow, Idaho

34 2352



Witnesses:

ACKNOWLEDGMENT

State of IDAHO
County of CUSTER } ss.

On this 14 day of April

BARBARA GABERT

No. 130971

Filed and duly recorded at the request of Custer County, Idaho, on April 22, 1971

Evan Mann
Custer County Recorder

Fee $2.00

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

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

November 19, 1971

Re: License No. 34-2352

Vernon E. Warner
Leslie,
Idaho 83249

Dear Mr. Warner:

In reviewing your application for transfer, it is our understanding that you wish to have all the water rights (0.74 c.f.s.) under License No. 34-2352 appurtenant to 141 acres of land listed as the E½SE¼, Section 32, and the W½SW¼, Section 33, Township 7 North, Range 25 East, B.M. and that you want to delete all water rights on the 80 acres located in the E½NE¼, Section 5, Township 6 North, Range 25 East, B.M.

If this is the case, then we will have to require evidence showing that you are now the only owner of License No. 34-2352 and that all water rights from this license no longer are appurtenant to the land located in the E½NE¼, Sec. 5, T. 6N, R. 25E, B.M., or that you own the 80 acres in the E½NE¼, Sec. 5, T. 6N, R. 25E, B.M. from which you are deleting the water.

To simplify matters, we need to know if you still own the 80 acres from which you are deleting the water, and if not, we need to know whether you sold the 80 acres without the water rights and we need proof of this action. As soon as we receive this evidence, we can start processing your transfer.

Your cooperation in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

34 2352

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO 34 2352

Notice is hereby given that VERNON E WARNER of Leslie, Idaho has applied to the Department of Water Administration for a change of place of use of the waters of a ground water source The right sought to be changed is evidenced by License No 34 2352 and is recorded as follows Amount: 0 74 c f s Priority: April 15, 1959 Point of Diversion: NE¼SE¼, Sec 32, Twp 7 N, Rge 25 E., B M, Custer County The water is used for irrigation purposes within the E½SE¼, Sec 32, Twp 7 N, Rge 25 E, B M, W½SW¼, Sec 33, Twp 7 N, Rge. 25 E. B M W½SW¼, Sec 33, Twp 7 N, Rge. 25 E and the E½NE¼, Sec 5, Twp. 6 N, Rge 25 E, B M

TO BE CHANGED AS FOLLOWS

Amount no change Point of Diversion no change The water will be used for irrigation purposes Within the E½SE¼, Section 32 and the W½SW¼, Sec 33, both in Twp 7 N, Rge 25 E, B M

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before November 8, 1971.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis Idaho on October 21, 1971 and October 28, 1971

O.K.
10-22-71
B.B.

34 2352

Proofs under
Permit G-27962
withdrawn.

34 2352

October 15, 1971

Re: Application For Transfer Nos. 34-2352
34-2291 - Vernon E. Warner

The Challis Messenger
Post Office Box # 97
Challis, Idaho 83226

Gentlemen:

Enclosed you will find two (2) legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit us galley proofs for our review before publication.

After sending us the galley proofs, proceed with the publications on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notices on the proposed dates, please contact us immediately.

Affidavits of publication must be submitted to the Department, along with the publication bills. In order to receive payment, the following certification must appear on the bill.

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CS

Enclosures

Bill submitted 11-3 71 cr

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2352

Notice is hereby given that VERNON E. WARNER

of Leslie, Idaho has applied to the Department of Water Administration for a change of place of use of the waters of a ground water source.

The right sought to be changed is evidenced by License No. 34-2352 and is recorded as follows.

Amount: 0.74 c.f.s. Priority: April 15, 1959

Point of Diversion: NE¼SE¼, Sec. 32, Twp. 7 N, Rge. 25 E., B.M., Custer County

The water is used for irrigation purposes within the E½SE¼, Sec. 32, Twp. 7 N, Rge. 25 E., B.M. W½SW¼, Sec. 33, Twp. 7 N, Rge. 25 E., B.M. W½SW¼, Sec. 33, Twp. 7 N, Rge. 25 E and the E½NE¼, Sec. 5, Twp. 6 N, Rge. 25 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: no change

Point of Diversion: no change

The water will be used for irrigation purposes Within the E½SE¼, Section 32, and the W½SW¼, Sec. 33, both in Twp. 7 N, Rge. 25 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before November 8, 1971.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis, Idaho

on October 21, 1971 and October 28, 1971.

34 2352

July 21, 1970

Re: Permit No. G-28062/34-2352
Permit No. G-32568/34-2469

Mr. Vernon E. Warner
P. O. Box 202
Leslie, Idaho 83249

Dear Mr. Warner:

Pursuant to your letter of July 15, 1970, please find enclosed a copy of license No. 34-2352, and ammended permit No. 34-2469, issued in the name of George R. Hone.

The fee for these copies will be $2.00. Your prompt remittance of this fee will be greatly appreciated.

If we can be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/cm

Enclosures: Copy of license No. 34-2352
Copy of ammended Permit No. 34-2469
Copy of ammendment on 34-2469

34 2352

RECEIVED

Leslie, Idaho
July 15, 1970

Idaho Dept of Water Administration
Boise, Idaho

Dear Sir:

I have an option to purchase the following property in Custer County.
E ½ & E ¼ Sec. 32, W ½ SW ¼ Sec. 33
township 7N RANGE 25 E.B.M.

Would you please send me the licenses Nos. and dates of priority of the two wells drilled on this property? The permits and licenses were issued to George Hone.

Thank you.

Yours truly,
Vernon E. Hamer
Box 202
Leslie, Idaho 83249

28062
52568

34 2352

July 23, 1968

COPY

License G-28062

Victor C. Bowman
P.O. Box 943
Hailey, Idaho 83333

Dear Mr. Bowman:

The above numbered water right has been completed and is licensed. If you desire to change the point of diversion or the place of use a transfer will be required. We are enclosing a transfer form with instructions for completion.

There is a twenty ($20.00) dollar fee for the transfer plus a $1.00 recording fee when and if it is approved.

If we can be of further assistance please let us know.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

28062

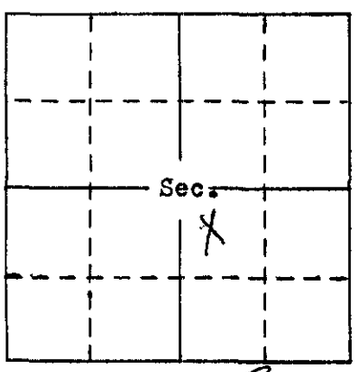
RECEIVED
NOV 17 1966
Department of Reclamation

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER
Name George R. Hone
Address Leslie
Idaho
Owner's Permit No. 28062
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: irrigation
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ____ (explain)
CASING SCHEDULE: Threaded ___ Welded ___
16 "Diam. from 0 ft. to 167 ft.
____ "Diam. from ____ ft. to ____ ft.
____ "Diam. from ____ ft. to ____ ft.
____ "Diam. from ____ ft. to ____ ft.
Thickness of casing: .312 Material:
Steel ☒ concrete ☐ wood ☐ other ☐
(explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used: torch
Size of perforations: 3/8 " by 4 "
685 perforations from 30 ft. to 162 ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name ____
Type ____ Model No. ____
Diam. ____ Slot size ____ Set from ____ ft. to ____ ft.
Diam. ____ Slot size ____ Set from ____ ft. to ____ ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No. ☒ size of gravel ____ Gravel placed from ____ ft. to ____ ft. Surface seal provided? Yes ☐ No ☒ To what depth? ____ ft. Material used in seal: ____
Did any strata contain unusable water? Yes ☐
No. ☒ Type of water: ____
Depth of strata ____ ft. Method of sealing strata off: ____
Surface casing used? Yes ☒ No. ☒
Cemented in place? Yes ☐ No ☒

Locate well in section



LOCATION OF WELL: County Custer
~~NW SE~~ NE SW Sec. 32 T. 7 N/S R. 25 E/W

Size of drilled hole: 16" Total depth of well: 167' Standing water level below ground: ____ Temp. ____ Fahr. ____ Test delivery: ____ gpm or ____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: ____
Length of time of test: ____ Hrs. ____ Min.
Drawdown: ____ ft. Artesian pressure: ____ ft. above land surface ____ Give flow ____ cfs or ____ gpm. Shutoff pressure: ____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	5	topsoil	no
5	167	clay sand & gravel	yes

Work started: ____
Work finished: ____
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bill E. Findley
Address: 285 Parsons, Blackfoot
Signed by: Evelyn Findley
License No. ____ Date: 11.14.66

Use other side for additional remarks

28062

June 24, 1964

Re: Permit No. G-28062

Mr. George R. Hone
Leslie, Idaho

Dear Mr. Hone:

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

Also enclosed is departmental receipt No.G-9794 in the amount of $15.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

28062

RECEIVED
JUL 15 1968
Department of Reclamation

Hailey Idaho
July 16, 1968

Director
Department of Reclamation
Boise Idaho

Re: Amendment
Application for Permit
Joint Diversion
Permit No. G-28062
Recorded in book 99 of
Permits, at page 28062
Ralph W. Thomas Deputy
State Reclamation Engineer

Dear Sir,

I have purchased the properety of George Hokes of which this application concerns. I would like information as to how too Complete this application for adment, I have 100 acres of New seeding dying for the Want of Water if possible, I would like to be able to 28062

inches perhaps, in time
as to get along Water,
as to save it.
Would like to hear from
you as soon as possible.

Yours truly

Walter Lowman

Filing Fee $1.00

Application for Amendment

POINT OF DIVERSION

Permit No. G-28062

Comes now George R. Hone and represents to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to A propriate the Public Waters of the State of Idaho, No. G-28062.

That the point of diversion is described in said Permit as being located:

NE¼SE¼, Sec. 32, T. 7 N., R. 25 E.,B.M.

That he now requests that the point of diversion be changed to points located: NE¼SE¼, Sec. 32, T. 7 N., R. 25 E.,B.M. - 2 points

That the reason for desiring to make such change is as follows:

insufficient water from one well.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Leslie, Idaho, this 8th day of September 1961.

George R. Hone

Date of Receipt at Department of Reclamation September 11, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, [redacted], 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-28062. 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 in Book 99 of Permits, at Page 28062
September 12, 1961

28062

September 12, 1961

Re: Permit No. G-28062

George R. Hone
Leslie, Idaho

Dear Mr. Hone:

We enclose the application for Amendment to the point of diversion on your Permit No. G-28062, which has been recorded in this office.

We will place your letter in the permit file showing your request to withdraw your proofs at this time, in order to use this permit for your new well.

We enclose departmental receipt No. G-6526, in the amount of $1.00 covering the fee for recording amendment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application for
amendment

receipt

Leslie, Idaho
Sept. 8, 1961

Department of Reclamation
Boise, Idaho

RECEIVED
SEP 11 1961
Department of Reclamation

Re: Permit No. G-28062

Dear Sir:

Enclosed is $1.00 for filing fee & also application for Amendment. I would like to withdraw my proof, & use this permit for the new well which I am drilling.

Yours truly
George Stone
Leslie
Idaho

28062

August 29, 1961

RE: Permit No. G-28062

George R. Hone
Leslie, Idaho

Dear Mr. Hone:

We have received the engineer's report on your works under Permit No. G-28062. The report shows that your pump delivers 2.94 c.f.s. or 147 miner's inches of water for irrigation of 221 acres in the E½NE¼, Section 5, Township 6 North; E½SE¼, Section 32; W½SW¼, Section 33, Township 7 North, Range 25 East. Water license No. 21201 has been issued for 2.2 c.f.s., evidently from the same well, for irrigation of part of the land.

The Certificate of Completion of Works and Certificate and License of Water Right can be issued for 0.74 c.f.s. or 37 miner's inches with point of diversion in the NE¼SE¼, Section 32 for irrigation of the land described above upon payment of the statutory fees of $17.00. You should apply for another permit if you elect to take these Certificates of Water Right.

The engineer's report shows you have started to drill a second well in the northwest corner of the NE¼SE¼, Section 32. You may withdraw your proofs, complete the second well, then readvertise after using the water from the new well, and make new depositions of use of the water prior to August 5, 1964, in order that both wells can be under this permit. It would be necessary to complete the enclosed amendment to the point of diversion which should be completed and returned to this office with $1.00 recording fee, and letter requesting that you desire to withdraw your proofs. The total amount which can be licensed under this permit is 2.6 c.f.s., which makes a total of one inch per acre of land.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
Enc. amendment form

28062

May 23, 1961

Re: Permit No. G-28062

George R. Home
Leslie, Idaho

Dear Mr. Home:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Challis Messenger, all submitted in proof of completion of works and beneficial use on Permit No. G-28062.

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,

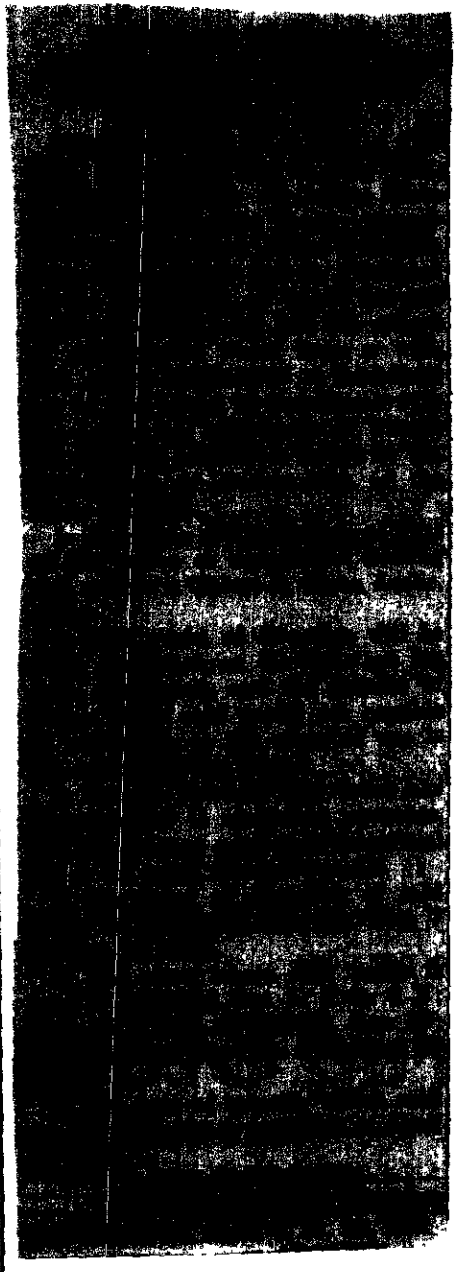
GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28062



RECEIVED
MAY 10 1961

AFFIDAVIT OF PUBLICATION

Department of ~~Reclamation~~ Idaho,
County of Custer, } ss:

Richard Swindell

I, ~~Haley M. Gridley~~, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis Messenger for 4 consecutive weeks, commencing with the issue dated March 30, 1961, and ending with the issue dated April 20, 1961

Richard Swindell

Subscribed and sworn to before me this 21st day of April, 1961

Notary Public, Residing at Challis, Idaho.

My Commission expires 2-1-63

28062

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28062

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

1. Name of applicant George R. Hone

2. Source of water supply: irrigation well

3. Location of point of diversion: Is in the NE¼SE¼ of Section 32

T. 7 N. R. 25 E.B.M. County of Custer

4. Describe works as they exist, giving dimensions and capacities of same: 30 HP US Hollowshaft Motor #2994907; Berkeley Pump #5215997, 60'x8" column well 128'x12", casing the same - perforated.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

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

E½NE¼ Sec. 5., Twp. 6 N., Rge. 25 E.B.M.

W½NW¼, Sec. 33 and E½SE¼ Sec. 32., Twp. 7 N., Rge. 25 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. Hone along

This examination was made on the 24th day of August, 1961

(Signed) Leigh Johnson
Examiner.

28062

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.

2806 2

George R. Hone
Leslie, Idaho

30 HP. US Hillcraft Motor #2994907
Berkeley Pump. #5215997
60' x 8" column
well 128' - 12" - csg 120' VT

Permit No. G-28062

Examination for Completion of Works & Beneficial Use

County Custer

Sec. 32 T. 7 N R. 25 E.B.M. Reinstated.

Quantity: 2.6 c.f.s.

Source: Well

P.D.: NE.SE., Sec. 32, T. 7N. - R. 25 EBM.

Use: Irrigation

Filed: April 15, 1950

Due: Aug. 5, 1964

Extension: ——

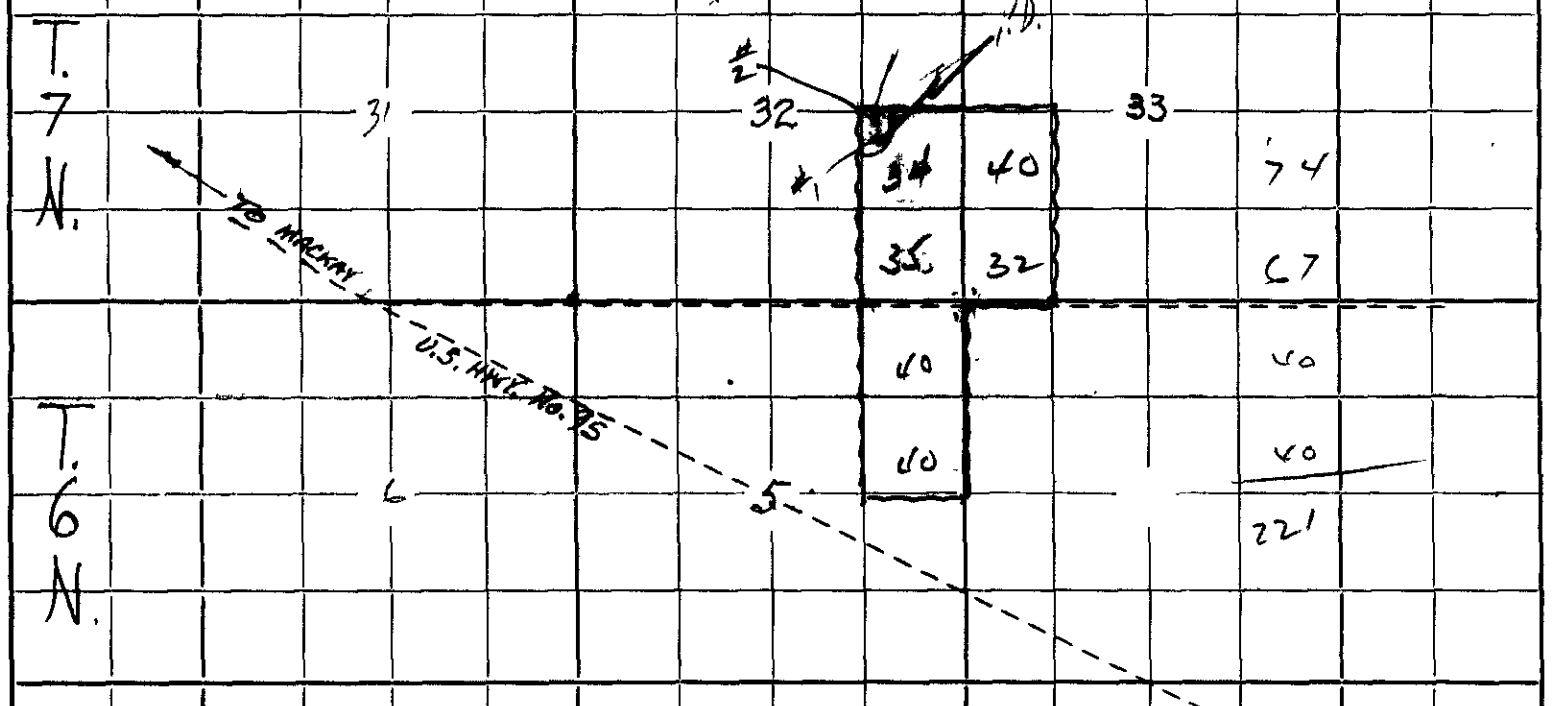
Completion of Works: —

Other Rights: Right
20" 5-6-99; 20" 3-30-04;
License 21201 for 2.2 cfs.

Rev 2 min 45 sec

165 | 500 — 303 × 97 — 2.94 cfs @ 14½ inches

R. 25 E.



Area 221

Subs. ~~6~~ 5

License No. 21201 = 2.2 CFS Q = 2.94 - 2.2 = 0.74 CFS 37 inches

Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

28062

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. G-28062

REPORT ON PROOF OF Completion of Works & Beneficial Use

George R. Hone, Leslie, Idaho

8/24/61

28062

Form 16.

RECEIVED
MAY 10 1961
Department of Reclamation

RECEIVED
MAY 22 1961
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28062

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. George R. Hone Farmer Leslie Idaho

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

Ans.

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

Ans. G 28062 Aug. 5, 1959 April 15, 1959

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

Ans. Well NE¼ SE¼ Sec 32 TWP 7 N Rge 25 EBM

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. Well 128' 170 Minus Inches Private 12 inch Casing Pump setting 65 feet 8" Colum 8" Discharge

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation for Cultivated Ground NE¼ SE¼ Sec 32 Twp 7 N Rge 25 EBM E½ NE¼ Sec 5 Twp 6 N Rge 25 EBM W½ SW¼ Sec 33 E½ SE¼ Sec 32 Twp 7 N Rge 25 EBM

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

Ans. Bill Finaly Blackfoot, Ida

28062

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

Ans. [illegible]

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

Ans. [illegible]

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. [illegible]

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. [illegible]

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. [illegible]

(Sign) George P. Ford

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 Mackay, County of Custer, State of Idaho, on this 22nd day of May, A. D. 1961.

Glenn Murray

My commission expires 12/25/62

28062

Form 17-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No......

Proof of Application of Water to Beneficial Use
and Completion

Deposition of Witness

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

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

Ans. Deane Colburn age 42 Farmer - Macksay Idaho

Ques. 2. Are you acquainted with Yes, the holder of Permit No. 28062 ? How long have you known him and where does he reside?

Ans. 4 years - Macksay Idaho

Ques. 3. Have you read or heard read said Permit No....., 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. Pumps - Ditches

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. 150 inch 3 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. Test pump

28062

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. ~~[illegible]~~ E½ NE¼ Sec. 5 Twp. 6 N. Rge 25 E B.M. W½ SW¼ Sec 33 E½ SE¼ Sec 32 Twp 7 N Rge 25 E B.M. Cultivated.

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

Ans. -0-

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. 3- in per acre -

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. -0-

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. 1960 - Irrigation

(Signed) Dean Coleman

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 Mackay, County of Custer, State of Idaho, on this 2 day of May, A. D. 19 61.

Glen Murray
Notary Public.

My commission expires 12/25/62

28062

Form 17-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No......

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Walter Adams 46 Farmer Mackay Idaho

Ques. 2. Are you acquainted with George Dane, the holder of Permit No. 28062? How long have you known him and where does he reside?

Ans. 10 6 miles E. of Mackay

Ques. 3. Have you read or heard read said Permit No. yes, 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. Privit 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. 150 inch 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. By our Mell

28062

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

Ans. Irrigation E½ NE¼ SEC 5 TWP 6 N: RGE 25 EBM W½ SW¼ SEC 33 E½ SE¼ SEC. 32. TWP 7 N RGE 25-EBM.

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

Ans. no

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. 2 inches

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. Irrigation 1960

(Signed) Lester Ackerman

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 Mackay, County of Custer, State of Idaho, on this 2 day of May, A. D. 19 61.

Glenn Murray
Notary Public.

My commission expires 12/25/61

28062

May 10, 1961

Re: Permit No. G-28062

Mr. George K. Hone
Leslie, Idaho

Dear Mr. Hone:

Returned herewith Completion of Works and Beneficial Use Proofs under water permit No. G-28062 for the following reasons:

Holder did not reply to Questions 7, 8, 9, 10 and 11.

Witnesses did not state place of diversions and omitted answer to Question 6.

Please make corrections and return all papers promptly to this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:ew

Enc. depositions

28062

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

March 27, 1961

Re: Permit No. G-28062

Mr. George R. Hone,
Leslie, Idaho.

Dear Mr. Hone:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28062. The proofs are to be made at 2:00 o'clock P.M., on the 2nd day of May, 1961, 1959, before Ilene Murray, Big Lost River Irrigation District Office, Mackay, Notary Public.

As of this date we have mailed the Notice to the The Challis Messenger 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:

Rule
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:mk
cc: Notary

28062.2

500
8-15-60

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28062
George R. Hone

Date: March 27, 1961

The Challis Messenger
Challis, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to May 2, 1961 the date set for proof; the expense of the publication is to be paid by the applicant

George R. Hone of Leslie, 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

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.

28062

Form 36

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

Notice is hereby given that at 2:00 P.M., on the 2nd day of May 19 61, at Mackay, County of Custer, State of Idaho, before Ilene Murray, Notary Public, at (address) Big Lost River Irrigation Dist. Office, proof will be submitted of the completion of works for the diversion of 2.6 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-28062, 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 George R. Hone, Leslie, 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 2.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.6 cubic feet per second.

4. The point of diversion of said water is NE¼SE¼ Sec. 32, Twp. 7 N, Rge. 25 EBM

5. The place where said water is used is E½NE¼ Sec. 5, Twp. 6 N, Rge. 25 E.B.M. W½SW¼ Sec. 33, E½SE¼ Sec. 32, Twp. 7 N, Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is April 15, 1959.

GEO. N. CARTER
State Reclamation Engineer

28062

Form No. 11
2M - 10/60

RECEIVED
MAR 27 1961
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 27, 1961

(P. O.) Leslie, 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 The Challis Messenger of Challis, Idaho published in the county in which the works are situated.

Yours truly,
George R. Stone

(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.

28062

August 28, 1959

Re: Permit No. G-28062

Mr. George R. Hone
Leslie, Idaho

Dear Mr. Hone:

We enclose your Permit No. G-28062 to you with the date of priority changed to April 15, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. Permit

28062

August 24, 1959

RE: Permit No. G-28062

Mr. George R. Hone
Leslie, Idaho

Dear Mr. Hone:

Kindly return your permit No. G-28062 and the date of priority shown will be changed to April 15, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:mr

28062 2 RT

RECEIVED
AUG 20 1959
Department of Reclamation

Twin Falls
August 19, 1959

Department of Reclamation
Boise, Idaho

Re:
Serial 28062

Today I received plat of T. 6 S., R. 28 E. B.M. with the statement that many plats are at present under way, that August 5, 1959 would be the priority date, should this be April 15, 1959, as that is when I filed and sent the fee to you and that is the date on the receipt

You also stated that April 15, 1959, you stated that the application included more than 120 acres, and I thought that is what I would get with the April 15, 1959 priority. This makes four of the wells ahead of this one by but must be changed to April 15th as the wells have been drilled since June.

Thanks for your cooperation

Please let me know what the deal is

Sincerely

George R. Rose
Twin Falls
Idaho

28062

August 10, 1959

Re: Permit G-28062

Mr. George R. Hone,
Leslie, Idaho

Dear Mr. Hone:

We enclose Permit No. G-28062 in which we direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

Departmental Receipt No. G-3976 which was issued covering payment in the amount of $5.50 for the filing fee of the above mentioned permit was mailed to you with our letter of April 15, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR/pak

28062

NAME OF APPLICANT George R Hoard Leslie, Idaho Form No. 0

North

Well

T7N R25E S32 | T7N R25E S33

T6N R25E S32 | T6N R25E S33

T6N R25E S5

West

East

R 25 E

Well- Point of Diversion

32

33

T 7 N

T 6 N

5

Permit Map No. 28062
As Approved
AUG 5 1959
GEO. N. CARTER
State Reclamation Engineer

South

Scale: 2 inches equal 1 Mile. Draw Plan in ink.

28062

July 28, 1959

Re: Application G-35828

Mr. George R. Horne
Leslie, Idaho

Dear Mr. Horne:

Your application for permit to appropriate subterranean water was returned to you April 15, 1959 to reduce the amount of water claimed to 130 miner's inches or 2.6 cubic feet per second.

Your application must be returned promptly if you want it approved for the 130 miner's inches of water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew

28062

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

GEO. N CARTER, STATE RECLAMATION ENGINEER

BOISE

ROBERT E. SMYLIE
Governor

July 28, 1959

Re: Application G-35828

Mr. George R. Hone
Leslie, Idaho

Dear Mr. Hone:

Your application for permit to appropriate subterranean water was returned to you April 15, 1959 to reduce the amount of water claimed to 130 miner's inches or 2.6 cubic feet per second.

Your application must be returned promtply if you want it approved for the 130 miner's inches of water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: Edna P. Rutledge
(Mrs.) Edna P. Rutledge
Chief Clerk

RWT:EPR:ew

I am sorry this wasn't returned. I didn't know I was to send it back. I do want it approved for the 130 inches. Would you please send me another application for permit I may want to file for 2 acres on different landsalso. Thank you.

Sincerely George Hone

80602

April 15, 1959

Re: Application For Permit
No. G-35828

Mr. George R. Hone
Leslie, Idaho

Dear Mr. Hone:

Enclosed is your Application for Permit to appropriate underground water with attached receipt No. G-3976 for $5.50 and $0.50 in coin for the $6.00 check included with your application.

Water license No. 21201 has been issued to Mr. J. C. Moore for 2.2 cubic feet per second or 110 miner's inches of water from a well for irrigation of 110 acres of the 240 acres in your farm. The statutory limit for water from the same source is one miner's inch per acre, therefore your application for permit cannot be for over 130 miner's inches.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC/RT;lw
Enclosures:
Application For Permit
Coin Attached
Departmental Receipt

28062

Kesler, Ida
Jan 25, 1959

RECEIVED
MAR 27 1959
Department of Reclamation

State Reclamation Dept
Boise, Idaho

Dear Sir:

Please send me an application to file out for the drilling a well to irrigate with. Please let me know what the laws are pertaining to the distance it has to be from a ditch, also any other information which I should have.

Thanks for your cooperation.

Sincerely
George R Hone
Kesler Idaho

Box 63

28062

March 23, 1959

Re: Application forms

Mr. George R. Hone
Box 63
Leslie, Idaho

Dear Mr. Hone:

Enclosed are Form 3 for application for permit and instructions.

The laws are not specific in regard to the location of a well, except the general rule that no one should do any act which would cause injury to another person.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc.

28067 R

S. K. Horn G-28062 - 07/24/61

#1 F.D. first issued in 1949 under J.C. Moore name and is licensed under 2/201. for 2.20 cfs. - 65' depth

G-28062 is same well as 2/201 but owner thought he had to file on same well to deepen & develope the full amount of water first filed on.

Mr. Horn is drilling another well 240 feet north and a little west. Rig was moved in Sunday 8-20-61 only down about 20 feet. (Bill Finley Blackfoot driller)

Hasn't had any of the 5-6-99 water the past 3 years.

Has had 3 days use of 3-3-94 water this year 1960 - 10 days use - 1959 - 14 days use

Has 7200" storage on a full dam. Dam was 48% and they have to take a 30% ditch loss on top of that.

Ft. Lemore, Washington

212 1 — J. C. Moon —
2.2 cfs
Aug 23, 1949
P.D. NESE 32-7N-25E

tow. $E^{2}SE^{4}$ 32 — 40 Ac
$W^{2}SW^{4}$ 33 — 40 Ac
$NE^{\frac{1}{4}}NE$ 5 — 40
SENE 5 — 0
120 Ac.

28062

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

Notice is hereby given that at 2.00 P M., on the 2nd day of May 1961, at Mackay, County of Custer, State of Idaho, before Ilene Murrey, Notary Public, at Big Lost River Irrigation Dist. Office, proof will be submitted of the completion of works for the diversion of 2 6 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-28062, 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 George R. Hone, Leslie, 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 2.6 cubic feet per second

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2 6 cubic feet per second.

4. The point of diversion of said water is NE¼SE¼ Sec 32, Twp. 7 N; Rge. 25 EBM.

5. The place where said water is used is E½NE¼ Sec 5; Twp. 6 N; Rge. 25 E B.M. W½SW¼ Sec 33; E½SE¼ Sec. 32; Twp 7 N, Rge. 25 E B.M

6. The date of priority which said user is prepared to establish is April 5, 1959.

GEO. N. CARTER
State Reclamation Engineer

Pub. March 30, April 6, 13, 20, 1961

STATE LAND SALE