

RECEIVED
MAY 25 1964

Department of Reclamation

AFFIDAVIT OF PUBLICATION

Legal News

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 22nd day of May 1964, at Cambridge, County of Washington, State of Idaho, before Arthur Wilson, Notary Public, at Wilson's Office in Cambridge, Idaho, proof will be submitted of the completion of works for the diversion of .1 cubic foot 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 27708, 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 Rose Toney, Administratrix of Fred Toney Estate, Cambridge, 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 .1 cubic foot per second.
3. The use to which said water has been applied is domestic use and irrigation purposes, and the amount applied to beneficial use is .1 cubic foot per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.
5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.
6. The date of priority which said user is prepared to establish is January 8, 1959.

CARL E. TAPPAN 42-4
State Reclamation Engineer

Sate of Idaho
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of April 23, 1964, and ended with the issue of May 14, 1964.

Stuart Dopf

Subscribed and sworn to before me this

22 day of May, 1964

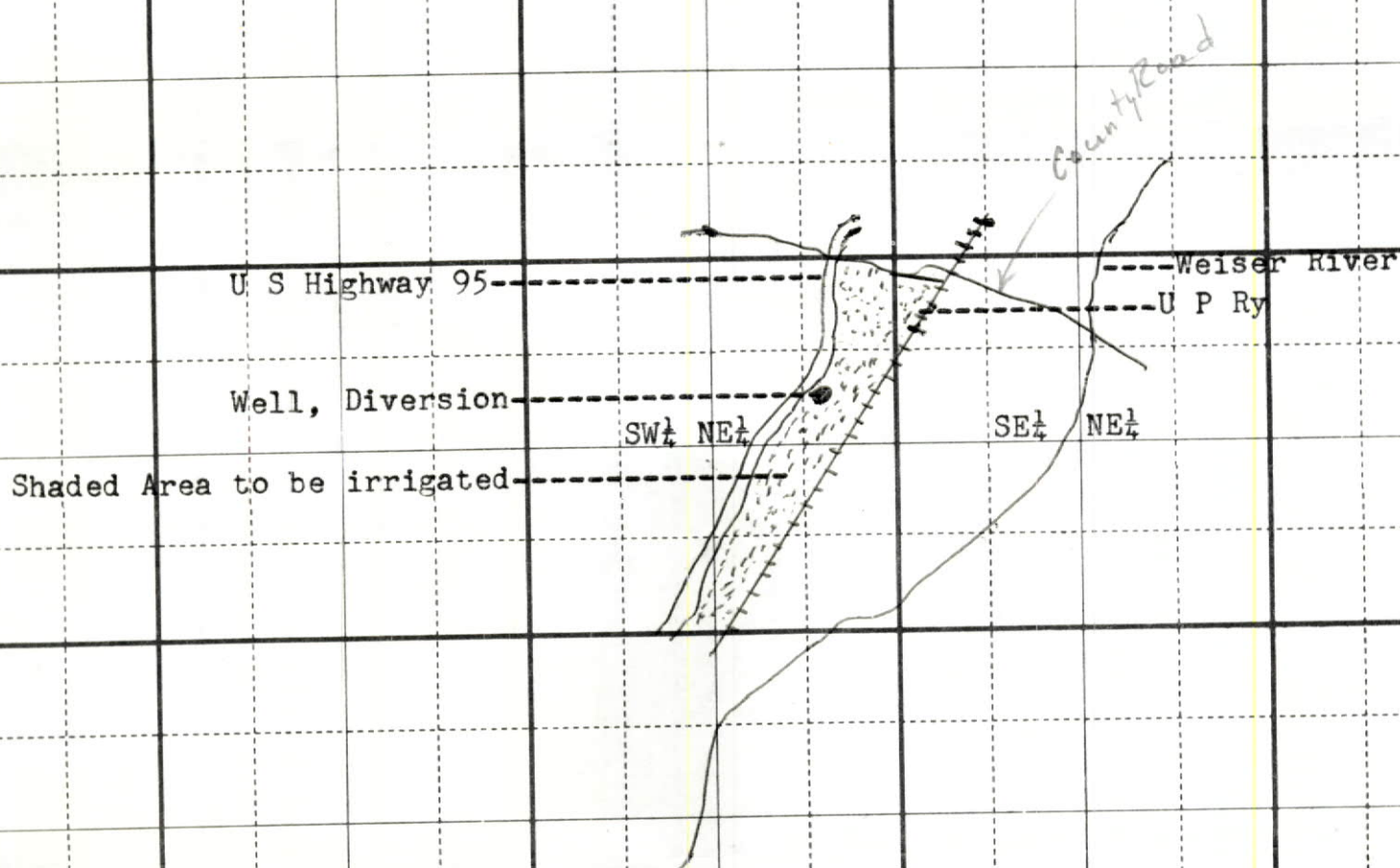
Arthur Wilson

Notary Public for Idaho, residing at
Cambridge, Idaho

NAME OF APPLICANT FRED TOY, Cambridge, Idaho

Form No. 0

SECTION 10, TWP 14 N. R. 3 W. B. N



Permit Map No. *G-27708*
As Approved JAN 9 1950
GEO. N. CARTER
State Reclamation Engineer

SCALE: 2 Inches Equal 1/4 Mile. Draw Plan In Ink.
1/4th

Legal News

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

Notice is hereby given that at 10:00 P. M., on the 22nd day of May 1964, at Cambridge, County of Washington, State of Idaho, before Arthur Wilson, Notary Public, at Wilson's Office in Cambridge, Idaho, proof will be submitted of the completion of works for the diversion of .1 cubic foot 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 27708, 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 Rose Toney, Administratrix of Fred Toney Estate, Cambridge, 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 .1 cubic foot per second.

3. The use to which said water has been applied is domestic use and irrigation purposes, and the amount applied to beneficial use is .1 cubic foot per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.

5. The place where said water is used is S $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.

6. The date of priority which said user is prepared to establish is January 8, 1959.

CARL E. TAPPAN 42-
State Reclamation Engineer

27708
IN THE PROBATE COURT OF

4826
ij

State of Idaho License and Certificate of Water Right

Water License No. G-27708

Amount 0.1 c.f.s.

Water District No. _____

Priority January 8, 1959

THIS IS TO CERTIFY that **FRED TONEY - MRS. ROSE TONEY, Admx.**
of **Cambridge, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **January 8**, 19 **59**; that Permit No. **G-27708**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second feet, was issued thereunder on **September 16**, 19 **65**, showing that said works
were completed on the **22nd** day of **May**, 19 **64**; and that on the **22nd**
day of **May**, 19 **64**, **Fred Toney - Mrs. Rose Toney, Admx.**

of **Cambridge**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
a well, a tributary of subterranean flow, for the purpose of domestic and irrigation
, under Use Permit No. **G-27708** 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
13 of Licenses at page **8263**, on the **16th** day of **September**, 19 **65**;
The right hereby confirmed dates from **January 8**, 19 **59**;

The Point of Diversion is located
in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. **10**, Tp. **14 N.**, R. **3 W.**, B. M. **Washington 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 **0.1** 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 N	3 W	10	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	6
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	1
			Total acres to be irrigated		7

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
16th day of **September**, 19 **65**.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

67 2272

State of Idaho License and Certificate of Water Right

Water License No. G-26967

Amount 3.22 c.f.s.

Water District No.

Priority June 24, 1957

THIS IS TO CERTIFY that KIMBER C. BARLOW - Assignee - GOLDEN VALLEY MUTUAL WATER COMPANY of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 24, 19 57; that Permit No. G-26967 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.22 second feet, was issued thereunder on September 17, 19 65, showing that said works were completed on the 31st day of August, 19 62; and that on the 31st day of August, 19 62,

GOLDEN VALLEY MUTUAL WATER COMPANY

of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two wells, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-26967 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 13 of Licenses at page 8264, on the 17 day of September, 19 65; The right hereby confirmed dates from June 24, 19 57;

The Point of Diversion is located (two wells) in the SW 1/4 SW 1/4, Sec. 12, Tp. 12 S R. 20 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 3.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S	20 E	12	NE 1/4 NW 1/4	40	34
			NW 1/4 NW 1/4	40	39
			S 1/2 NW 1/4	80	80
			SW 1/4	160	160
Total number of acres to be irrigated:					313

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 17th day of September, 19 65.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

67-2272

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35644
Permit No. G- 27708
District No.

Fred Toney
Cambridge, Idaho

1. Name of Applicant: FRED TONEY
Postoffice address: Cambridge County: Washington State: Idaho
2. Quantity of water claimed: 1/10th (0.1)
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches 5 or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: 6" drilled well, 85' deep
4. Location of point of diversion or well is in the SW 1/4 of the NE 1/4 of Section 10
 Twp. 14 N , Rge. 3 W. , B.M., County of Washington
5. Water is to be used for: Domestic purposes and irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, 6" dia., 85' deep, with power pump
8. Estimated cost of works: \$ 600.00
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: No presently existing rights for irrigation of lands concerned
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 0.1 (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	3 W	10			6	1												7	
The following lands in Washington County, State of Idaho, to-wit: All of that part of the tract of land now described: Beginning at a point 46 feet south of the north west corner of the Southeast Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 3 West of the Boise Meridian and running thence along the County Road in a Southeasterly direction 266 feet to intersect the right of way of the Pacific and Idaho Northern Railway; thence in a Southwesterly direction on a line identical with the westerly line of said right of way a distance of 255 feet and intersecting with the west line of the Southeast Quarter of the Northeast Quarter of said Section 10; thence North along said West line of the Southeast Quarter of the Northeast Quarter a distance of 383 feet to said point and place of beginning; Also a tract of land described as follows: to wit: beginning at the Northwest Corner of the Southeast Quarter of the Northeast Quarter of said Section 10 as aforesaid and running thence Southeasterly along the west line of said Southeast Quarter of the Northeast Quarter aforesaid to a point intersecting the said Westerly line of the said right-of-way of said Pacific and Idaho Northern Railway; thence Southwesterly on a line identical with the Westerly line of said right-of-way to the South line of the Southwest Quarter of the Northeast Quarter of said Section 10; thence West 115 feet, more or less, to the center line of the Public Highway, which center line is 495 feet east from the Southwest corner of the said Southwest Quarter of the Northeast Quarter of Section 10 aforesaid and running thence Northeasterly along a line identical with the center line of the public Highway to a point intersecting the North line of said Southwest Quarter of the Northeast Quarter; thence East along the North line of said Southwest Quarter of the Northeast Quarter to the said corner and place of beginning, all of said land being a part of the said Southwest Quarter, subject to the right of way of U. S. Highway 95; all of the before described land is situate south of Spring Creek, west of the right-of-way of the Union Pacific Railroad and east of the right-of-way of U. S. Highway 95, and containing approximately six (6) acres.																			

Permit No. G-27708

CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that Fred Toney - Mrs. Rose Toney, Admx. of Cambridge, County of Washington, and State of Idaho, the holder of Permit No. G-27708, issued upon Application No. G-35644 bearing date of priority of January 8, 1959, authorizing the diversion of 0.1 second feet of waters of a well County of Washington, State of Idaho, for domestic and 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 0.1 second feet of the waters of a well from subterranean flow that the point of diversion of said waters SW¹/₄NE¹/₄, Section 10, T. 14 N., R. 3 W.B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to wit:

SW¹/₄NE¹/₄, Section 10, T. 14 N., R. 3 W.B.M.

Witness my hand this 16th day of September, A.D., 1965.

S/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works, May 22, 1964.

LICENSE ISSUED FOR 0.1 SEC. FT.
LICENSE PAGE NO. 8263.

WATER RIGHT NUMBER 67-2272

OWNER LAST NAME - TONEY FIRST NAME - FRED ORIG OWNER -
ADDRESS LINE 1 - C/O MRS. ROSE TONEY, ADMX ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - CAMBRIDGE STATE - ID ZIP CODE -
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - LICENSE STATUS - PRIORITY - 01-08-1959 COUNTY - WASHINGTON TOTAL DIV. RATE - .1000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWNE 10 14N 03W LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - TO - USE - IRRIGATION USE DIV. RATE - .1000 CFS USE DIV. VOLUME - .00 AFA
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 14N RNG 03W SEC 10 TRACT SWNE LOT AC 06 TRACT SENE LOT AC 01
DECREE NAME - DATE - TOTAL ACRES 7
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 27708
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

IDENT. NO. 67-2272

WATER RIGHT
DATA ENTRY LOG

[illegible]

September 16, 1965

RE: Permit No. 27708
Fred Toney

Mrs. Rose Toney, Administratrix
Fred Toney Estate
Cambridge, Idaho

Dear Mrs. Toney:

Enclosed are Licenses and Certificates of Water Right
issued on the above numbered permit.

Also enclosed is departmental receipt No. G-9816, in
the amount of \$9.00 covering the fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

(Mrs.) Edna P. Rule
Chief Clerk

EPRtejw

Encl: licenses
receipt

27708

500 - July 8, 1964

September 8, 1965

RE: Permit No. G-27708

Mrs. Rose Toney, Administratrix
Fred Toney Estate
Cambridge, Idaho

Dear Mrs. Toney:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-27708 shows the well is (are) capable of conveying 5 miner's inches, or 0.1 c.f.s. of water for the irrigation of 7 acres.

Upon receipt of the statutory fees, totaling \$ 9.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of January 8, 1959 , to the use of 0.1 second feet of subterranean water with the point of diversion in the SW 1/4, Sec. 10 for domestic use and irrigation of 7 acres in the SW 1/4, Sec. 10, T. 14 N., R. 3 W., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

27708

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

Other Name:

Completion of Work:

Project:

Extension:

Date:

Time:

Cost:

Benefit:

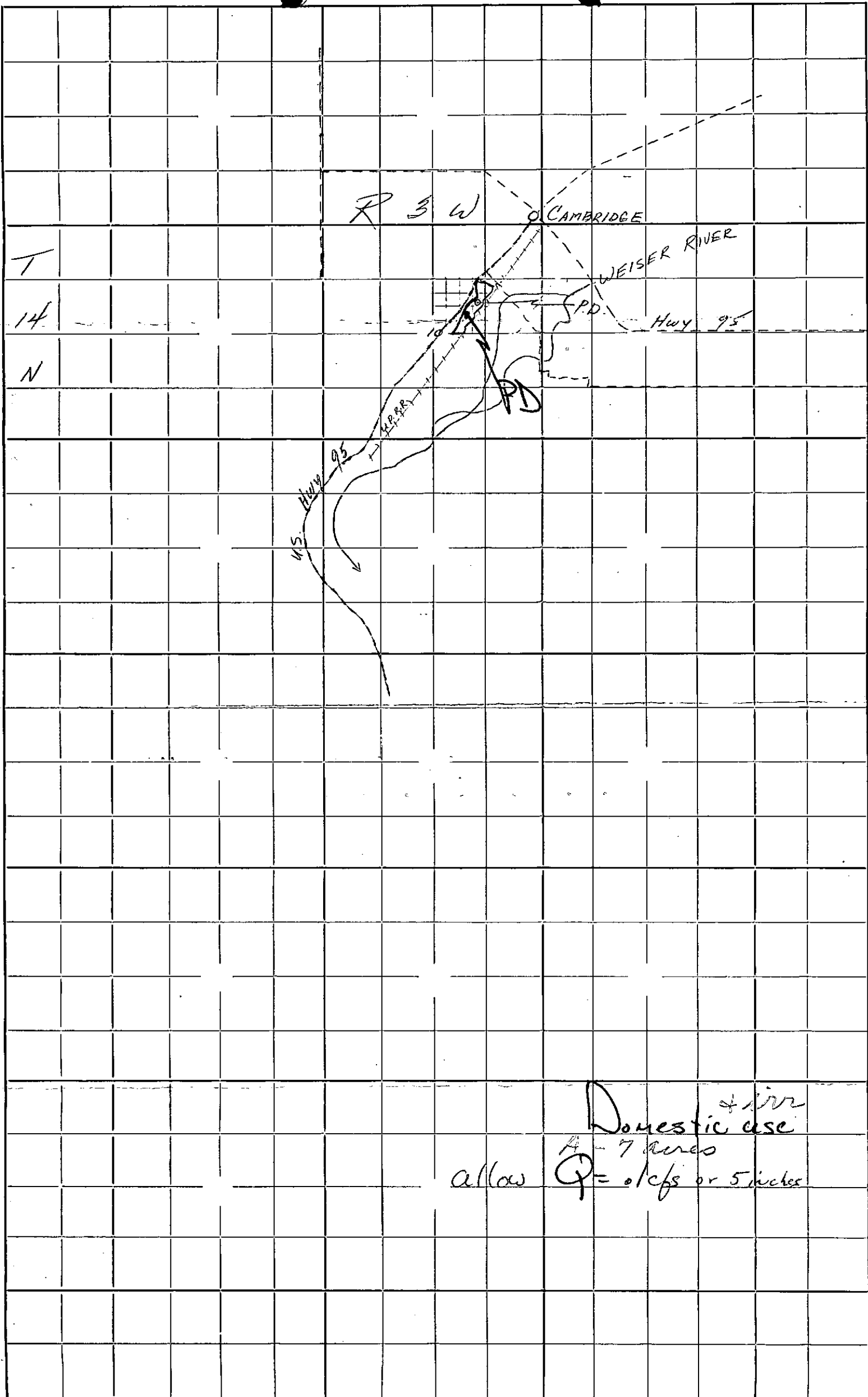
Remarks:

Signature:

PERMIT NO. G-27708

REPORT ON PROOF OF Completion of Works & Beneficial Use

Fred Toney, Estate, Mrs. Rose Toney, Admx.,
Cambridge, Idaho



Domestic use
 4 - 7 acres
 allow $Q = 0.1 \text{ cfs}$ or 5 inches

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

Permit No. G-27708

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

1. Name of applicant Rose Toney Admx., Fred Toney Estate2. Source of water supply: ~~Domestic~~ Subterranean3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10T. 14N R. 3 W.B.M. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same: flowing well - flows directly into a water tank for domestic use tank 18" X 45' piped by 1 1/2" pipe into house over flow from tank underground. By pipe 6' to open dirt ditch 8" deep 8" wide about 12' long water mark. & over flow at time of inspection indicate water flow about 1" deep. 6" well casing 85' Deep Flowing.

5. Water is used for: Domestic and irrigation lawn6. 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):

7 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 10., Twp. 14 N., Rge. 3 W.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? Weiser RiverRemarks: Mrs. Rose Toney contacted.

7 acres of land, large lawn, & Domestic use. Aerial photo at Washington county court house of Weiser wa. Sprinkler pipe in case only ditcher 8-27-65

This examination was made on the

27 day of Aug. 1965
(Signed) Donald W. McElroy
Examiner.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 31 1965

Department of Reclamation

S-69
8540
Mrs. Rose Toney, Admx.,
Fred Toney, Estate
Cambridge, Idaho
Permit No. G-27708

Examination for Completion of Works & Beneficial Use

County Washington

Sec. 10 T14N R3 WBM

Quantity: 0.1 Cfs

Source: Well (Flowmeter 77)

P. D.: SWNE, 10-14N-3W

Use: Domestic + Irrigation

Filed: 1-8-59

Due: 1-9-64

Extension:

Protest:

Completion of Works:

Other Rights: None

Inspector

1M April 1962

May 27, 1964

Re: Permit No. ~~G~~-27708

Mrs. Rose Toney, Administrator
Fred Toney Estate
Cambridge, Idaho

Dear Mrs. Toney:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the NEWS-REPORTER, all submitted in proof of completion of works and beneficial use on Permit No. ~~G~~-27708.

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:

Returned stamp to sender

27708

AFFIDAVIT OF PUBLICATION

Legal News

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 22nd day of May 1964, at Cambridge, County of Washington, State of Idaho, before Arthur Wilson, Notary Public, at Wilson's Office in Cambridge, Idaho, proof will be submitted of the completion of works for the diversion of 1 cubic foot 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 27708, 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 Rose Toney, Administratrix of Fred Toney Estate, Cambridge, 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 1 cubic foot per second.
3. The use to which said water has been applied is domestic use and irrigation purposes, and the amount applied to beneficial use is 1 cubic foot per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.
5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.
6. The date of priority which said user is prepared to establish is January 8, 1959.

CARL E. TAPPAN 42-4
State Reclamation Engineer

Sate of Idaho
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of April 23, 1964... and ended with the issue of May 14, 1964.

Stuart Dopf

Subscribed and sworn to before me this
22 day of May, 1964

Arthur Wilson
Notary Public for Idaho, residing at
Cambridge, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 27708

RECEIVED
MAY 25 1964
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Completion of Work

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: MRS. ROSE TONEY,
to all of decedent's estate
Administratrix Estate of Fred Toney, Dec., Cambridge, Idaho and successor

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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G 27708: Jan. 9, 1959: Jan. 9, 1959

Ques. 4. State source of water supply: Well in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R.
Give location of point of diversion, showing subdivision, section, township and range:
3 W., B. M. in Washington County, Idaho

Ques. 5. Describe your works of diversion: 6" drilled well, 85 feet deep equipped
with electric pump; state amount of water they are capable of con-
veying from point of diversion to place of use 50.05 Gals * per minute; Give name of canal or ditch
or other works by which water is conducted to such place of use: No Canals required
well is immediately adjacent to irrigated landz or place of use
if a well, state depth of well 85; depth and size of cas-
ing: Six (6) Inches; depth to water at surface; if pump is used,
state discharge of pump: 50.05 Gals * per minute; tell how it was measured or determined: by pumping
into containers and time and measuring discharge
if sprinkler irrigation, give number and size of nozzles and
operating pressure: and also irrigate some land by open ditches from well to
carry free flow when pump is not operation (well has free flow).
Ques. 6. State for what purpose water is used: Domestic and Irrigation
If for irrigation, name each subdivision in which used and number of acres in each
subdivision that have actually been irrigated with said water: in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10,
6 acres and in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, 1 acre T. 14 N, R. 3 W.

State nature of all improvements which have been made as a direct result of said use:
Have established home, lawn and garden, and applied water to about 7
acres of hay or pasture land as above described

27708

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:
Household and domestic ourposes and stock water and irrigation

Ques. 8. What is the minimum amount of water required for the purpose specified above:
5 Miners Inches or One-Tenth (0.1) Second Foot

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: I am widow of applicant and have succeeded to his entire estate;

I am administratrix of estate of deceased applicant

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: Summer and Fall 1958 Time used since first use:

Water has been used every year since, continuously for hosehold and domestic uzed and during each irrigation season

Ques. 11. Describe all other water rights appurtenant to same place of use:

No other water decree to or appurtenant to this land

The well before decsibed has a free flow, (when not being pumped) of
21.5 gallons per minute and when pumped into open ditch, wicl pump 130 gals
per minute

(sign) Rose Toney

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

Cambridge, County of Washington

State of Idaho, on this 22nd day of May, A.D. 1964.

Arthur Wilson
Notary Public for Idaho residing
at Cambridge, Idaho

My Commission expires: April 1 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G 27708

RECEIVED
MAY 25 1964
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Will L. Howland; age 69, residence Cambridge, Idaho; retired,

P O Address, Cambridge, Idaho

Ques. 2. Are you acquainted with Mrs. Fred Toney (Rose Toney), the holder of
Permit No. G 27708 ? How long have you known him and where does he reside:

Yes--I have known her (and her deceased husband, Fred Toney) many years;

Ques. 3. Have you read or heard said Permit No. G 27708 read, and are you familiar
with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: Drilled well in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, Twp 14
N R 3 W B M in Washington County, Idaho

State place of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N R 3 W B M

Describe works for conveying water to place of use: in part by open ditch and
in part by sprinkler pipe lines

Ques. 5. How many second feet of water do you estimate said works will safely conduct
130 gals per minute in ditch and 50 Gals per minute under 35 Lbs pressure in
to place of use: sprinkler lines How much water have you seen being so
conveyed: as above

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

6 acres in S $\frac{1}{4}$ NE $\frac{1}{4}$ and 1 Acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp 14 N R 3 W B M

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (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:

Good, level, fertile farm land; and the usual requirement for irrigation in this area is 5/8ths Inch per acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No

Ques. 10. When did you first see this water used: Past 5 years as to natural flow of 20 gals per minute, and in May 1964 under sprinkler heads
Other times you have seen such use: During past 5 or 6 years I have noted use for domestic purposes and stock water and yard and harden around house
this is the first year I have seen sprinkler pipe irrigation on fields

(Signed)

Will L. Howland

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 Cambridge

 , County of Washington, State of Idaho, on this 22 day of May,

A. D., ~~1962~~. 1964

Arthur Wilson

Notary Public for State of Idaho

Residing: at Cambridge, Idaho

My commission expires: April 1 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G 27708

RECEIVED
MAY 25 1964
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Delbert Buell, age 35, Cambridge, Idaho pump man and irrigation engineer
for Consumer's CoOp; address, Cambridge, Idaho

Ques. 2. Are you acquainted with Mrs. Rose Toney, the holder of
Permit No. G 27708 ? How long have you known him and where does he reside:

I have known her for about 15 months; she resides at Cambridge, Idaho

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

Ques. 4. State source of water supply: Drilled well and pump

State place of diversion: SW ~~1/4~~ Sec. 10, Twp. 14 N R 3 W B M in Washington
County, Idaho

Describe works for conveying water to place of use: Open ditch from well and sprinkler
pipe out to adjacent field

Ques. 5. How many second feet of water do you estimate said works will safely conduct
35 Lbs pressure
to place of use: 50 Gals per Min under How much water have you seen being so
conveyed: I have seen that quantity; if pumping into open ditch, well
can discharge up to 130 Gals. Per Minute

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

6 Acres in SW ^{NE 1/4} ~~1/4~~ and 1 acre in SE ~~1/4~~ ^{NE 1/4}, Sec. 10, Twp 14 N. R 3 W B M
in Washington County, Idaho

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

For Household purposes, stock water and lawn and garden

Ques. 8. (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:

Good, fertile land, quite level and requires up to 5/8th inch per acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No

Ques. 10. When did you first see this water used: In May of 1964

Other times you have seen such use: _____

(Signed)

Albert Bull

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 Cambridge

_____, County of Washington, State of Idaho, on this 22nd day of May,

A. D., ~~1962~~ 1964

Arthur Wilson

Notary Public for State of Idaho

Residing: Cambridge, Idaho

My commission expires: April 1 1967

1 MAY 25 1964

2 IN THE PROBATE COURT OF WASHINGTON COUNTY, IDAHO

Department of Reclamation

3 In the Matter of the Estate of)

LETTERS OF ADMINISTRATION

4 FRED W. TONEY,)

AND OATH

5 Deceased.)

6 STATE OF IDAHO)

) ss.

7 County of Washington)

8 ROSE TONEY is hereby appointed Administratrix of the estate of Fred W.
9 Toney, deceased.

10 WITNESS: DON HENDERSON, Clerk of the Probate Court of Washington County,
11 Idaho, with the Seal thereof affixed, the 30th day of August, 1963.

12 By Order of the Court.

13
14 (SEAL)

DON HENDERSON

Clerk

15
16 STATE OF IDAHO

) ss.

17 County of Washington

18
19 I, ROSE TONEY, do solemnly swear that I will perform, according to law,
20 the duties of Administratrix of the estate of Fred W. Toney, deceased.

21
22 ROSE TONEY

23
24
25 Subscribed and sworn to before me this 30th day of August, 1963.

26
27
28 (SEAL)

DON HENDERSON

Probate Judge

1
2 STATE OF IDAHO
3).SS.
4 County of Washington

5 I, DON HENDERSON, Judge and Ex-Officio Clerk of the Probate Court of
6 Washington County, Idaho, do hereby CERTIFY that the foregoing instrument is a
7 full, true and exact copy of "LETTERS OF ADMINISTRATION AND OATH" duly made and
8 entered in the Probate Court of Washington County, Idaho, in the matter of the
9 estate of Fred W. Toney, deceased, Probate No. 3159, on the 30th day of
10 August, 1963, and now of record in said Court and in my possession as such Judge
11 and Clerk thereof.

12 WITNESS My hand and the seal of said Probate Court this 30th day of
13 August, 1963.

14
15
16 Don Henderson

17 Clerk
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1
2 STATE OF IDAHO
3)SS.
4 County of Washington

5 I, DON HENDERSON, Judge and Ex-Officio Clerk of the Probate Court of
6 Washington County, Idaho, do hereby CERTIFY that the foregoing instrument is a
7 full, true and exact copy of "LETTERS OF ADMINISTRATION AND OATH" duly made and
8 entered in the Probate Court of Washington County, Idaho, in the matter of the
9 estate of Fred W. Toney, deceased, Probate No. 3159, on the 30th day of
10 August, 1963, and now of record in said Court and in my possession as such Judge
11 and Clerk thereof.

12 WITNESS My hand and the seal of said Probate Court this 30th day of
13 August, 1963.

14
15
16 Don Henderson

17 Clerk
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO
16 April 1964

RECEIVED
APR 17 1964

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise

Re Final Proof, Permit G-27708
Fred Toney (now deceased)

Dear Mr. Tappan:

We are enclosing with this letter the following:

Authority to publish notice of proof of Completion
of work:

Notice of Proof of Completion of work (in duplicate)

Certified copy of Letters of Administration, estate of
Fred (W) Toney, deceased:

The newspaper in which the Notice is to be published is
the "News Reporter" published at Cambridge, in Washington
County, Idaho. The publication days of that newspaper
are Thursdays so the first publication can be made on
23rd and the other dates may be April 30 and May 7 and 14.

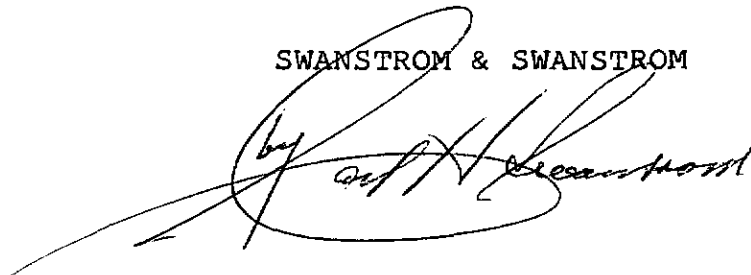
If the notice to the newspaper is mailed from your office
on Friday of this week (April 17th) or if it is put in
outgoing mail by not later than Monday afternoon (April
20th) it will make next week's paper. However, to provide
against possible delay in publication, I have suggested
the hearing be set for May 22nd and that will allow for
publications starting April 30th., if necessary.

Trusting you will find the enclosures in good order,
we are,

Very truly yours,

SWANSTROM & SWANSTROM

Encl-4



27708

April 17, 1964

Re: Permit No. G-27708

Mrs. Rose Toney, Admx.,
Fred Toney Estate,
Cambridge, Idaho.

Dear Mrs. Toney:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-27708. The proofs are to be made at 2:00 o'clock P.M., on the 22nd day of May, 1964, before Arthur Wilson, Wilson's Office, Cambridge, Idaho, Notary Public.

As of this date, we have mailed the Notice to the News-Reporter Cambridge, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

27708

Re: Permit No. G-27708
Rose Toney, Admx.,
Fred Toney Estate

Date: April 17, 1964

News-Reporter
Cambridge, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to May 22, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant Rose Toney, Administratrix, Fred Toney Estate
of Cambridge, 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,

Carl E. Tappan

CARL E. TAPPAN
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

RECEIVED
APR 17 1964
10/1/63

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

Department of Reclamation

Notice is hereby given that at 2:00 P M., on the 22nd day of May
1964, at Cambridge, County of Washington, State of Idaho,
before Arthur Wilson, Notary Public, at (address) Wilson's Office,
in Cambridge, Idaho, proof will be submitted of the completion of works for
the diversion of .1 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 27708, 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
ROSE TONEY, ADMINISTRATRIX OF FRED TONEY, ESTATE
is Fred Toney, (Rose Toney, successor in interest) Cambridge, Idaho

2. Said works of diversion will be fully completed on the date set for such comple-
tion, and the amount of water which said works are capable of conveying to the place of
use is .1 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3
W. B. M.

5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3
W. B. M.

6. The date of priority which said user is prepared to establish is January 8,
1959.

CARL E. TAPPAN

State Reclamation Engineer

27708

RECEIVED

APR 17 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 9, 1964

(P. O.) Cambridge, 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 News-Reporter of Cambridge (in Washington County) published in the county in which the works are situated.

✓ Rose Toney
Individually and as Administratrix of
the estate of Fred Toney, Deceased

(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

APR 17 1964

Department of Reclamation

IN THE PROBATE COURT OF WASHINGTON COUNTY, IDAHO

In the Matter of the Estate of)

FRED W. TONEY,)

Deceased.)

LETTERS OF ADMINISTRATION

AND OATH

STATE OF IDAHO)

) ss.

County of Washington)

ROSE TONEY is hereby appointed Administratrix of the estate of Fred W. Toney, deceased.

WITNESS: DON HENDERSON, Clerk of the Probate Court of Washington County, Idaho, with the Seal thereof affixed, the 30th day of August, 1963.

By Order of the Court.

(SEAL)

DON HENDERSON

Clerk

STATE OF IDAHO

) ss.

County of Washington

I, ROSE TONEY, do solemnly swear that I will perform, according to law, the duties of Administratrix of the estate of Fred W. Toney, deceased.

ROSE TONEY

Subscribed and sworn to before me this 30th day of August, 1963.

(SEAL)

DON HENDERSON

Probate Judge

March 17, 1964

Re: Permit No. G-27708
Fred Toney Estate

Swanstrom & Swanstrom
Attorneys at Law
Council, Idaho

Attn: Carl H. Swanstrom

Dear Mr. Swanstrom:

As noted on the notice sent February 21, 1964, there are sixty (60) days allowed from that date to get the proper papers in this office.

Complete the two legal notices and authority for publication and remit to this office with photo copy or certified copy of appointment of the administrator of the estate.

All prior correspondence was interpreted in this office to mean that the works were not complete.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO

16 March 1964

RECEIVED
MAR 17 1964

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho
Atten. Mr. Don L. Rhodes
Assistant State Water Rights Clerk

Re Permit G-27708
Fred Toney

Dear Mr. Rhodes:

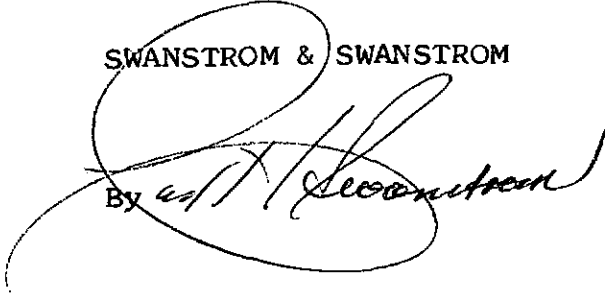
Mrs. Toney, widow of Fred Toney and Administratrix
of her husband's estate, does desire to protect
the above filing made by her now deceased husband.

She is prepared to go ahead and submit proof of
completion of work and will do so, if rights
under the above filing have not been lost by
delay in making proof of application to
beneficial use.

Please advise if she may proceed and submit to
us the usual forms and agreements required.

Very truly yours,

SWANSTROM & SWANSTROM

By 

27708

March 16, 1964

Re: Permit No. G-27708
Fred Toney

Mrs. Lawrence Page
Cambridge, Idaho

Dear Mrs. Page:

Mr. Swanstrom wrote this office in regard to an extension of time for completion of works under the noted permit.

Such an extension can not be approved. You may use the enclosed form to file a new application for permit to appropriate water from a well.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. application

1-9-64

Cambridge, Idaho
March 12, 1964

Department of Reclamation
Boise, Idaho

RECEIVED
MAR 16 1964

Mrs. Carl E. Tappan : Department of Rec

Dear Sir:

I am writing in regards to permit No. G-27708 that my dad (Fred Toney) was to have completed. Due to very ill health and his death last August it evidently slipped his mind to tell us about this. ~~we~~ we asked Mr. Sevenstrom to write for an extension if possible to give us time to set up an irrigation system that we wished to use the water for.

Please let us know if this is possible.

Thank you.

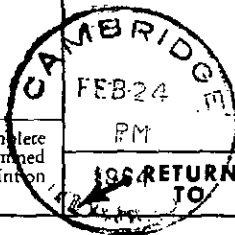
Mrs. Laurence Page
Cambridge, Idaho
27708

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

2-27708

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

REGISTERED NO.

NAME OF SENDER

State Reclamation Department

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

POD Form 3811 Apr. 1962

C55-16-71548-5-F

27708

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver **ONLY** to
addressee

☐ Show address where
delivered.

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Fred L. Jones

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

John J. Jones

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

2-24-64

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 27708

February 21, 1964

To Fred Teney

Cambridge, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 27708 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Proof of Completion of Works and Beneficial Use

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 27708 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 27708 claims the use of 9.1 cubic feet per second of the Subterranean Waters of a Well with point of diversion located: SW 1/4 NE 1/4 Sec 10 14N 3W

and was approved January 2, 1959.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 21 day of February, 19 64.

Earl H. Swanstrom
Swanstrom & Swanstrom
Atty. at Law
Council, Idaho

Carl E. Tappan

State Reclamation Engineer

27708

December 26, 1963

Re: Permit No. G-27708
Fred Toney

Carl H. Swanstrom
Swanstrom & Swanstrom
Attorneys at Law
Council, Idaho

Dear Sir:

We have your letter of December 23, 1963, referring to subject permit.

There is no provision in Idaho Statutes for granting an extension of time for making proof of Completion of Works and Beneficial Use for the situation you mentioned.

Mrs. Toney can make proof as Administratrix of the estate if you will submit a copy of her appointment as such. Later, you may furnish us with a copy of the decree of final settlement of the estate (with 50 cents assignment fee) and we can issue a licensed water right in her name.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

DON L. RHODES, Assistant
State Water Rights Clerk

DLR:vj

CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO
December 23 1963

RECEIVED
DEC 24 1963
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise

Re Permit G-27708, Fred Toney
Cambridge, Idaho

Dear Mr. Tappan:

Proof of completion of work and application of water to beneficial use is due under the above permit by January 9th. 1964.

Mr. Fred Toney, the applicant, died during this present year and by reason of the many problems presented as the result of his death, it has not been possible to arrange for the making of proof by his widow.

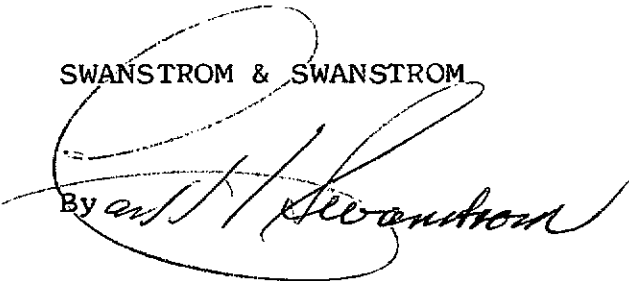
The work required under the permit has been completed and proper use of the water allotted has been made. Mrs. Toney, widow of Fred Toney, desires to protect the rights initiated under the about permit and has asked that I write to inquire if we may have an extension of time for making proof of beneficial use, say to July 1st. 1964.

We are handling the estate work for Mrs. Toney and before July 1, 1964, distribution of the estate will no doubt be made so that Mrs. Toney, in her own right and as an individual (rather than as Administratrix of the estate) could go forward with the matter of making final proof.

Any consideration that may be granted here will be greatly appreciated.

Very truly yours,

SWANSTROM & SWANSTROM

By 

27708

copy of appointment

and copy of decree of final settlement
of estate (with 50¢ assignment fee)

we can issue license in her name.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Nov. 1, 1963

Re: Permit No. G- 27708

Fred Tovey
Cambridge, Idaho

Dear Mr. Tovey:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 27708 are due not later than Jan. 9, 1964

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use on the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36,

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures Form 36 - 11

Attorney General's ruling

27708

January 16, 1959

Re: Permit No. G-27708
Fred Toney

Swanstrom & Swanstrom
Attorneys At Law
Council, Idaho

Attention: Carl H. Swanstrom

Dear Mr. Swanstrom:

We enclose Permit No. G-27708, in the name of Fred Toney, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will note, under Question 10 that we have changed the required time for completion of works and complete application of the water to the proposed use to five years, however the required proofs may be made at any time Mr. Toney is prepared to do so within that time.

We also enclose Departmental receipt No. G-3801, which was issued covering payment in the amount of \$5.00, for the filing fee of the above mentioned permit.

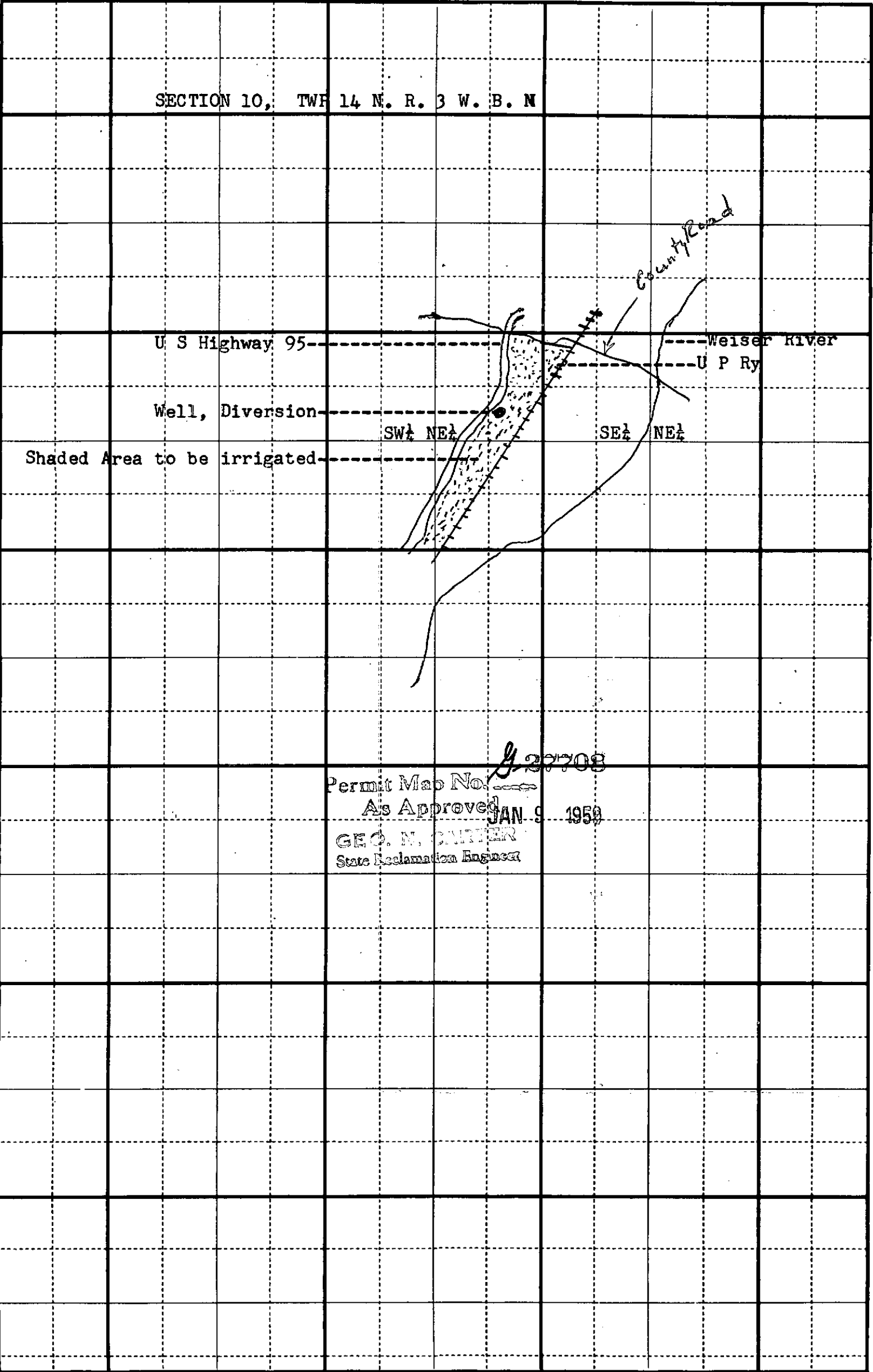
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (2)
cc: Fred Toney
Cambridge, Idaho

27708



CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO

January 7, 1959

RECEIVED
JAN 8 1959
Department of Reclamation

Department of Reclamation
State House
Boise

re FRED TONEY, Cambridge, Idaho

Gentlemen:

In behalf of Mr. Fred Toney, of Cambridge, Idaho, we are enclosing herein his application for permit to appropriate, by means of a drilled well, 1/10th Cu. Ft. per Sec. of water for domestic use and for the irrigation of approximately 7 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, Twp. 14 N. R. 3 W. B. M., in Washington County, Idaho.

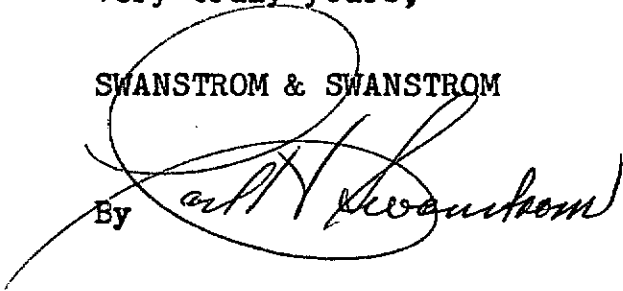
Our check for \$5.00 is enclosed which, we believe, covers the filing fee. If other charges are indicated, please advise and we will forward any balance required.

Mr. Toney is presently a patient in the local hospital in Council and if any matters requiring immediate attention are indicated, please write us directly and we will attend to it.

Trusting you will find the enclosures in order, we are,

Very truly yours,

SWANSTROM & SWANSTROM

By 

Enc;

27708

Legal News

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

Notice is hereby given that at 10:00 P. M., on the 22nd day of May 1964, at Cambridge, County of Washington, State of Idaho, before Arthur Wilson, Notary Public, at Wilson's Office in Cambridge, Idaho, proof will be submitted of the completion of works for the diversion of 1 cubic foot 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 27708, 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 Rose Toney, Administratrix of Fred Toney Estate, Cambridge, 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 1 cubic foot per second.

3. The use to which said water has been applied is domestic use and irrigation purposes, and the amount applied to beneficial use is 1 cubic foot per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.

5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, Twp. 14 N. R. 3 W. B. M.

6. The date of priority which said user is prepared to establish is January 8, 1959.

CARL E. TAPPAN 42-
State Reclamation Engineer

27708
IN THE PROBATE COURT OF