

50
188

6049 U.S. Post Office

Berkeley Camp,

5507019

5-74	del	into 8
------	-----	--------

litre

Panel 2.3.2

90 X 60 1/2

20 x 055 x 011 x 05

R-21E

R-21E
Relief Station

T.
I.
S.

Hand-drawn map of a river and canal system on a grid. The river flows from the top center, turns right, and then down. A canal branches off to the right. Numbers are written in various cells: 0 in the top right, 30 in the middle left, 20 in the middle center, 40 in the bottom left, 40 in the bottom center, and 20 in the bottom right. A red dashed line runs horizontally across the bottom. A red number 7 is written near the river bend. The word 'canal' is written near the branching point.

~ P.D.

50 CHREX
Little Wood

18

Subdivisions = 3

Area = 150 acres

$Q = 75''$ or

1.5 c/s.

Published notice = wrong.

Crops look good. Both pump at well and the
relift are large enough to deliver at
least 100 inches of water. However 75"
is enough for 3- $\frac{1}{4}$ mi. sprinkler lines,
 $\frac{1}{8}$ " $\times$ $\frac{3}{16}$ " nozzles. This is a reasonable amt.
Mr. Loone (J. M. O'Gorman) along.

J. Melvin, Spencer & James Toone
P. O. Box 261, Carey, Idaho

Permit No. G-25887

Examination for Completion of Works &
Beneficial Use Proofs

County Blaine

8-15-21E.

Q = 8.0 c.f.s.

S = Well

P.D. = NW. 1/4, Sec. 8, T. 15. - R. 21E.

Well = 100' x 20" c.d.
h = 15'

Use = Irrigation

Filed = July 25, 1955

Due = Aug. 16, 1957

Made: 8-22-57

water will not be
turned on in 1958
if it is the office will
be notified

Priority: 7-31-55

well 20' x 200'

20' x 100 casing

Left = 84'

H = 40'

84' column 2 bowl 8"

column 10" bowls

7" discharge

Square D controls

6' S of pump

pump mounted on
4' x 4' concrete slab

W.S. motor 30 Hp

440 V # 2400445

Peerless pump # 35700

Pumps into open ditch

this water is pumped

in exchange for irrigat.

dust water on higher land

Electricity not yet turned

on could not measure

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 4 1959

Department of Reclamation

G-25887

Affidavit of Publication

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

Notice is hereby given that at 1:00 P.M., on the 22nd day of August, 1957, at Carey, County of Blaine, State of Idaho, before Alice York, Notary Public, proof will be submitted of the completion of works for the diversion of 3.0 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25887 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 are James M. Jr., Spencer W. Toone and Melvin Toone, Box 261, Carey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 1 S., Rge. 21 E. B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, all in Twp. 1 S., Rge. 21 E. B.M.

6. The date of priority which said user is prepared to establish is July 25, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 7/25-8/15

STATE OF IDAHO, } ss.
County of Blaine, }

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

25th day of July, 1957
and ending with the last publication thereof on the

15th day of August, 1957

Cost of this publication is \$ 22.44

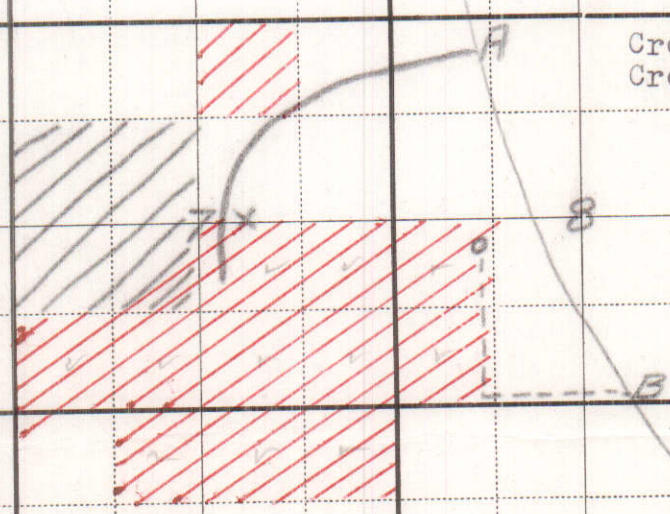
Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 16th day
of August, 1957.

R. N. McLaughlin
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

SPENCER W. JAMES M. AND
NAME OF APPLICANT J. MELVIN LOONE

Form No. 0



Cross Hatch in black, New Lands,
Cross hatch in red Supplemental lands,

- OWELL
- B. RETURN TO CANAL
- DITCH
- LITTLEWOOD CANAL
- A DIVERSION TO PRIVATE
- LATERAL
- LATERAL
- X CENTRIFUGAL PUMP
- LANDS

Permit Map No. 25887
As Approved
AUG 16 1955
MARK R. KULP
State Reclamation Engineer

SECT 8, TWP 150, RANGE 21

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

Notice is hereby given that at 1:00 P.M., on the 22nd day of August, 1957, at Carey, County of Blaine, State of Idaho, before Alice York, Notary Public, proof will be submitted of the completion of works for the diversion of 3.0 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25887 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 are James M. Jr., Spencer W. Toone and Melvin Toone, Box 261, Carey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 1 S., Rge. 21 E. B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 7., W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, all in Twp. 1 S., Rge. 21 E. B.M.

6. The date of priority which said user is prepared to establish is July 25, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 7/25-8/15

G 25887

State of Idaho
License and Certificate of Water Right

Water License No. G-25887 Amount 1.5 c.f.s.
Water District No. Priority July 31, 1955

THIS IS TO CERTIFY that JAMES M. TOONE, JR., SPENCER W. TOONE, J. MELVIN TOONE
of Carey, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 25, 1955, 19 ; that Permit No. G-25887
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on June 27, 19 66, showing that said works
were completed on the 22 day of August, 19 57 ; and that on the 22
day of August, 19 57, JAMES M. TOONE, JR., SPENCER W. TOONE, J. MELVIN TOONE - Assignee-
SPENCER W. & ELEANOR, JAMES M., JR. & DELILAH TOONE,

of Carey, 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-25887 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 8506, on the 27 day of June, 1966 ;
The right hereby confirmed dates from July 31, 19 55 ;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 8, Tp. 1 S, R. 21 E, B. M. County Blaine
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 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	21 E	7	SW 1/4 NW 1/4	40	30
			SE 1/4 NW 1/4	40	20
			N 1/4 SW 1/4	80	80
			NW 1/4 SE 1/4	40	20
			Total number of acres to be irrigated:		150

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
27th day of June, 19 66 .

(SEAL) S/ R. Keith Higginson
Deputy State Reclamation Engineer.

37-2577 9-25887
Spencer W. Toone &
James M. Toone
(see assignment)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33756
Permit No. G- 25887
District No.

Spencer W. Toone
Carey
Idaho

1. Name of Applicant: JAMES M. TOONE, JR., SPENCER W. TOONE, J. MELVIN TOONE
Postoffice address: Carey County: Blaine State: Idaho

2. Quantity of water claimed: 400 inches
(a) Rate of withdrawal in cubic feet per second. eight (8) or Idaho
Miners' inches 400 or gallons per minute.
(b) Annual withdrawal in acre feet per annum 1440

3. Source of water supply: Well

4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8
Twp. 1 S. , Rge. 21 E. , B.M., County of Blaine

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Drill Well

8. Estimated cost of works: \$ 3,000.00

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

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 1 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

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

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None for 160 acres new lands, six shares West side canal and 150 ac. Ft. from reservoir, all from Little Wood River, and 60 shares storage right from Fish Creek Reservoir.

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

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

reinstated
CANCELLED pursuant to sec. 42-311
Idaho Code Annotated, by order of
State Reclamation Engineer
dated JUL 16 1965
June 14th, 1966.

The applicants will deliver the developed water to the canal system of the Little Wood River Valley Canal Company and will be permitted by the company to divert from a point upstream an amount equal to the developed water which diverted water will be carried in a canal owned by the applicants to a point East of the lands to be irrigated at which point the water will be conveyed for sprinkling upon said lands by means of a centrifugal pump.

This water filing is for 160 acres of new lands and for 480 acres of lands which are supplemental to existing water rights.

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.

James M. Toone, Jr., Spencer W. Toone, J. Melvin Toone
Applicant.

By **SPENCER W. TOONE** *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A.M. July 25, 1955

Returned to applicant for correction: July 25, 1955

Corrected application received: Aug. 8, 1955

Approval of State Reclamation Engineer

The number of this permit is G-25887

Recorded in Book 91 Page 25887 Approved August 16, 1955

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 October 16, 1955 and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 16, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 16, 1957

Witness my hand this 16th day of August, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... ROBERT E. SMYLIE....., Governor of the State of Idaho,
and IRA H. MASTERS....., Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this..... 16th.....
day of August....., 19. 55.....

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By ROBERT E. SMYLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals	
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄		
1 South	21-E	7	40				40				40	40	40	40	40	40	40	40	440	
		8									40				40					80
		18	40	40			40												120	
Number of Acres to be Irrigated																			640	
<u>REINSTATEMENT OF PERMIT G-25887</u>																				
WHEREAS, Permit G-25887 was cancelled by the State Reclamation Engineer on July 16, 1965, for non-payment of statutory fees for issuance of certificate of completion of works and license of water right, and,																				
WHEREAS, The permit holder has now paid the required fees and has requested the reinstatement of the permit,																				
NOW THEREFORE, It is ordered that the cancellation of Permit G-25887 be rescinded and said permit is hereby reinstated with its original priority date of July 25, 1955, and it is further ordered that a certificate and license of water right be issued confirming the right.																				
Dated this 14th day of June, 1966.																				
																		/s/ R.KEITH HIGGINSON, Deputy State Reclamation Engineer		

A S S I G N M E N T ✓

For value received, we hereby assign our right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-25887 to Spencer W. Toone, and Eleanor Toone, his wife; and James M. Toone, Jr., and Delilah Toone, his wife, all of Carey, Blaine County, Idaho.

/s/ J. Melvin Toone, Sr. (husband)
/s/ Anna H. Toone (wife)

/s/ Spencer W. Toone (husband)
/s/ Eleanor Toone (wife)

/s/ James M. Toone, Jr. (husband)
/s/ Delilah Toone (wife)

State of Idaho)
: ss
County of Blaine)

On this 13th day of May, 1966, before me, a Notary Public for the State of Idaho, residing at Shoshone, Idaho personally appeared before me, Spencer W. Toone, & Eleanor Toone, his wife; and James M. Toone, Jr. and Delilah Toone, his wife; and James M. Toone, Sr. and Anna H. Toone, his wife; known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

My commission expires: 4-10-68.

/s/ Frank R. Dallas
Notary Public residing at Shoshone, Idaho

Permit No. G-25887

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JAMES M. TOONE, JR., SPENCER W. TOONE, J. MELVIN TOONE of Carey, County of Blaine, and State of Idaho, the holders of Permit No. G-25887, issued upon Application No. G-33756 bearing date of priority of July 31, 1955, authorizing the diversion of 8.0 second feet of waters of a well County of Blaine, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.5 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 1 S., R. 21 E., 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: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 1 S., R. 21 E., B.M.

Proof of Completion of Works Made: August 22, 1957
Witness my hand this 27th day of June, A.D. 1966

S/ R. Keith Higginson
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 1.5 SEC. FT.
LICENSE PAGE NO. 8506

file 37-2577



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, ~~873 W. Franklin Street~~ Boise, Idaho
450 West State Street

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) ~~384-2215~~
334-4440

December 28, 1979

Mr. Ralph D. Eslinger
Magic Valley Realty
181 Blue Lakes Blvd. North
P.O. Box 925
Twin Falls, ID 83301

Dear Mr. Eslinger:

I have searched our records for water rights appurtenant to the lands you identified in your letter of December 19, 1979, as follows:

Twp. 1 S., Rge. 21 E.

- Section 7: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 2, 3, 4,
E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$
- Section 8: W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 18: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Water Right License No. G-25887/37-2577 shows a well located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 1 S., Rge. 21 E. in the amount of 1.5 cfs for irrigation in

Twp. 1 S., Rge. 21 E.

- Section 7: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (30 acre)
SE $\frac{1}{4}$ NW $\frac{1}{4}$ (20 acre)
N $\frac{1}{2}$ SW $\frac{1}{4}$ (80 acre)
NW $\frac{1}{4}$ SE $\frac{1}{4}$ (20 acre)

This right is in the names of Spencer W. & Eleanor, James M., Jr., & Delelah Toone with a priority date of July 31, 1955.

The application mentions additional rights (lands not identified) as six shares West Side Canal and 150 acre feet from reservoir, all from Little Wood River, and 60 shares storage right from Fish Creek Reservoir. For any additional information pertaining to shares owned, you may wish to contact the company that issued the shares as we do not have a record of shareholders

NOT REFILED

receiving water from irrigation or canal companies.

Although I did not locate a water right for a second well, I did find surface water rights appurtenant to a portion of the lands first above mentioned.

Licensed Right No. 37-2059

Name: Martha E. Vance
Source: Mountain stream
Amount: 0.5 cfs (25 inches)
Purpose: Irrigation & domestic
Priority date: 9-19-1906
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, Twp. 1 S., Rge. 21 E.
Place of use:
Twp. 1 S., Rge. 21 E.

Section 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$ (20 acre)
NE $\frac{1}{4}$ SW $\frac{1}{4}$ (5 acre)

Decreed Right No. 37-1026 (S.C. Frost vs. Alturas Water Co.)

Name: David and Jane Evans
Source: Little Wood River
Amount: 1.2 cfs
Priority date: 4-1-1888
Place of use:
Twp. 1 N., Rge. 21 E.

Section 31: E $\frac{1}{2}$ SE $\frac{1}{4}$
32: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Twp. 1 S., Rge. 21 E.

Section 5: Lots 2, 3, 4,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
7: N $\frac{1}{2}$ SE $\frac{1}{4}$
8: W $\frac{1}{2}$ SW $\frac{1}{4}$

Since you are interested in filing on the second well, enclosed is our brochure entitled "Idaho Water Rights Claims Program" to aid you in determining the method better suited for your particular circumstances. Also enclosed are claim and permit forms with instructions for filing. The completed form with fee should be submitted to

Southern Region
Idaho Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
phone: 734-3578

Mr. Ralph D. Eslinger

3

December 28, 1979

If you have any questions or need additional assistance, please feel free to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

RG:ab

Enclosures



MAGIC VALLEY REALTY

PHONE AREA CODE 208 733-5580



181 BLUE LAKES BLVD. NORTH — POST OFFICE BOX 925
TWIN FALLS, IDAHO 83301

RECEIVED

DEC 20 1979

December 19, 1979

Department of Water Resources

Roberta Garrett
Dept of Water Resources
State of Idaho
Statehouse
Boise, ID 83702

Dear Ms. Garrett:

This letter is in regard to wells and water rights on the following property:

^{NR}
NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Lots 2, 3, and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 7, Township 1
South, Range 21, East of the Boise
Meridian, Blaine County, Idaho; and,

W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 8, Township 1 South,
Range 21, East of the Boise Meridian,
Blaine County, Idaho; and,

N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 1
South, Range 21 East of the Boise
Meridian, Blaine County, Idaho;

consisting of 656 acres more or less
together with all water rights appurtenant
thereto.

We understand there are two wells on the property and as near as we can tell, one is licensed and the other isn't. Please advise if they are both licensed and if not what is the procedure to get them licensed. Also, clarification is needed pertaining to 25 shares of water on the mountain property — when was it filed on, etc.

We checked with the local Water Resource office and they advised us that your office would furnish us with the above information we need.

Very truly yours,

Ralph O. Eslinger
RALPH O. ESLINGER
Magic Valley Realty

Residential Specialists - Farms - Homes - Ranches - Business Opportunities

MICROFILMED

37-2587

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Shoshone, Idaho

Mar 16-1973
Department of Agriculture
March 15, 1973

Idaho Department of Reclamation
State House
Boise, Idaho

Dear Sirs:

Regarding a security assignment by Spencer W. Toone and James M. Toone, Jr. et al of their interest in and to Permit NO. G-25887 on an irrigation well at Carey, Idaho, as further security for a loan from this agency filed June 16, 1966, this will inform you that these loans were today Paid in Full and satisfied.

Please cause your records to indicate this.

Sincerely yours,


Frank R. Dallas
County Supervisor

cc: Federal Land Bank
Gooding, Idaho

37-2587

June 27, 1966

RE: Permit No. G-25887

James M. Toone, Jr., et al
Carey, Idaho

Gentlemen:

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

Also enclosed is departmental receipt No. G-10441 in
the amount of \$15.00 covering the fees.

Very truly yours,


M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

25887

State of Idaho

License and Certificate of Water Right

Water License No. G-25887 Priority July 31, 1955 Amount 1.5 c.f.s.

THIS IS TO CERTIFY that JAMES M. TOONE, JR., SPENCER W. TOONE, J. MELVIN TOONE

of Carey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 25, 1955; that Permit No. G-25887 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.5 second feet, was issued thereunder on June 27, 1966, showing that said works were completed on the 22nd day of August, 1957; and that on the 22nd day of August, 1957 JAMES M. TOONE, JR., SPENCER W. TOONE, J. MELVIN TOONE - Assignee - SPENCER W. & ELEANOR, JAMES M., JR., & DELILAH TOONE of Carey, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-25887 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 8506, on the 27th day of June, 1966.

The right hereby confirmed dates from July 31, 1955.

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 8, Twp. 1 S, R. 21 E, B.M. Blaine 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 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	21 E	7	SW¼ NW¼	40	30
			SE¼ NW¼	40	20
			N½ SW¼	80	80
			NW¼ SE¼	40	20
			Total number of acres to be irrigated:		

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 27th day of June, 1966.

R. Keith Higgins
Deputy State Reclamation Engineer.

G25887

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-25887

To James M. Toone, Jr. et al

Carey, Idaho

Source of Supply a well

Blaine County

Amount 1.5 Sec. Ft.

Point of Diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8,

T. 1 S., R. 21 E., B.M.

Place of Use S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,

Sec. 7, T. 1 S., R. 21 E., B.M.

Purpose Irrigation

Date of Priority July 31, 1955

Recorded June 27, 1966

in Book 13 of Licenses, Page 8506

G25887

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that JAMES M. TOONE, JR., SPENCER M. TOONE, J. MELVIN TOONE
of Carey, County of Blaine, and State of
Idaho, the holder.s. of Permit No. G-25887, issued upon
Application No. G-33756, bearing date of priority of July 31, 1955, authorizing the
diversion of 8.0 second feet of waters of a well

County of Blaine, State of Idaho, for irrigation
purposes, have fully complied with the provisions of the laws of the State of Idaho
relating to the proof of completion of the works of diversion set out and described in said
Permit; that said works are adequate for diverting and conveying to the place of intended
use 1.5 second feet of the waters of a well from
subterranean flow:

that the point of diversion of said waters NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 1 S., R. 21 E., 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: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 1 S., R. 21 E., B.M.

Proof of Completion of Works Made: August 22, 1957

Witness my hand this 27th day of June, A. D. 19 66

R. Keith Higgins
Deputy State Reclamation Engineer

G-25887

Permit No. G-25887.....

**Certificate of Completion
of Works**

Dated June 27, 1966, 19.....

Stream ... a well.....

County ... Blaine.....

Amount ... 1.5 c.f.s.

Date of Priority July 31, 1955...

Recorded in Book ... 91.....

of Permits , page 25887

G-25887

June 20, 1966

RE: Permit G-25887 ✓
Spencer W., James M., and Melvin Toone of Carey, Idaho

Farmers Home Administration
Shoshone, Idaho
Attn: Mr. Frank R. Dallas, County Supervisor

Dear Mr. Dallas:

Enclosed please find departmental receipt No. G-10478
in the amount of \$.50 cents which covers the recording fee
for assignment on the above numbered names and permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt

25887

June 16, 1966

RE: Permit G-25887
Spencer W., James M., and J. Melvin Toone
of Carey, Idaho

Farmers Home Administration
Shoshone, Idaho
Attn: Mr. Frank R. Dallas, County Supervisor

Dear Mr. Dallas:

Enclosed is the assignment on the above numbered permit which has been recorded in this office. However, there is a recording fee of \$.50 cents which you may remit to this department.

Also, please be advised the same was reinstated as of June 14, 1966, with original priority date of July 25, 1955. Certificate of Completion of Works and License will be issued on the above, within the next 10 days.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MPB:ejw
Encl: Assignment

ROBERT E. SMYLLIE
Governor

RECEIVED
JUN 20 1966

Department of Reclamation



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 16, 1966

CARL E. TAPPAN
State Reclamation Engineer

JUN 17 1966

RE: Permit G-25887
Spencer W., James M., and J. Melvin Toone
of Carey, Idaho

Farmers Home Administration
Shoshone, Idaho
Attn: Mr. Frank R. Dallas, County Supervisor

Dear Mr. Dallas:

Enclosed is the assignment on the above numbered permit which has been recorded in this office. However, there is a recording fee of \$.50 cents which you may remit to this department.

Also, please be advised the same was reinstated as of June 14, 1966, with original priority date of July 25, 1955. Certificate of Completion of Works and License will be issued on the above, within the next 10 days.

Very truly yours,

M. Russell Bosch

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Assignment

*Thank you, enclosed
is the \$0.50 & F.H.A.*

G25887

h

RECEIVED
JUN 16 1966

RECEIVED

Department of Reclamation

ASSIGNMENT

Department of Reclamation

For value received, we our
I hereby assign my right, title, and interest in and
to Permit to Appropriate the Public Waters of the State of Idaho, No. G-25887
SPENCER W. TOONE and ELEANOR TOONE, his wife; & JAMES M. TOONE, JR.,
to & DELILAH TOONE, his wife; ~~and JAMES M. TOONE, SR., & ANNA H. TOONE,~~
of CAREY, BLAINE COUNTY, IDAHO.

*

James M. Toone, Sr.
James M. Toone, Sr. (Husband)
Anna H. Toone
Anna H. Toone (Wife)

Spencer W. Toone
Spencer W. Toone (Husband)
Eleanor Toone
~~Remainder~~ Eleanor Toone, (Wife)

James M. Toone, Jr.
~~Remainder~~ James M. Toone, Jr. (Husband)

STATE OF IDAHO)
County of Blaine : ss

Delilah Toone
Delilah Toone (Wife)

On this 13th day of May, 19 66, before me, a Notary Public for the
State of Idaho, residing at Shoshone, Idaho
personally appeared SPENCER W. TOONE & ELEANOR TOONE, his wife; and
JAMES M. TOONE, JR., & DELILAH TOONE, his wife; and
JAMES M. TOONE, SR. & ANNA H. TOONE, are
known to me to be the person s whose name ~~xx~~ subscribed to the within instrument,
and duly acknowledged to me that they executed the same.

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

My commission expires 4-10-68

Frank R. Ball
Notary Public
Residing at Shoshone, Idaho

* If fractional part of permit is to be assigned, the same fractional part of
the land to which the assigned fraction is appurtenant should be shown.

G25887

REINSTATEMENT

WHEREAS, Permit G-25887 was cancelled by the State Reclamation Engineer on July 16, 1966, for non-payment of statutory fees for issuance of certificate of completion of works and license of water right, and,

WHEREAS, The permit holder has now paid the required fees and has requested the reinstatement of the permit,

NOW, THEREFORE, It is ordered that the cancellation of Permit G-25887 be rescinded and said permit is hereby reinstated with its original priority date of July 25, 1955, and it is further ordered that a certificate and license of water right be issued confirming the right.

Dated this 14th day of June, 1966.

R. Keith Higginson, Deputy
State Reclamation Engineer

D25887

June 14, 1966

RE: Reinstatement of Permit G-25887

James M. Toone, Jr.
Carey, Idaho

Dear Mr. Toone:

Enclosed is reinstatement of the above numbered permit which has been recorded in this office.

Certificate of completion of works and license will be issued to you within the next 10 days.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Reinstatement

cc: Farmers Home Administration
Shoshone, Idaho

G25887

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Shoshone, Idaho

RECEIVED
JUN 14 1966

June 3, 1966

James M. Toone, Jr.
Carey, Idaho

Department of Reclamation

Dear Mr. Toone:

When we presented the Assignment of Water Right to the State Reclamation Engineer for filing, they informed us your rights under Permit No. G-25887 were cancelled July 16, 1965, because of non-payment of the Statutory fee of \$15.00 for issuance of certificate and license of water right.

Their letter indicated they would be willing to reinstate this permit on receipt of the \$15.00 statutory fee.

The security instruments for these loans contain agreements to the effect that you agree to do what is necessary to perfect these water rights for the security property.

We would remind you that we have contacted you several times in the past about this matter and each time you indicated you would or had taken care of the matter.

Please let us know by June 15, 1966, what action you have taken to perfect these water rights.

Sincerely yours,


Frank R. Dallas
County Supervisor

825887

C/M, B/M

Handwritten note: *Handwritten signature* 504 assignment
Handwritten signature

June 1, 1966

RE: Permit No. G-25887

Mr. Frank R. Dallas
County Supervisor
Farmers Home Administration
Shoshone, Idaho

Dear Mr. Dallas:

In reply to your letter of June 1, 1966, you should be advised that Permit No. G-25887 was cancelled by this office on July 16, 1965, for failure to pay the statutory fee of \$15.00 for certificate and license of water right. Therefore, until such time as the fee is paid and the permit reinstated it would be of no value to record the assignment which we are returning to you.

Very truly yours,

R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

RKH:ejw
Encl: Assignment

G25887

SEP 27 1961

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Department of Reclamation

Shoshone, Idaho

Sept. 26, 1961

RECEIVED
SEP 27 1961

State of Idaho
Department of Reclamation
State Reclamation Engineer
Boise, Idaho

Dear Sir:

James M. Toone, Sr. has mortgaged his rights under Permit No. G-25887 and has agreed that he will not assign or amend the permit without the consent of the Farmers Home Administration.

I would appreciate your making a notation of this in his file.

Sincerely yours,


Roy N. Ginson
County Supervisor

Permit in name of
James M. Toone Jr.
Spencer W. Toone
J. Melvin Toone

G25887

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Shoshone, Idaho

RECEIVED
JUN 2 1966
Department of Reclamation

Jun. 1, 1966

*Cancelled
July 16, 1965*

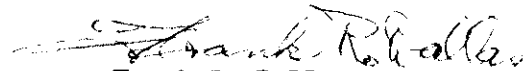
State of Idaho
Department of Reclamation
State Reclamation Engineer
Boise, Idaho

Dear Sirs:

Please inform us of the status of water rights of J. Melvin Toone under Permit No. G 25887 as we plan to present the enclosed assignment for filing in your records.

Please inform us of amount of necessary fees due to file this instrument.

Sincerely yours,


Frank R. Dallas
County Supervisor

Encl: Assignment

G25887

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

* * * * *

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. G-25887)
J. Melvin, Spencer & James M. TOONE)

ORDER OF CANCELLATION

WHEREAS, Permit No. G-25887 lapsed through failure of the holder to make proof of completion of works within the time specified in the Permit, to-wit: Non-payment of statutory fees totaling \$15.00, and

WHEREAS, due notice was given the holder of said Permit that such proof would be due on the date above mentioned, and

WHEREAS, on April 9, 1965 notice was sent to the holder of said Permit to appear before the State Reclamation Engineer on or before 60 days to show cause why such Permit should not be cancelled, and

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and that no showing has been made as to completion of the works under said Permit.

IT IS THEREFORE, hereby ordered that Permit No. G-25887 be and the same is hereby cancelled and held for naught.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department, at Boise, Idaho, this 16th day of July 19 65.

Carl E. Tappan
STATE RECLAMATION ENGINEER

G-25887

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)

J. Edwin Spencer & John H. Spence

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

4-19-65

SHOW WHERE DELIVERED (only if requested)

G-25887

C55-16-71548-5-F GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

25887

POSTMARK OF
DELIVERING OFFICE

APR
9
P.M.

1965

RETURN
TO

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

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

19557

Room 107 Statehouse

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho 83701

G 25887

C55-16-71548-5-F

Form 3811 Apr. 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

April 9, 1965

Re: Permit No. G- 25887

To J. Melvin, Spencer & James M. Toome
P. O. Box 261
Carey, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 25887 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Non-payment of statutory fees totaling \$15.00

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 25887 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- 25887 claims the use of 8.0 cubic feet per second of the Subterranean Waters wall with point of diversion located NW 1/4 Sec. 8., Twp. 1 S., Rwy. 21 E.B.M. BLAINE and was approved August 16, 1955.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 9th day of April, 1965.



State Reclamation Engineer

cc: Farmers Home Administration
Shoshone, Idaho

Encl. copy of letter of August 11, 1959

G 25887

September 27, 1961

Re: Permit No. G-25887
James M. Toone, Jr.
Spencer W. Toone
J. Melvin Toone

Roy N. Gipeon, Supervisor
Farmers Home Administration
Booshone, Idaho

Dear Mr. Gipeon:

Enclosed is a form for assignment of permit.

We are returning your letter of September 26th, as we have a similar letter in the file.

The permit is in the name of James M. Toone, Jr. Spencer W. and J. Melvin Toone. The Sr. was not noticed in your former letter.

The name of the holder of the permit can be changed by signatures of the three named persons and their wives before a Notary Public on the enclosed form.

The license can be issued upon payment of the statutory fees.

Very truly yours,

CHD. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:EW

Enc. assignment form
letter

G 25887



ROBERT E. SMYLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE



September 27, 1961

SEP 29 1961

Re: Permit No. G-25887
James M. Toone, Jr.
Spencer W. Toone
J. Melvin Toone

Roy N. Gipson, Supervisor
Farmers Home Administration
Shoshone, Idaho

Dear Mr. Gipson:

Enclosed is a form for assignment of permit.

We are returning your letter of September 26th, as we have a similar letter in the file.

The permit is in the name of James M. Toone, Jr. Spencer W. and J. Melvin Toone. The Sr. was not noticed in your former letter.

The name of the holder of the permit can be changed by signatures of the three named persons and their wives before a Notary Public on the enclosed form.

The license can be issued upon payment of the statutory fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Ralph W. Thomas*
RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:Ew

Enc. assignment form
letter

Don't forget to return to me
RT
825887

January 24, 1961

Re: Permit No. G-25887
J. Melvin, Spencer W. &
James M. Toone

Roy N. Gipson, Supervisor
Farmers Home Administration
Shoshone, Idaho

Dear Mr. Gipson:

The permit record has been marked to show the mortgage and your letter has been placed in the file.

The Toones were notified August 11, 1959, that the evidence of water right would be sent to them upon payment of the statutory fees of \$15.00.

The water right will be issued in the above names for 1.5 cubic feet per second to irrigate 150 acres in the S $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 1 S., R. 21 E., B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

G25887

S letter of transmittal from the S. Department
of Agriculture, Farmers Home Administration,
Shoshone, Idaho, regarding loans, in file No. G-26102

Permit No. G-25887

G-25887

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Shoshone, Idaho

RECEIVED
JAN 23 1961
Department of Agriculture

Jan. 20, 1961

State Reclamation Engineer
State Building
Boise, Idaho

Dear Sir:

Water rights under Permit No. G-25887 have been mortgaged to the United States of America by James M. Toone, Sr. of Carey, Idaho. He has agreed that he will not assign or amend the permit without the consent of the Farmers Home Administration.

I would appreciate your making a notation of this in your permit file and also signing and returning the copy of this letter acknowledging receipt of same.

Sincerely yours,


Roy N. Gipson
County Supervisor

Date

State Reclamation Engineer

G 25887

August 11, 1959

RE: Permit No. G-25887

J. Melvin, Spencer, James M. Toone
Box 261
Carey, Idaho

Gentlemen:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-25887 shows that the well is capable of conveying 75 miner's inches (1.5 c.f.s.) of water for irrigation of 150 acres.

Upon receipt of the statutory fees, totaling \$15.00, we will issue the Certificate of Completion of Works (for which the fee is \$5.00) and the License and Certificate of Water Right (\$10.00 at the rate of \$2.00 for each 40-acre subdivision) confirming the right with priority of July 25, 1955, to the use of 1.5 second feet of subterranean water, with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8 for irrigation of 150 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 1S., Range 21E.B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr

G 25887

R-21E
Relief Station

R-21E
Relief Station

T
+
S[illegible]

NO CARE

18

Subordinates = 0

Chia = 10³ acres

	F	Z	A
--	---	---	---

65

They look good. Bath pump at well and the
script are large enough to deliver at
least 100 inches of water. However 75"
is enough for 3-1/4 in. sprinkler line,
1/2" 3/4" nozzle. This is reasonable water

Mr. Toone (H. M. Overhatter) along

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25887

REPORT ON PROOF OF Completion of Works & Beneficial Use

J. Melvin, Spencer & James M. Toone
P. O. Box 261
Carey, Idaho

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

Permit No. G-25887

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

1. Name of applicant J. Melvin, Spencer^{W.} and James M. Toone, Jr.2. Source of water supply: Subterranean Flow from a well3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8
T. 1 South R. 21 East County of Blaine4. Describe works as they exist, giving dimensions and capacities of same: Well 20" x 200'
Cased 100' 8" x 84' column 7" discharge 2 bowls 10" diameter
square "O" controls mounted 6' south of pump H= 40' lift 84'
pump mounted on 4' x 4' concrete slab If water 30Hp 440 V
2400445 Peerless pumps # 8570 Dumps into open ditch5. Water is used for: Irrigation

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

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 7 - Twp. 1 S., Rge. 21 E.,W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 8 - Twp. 1 S., Rge. 21 E.,N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 18, Twp. 1 S., Rge. 21 East - for a total of 640 Acres.Water is pumped into Wood River in exchange
for extra water delivered at the head gate.
Well is used as primary water.

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

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

Remarks: This water is pumped in exchange
for irrigation district water on higher lands.Reinspected on July 19-59 by E. H. H.Water was not measured but was putting out
approx. 50 to 60". A 7 1/2" id horizontal pipe was running
half full. He says this is a dry year and the
water is simply not in the well. Claims much
more pumped in past years.This examination was made on the 22 day of July, 1958would have had to carry equip (Signed) Carrel R. Stevenson Examiner.
1/8 in. to measure water.

G-25887

J. Melvin, Spencer & James Toone
P. O. Box 261, Carey, Idaho

Permit No. G-25887

Examination for Completion of Works &
Beneficial Use Proofs

County Blaine

8-15.-21E.

Q = 8.0 c.f.s.

S = Well

P.L. = NW. SW. Sec. 8, T. 1 S. - R. 21 E.

Well = 100' x 20" c.d.

L = 15'

Use = Irrigation

Filed = July 25, 1955

Due = Aug. 16, 1957

Made 8-22-57

water well

tested on

11-11-57

11-11-57

11-11-57

11-11-57

11-11-57

11-11-57

well 20' x 200'

20' x 100 casing

Left = 84'

H = 40'

45' column 2 bowl 8"

column 10" bowls

7" discharge

Square D controls

6' s of pump

pump run. to on

4' x 4' concrete slab

WAS motor 30 Hp

440 V # 2400445

Peerless pump # 85700

Pump is sited open ditch

this water is pumped

in exchange for irrigate

dust water on higher land

Electricity not yet turned

on could not measure

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 4 1959

Department of Reclamation

G25887

~~XXXXXXXXXX~~

August 13, 1958

Re: Permit # G-25887

J. Melvin Spencer & James Toone
P. O. Box 261,
Carey, Idaho

Dear ~~My~~ Gentlemen:

Statutes requires a field inspection in connection with the proofs on Permit # G-25887 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

Mr. Darrell Stevenson,
~~An Inspecting~~ Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Monday

August 18, 1958.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

~~XXXXXXXXXX~~ GEO. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

EH:lw

November 22, 1957

Re: Permit No. G-25887

Melvin, James, and Spencer Toone
P. O. Box 261
Carey, Idaho

Gentlemen:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Hailey Times, all submitted in Proof of Completion of Works and Application of Water to Beneficial Use on Permit No. G-25887.

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,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

G-25887

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

25th day of July, 1957
and ending with the last publication thereof on the

15th day of August, 1957

Cost of this publication is \$ 22.44

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 16th day
of August, 1957.

R. H. McElroy
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF WATER TO BENEFICIAL USE

Notice is hereby given that at 1:00 P.M., on the 22nd day of August, 1957, at Carey, County of Blaine, State of Idaho, before Alice York, Notary Public, proof will be submitted of the completion of works for the diversion of 3.0 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-2887 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 are James M. Jr., Spencer W. Toone and Melvin Toone, Box 261, Carey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 1 S., Rge. 21 E. B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, all in Twp. 1 S., Rge. 21 E. B.M.

6. The date of priority which said user is prepared to establish is July 25, 1955.

Mark A. Kulp
State Reclamation Engineer
pub. 7/25-8/15

November 14, 1957

Re: Permit No. G-25887

Messrs. J. Melvin, Spencer W. and
James N. Toone
Carey, Idaho

Gentlemen:

This acknowledges receipt of your corrected depositions of proof of completion of works and beneficial use under Permit No. G-25887.

The "Affidavit of Publication" which you can obtain from the Hailey Times, as proof of your published notice, has not yet been received. Will you please give this your prompt attention and forward it to us as soon as possible. It is a requirement that this affidavit be in the file of Permit No. G-25887 before the depositions can be accepted as complete.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EFB:nls

G 25887

THE HAILEY TIMES

★ Published Each Thursday
★ 13 Miles From Sun Valley

★ ONLY NEWSPAPER IN BLAINE COUNTY
★ BERWYN BURKE, Editor and Publisher

HAILEY, IDAHO

November 12, 1957

Dept. of Reclamation
State House
Boise, Idaho

Attention Mrs. Edna P. Rutledge

RECEIVED
NOV 14 1957
Department of Reclamation

Dear Mrs. Rutledge:

In answer to your letter of Nov. 6 in re: Permit No. G-25887;
James, Spencer and Melvin J. Toone.

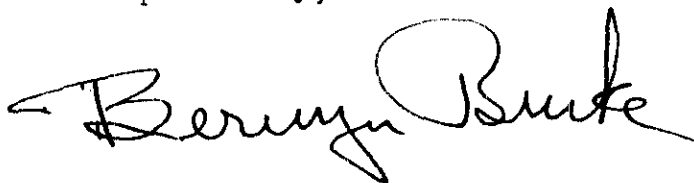
We are unable to furnish an affidavit of publication to complete your file on the above "Notice of Proof of Completion of Works and Application of Water to Beneficial Use", for the reason the publication charges have not been paid.

The above notice was published from July 25, 1957 through August 15, 1957; and the customer has been billed three times since then, but up to date not payment has been made.

It has been our experience that furnishing an affidavit of publication before the charges have been paid all too often results in a difficult or impossible collection problem. For several years now our policy has been "no affidavit until we get paid"...and we collect 100% on legal notices. I wish we could say the same for other advertising and printing accounts.

The fact that the applicants have sent you a statement of costs for the legal publication may indicate they are under the misapprehension that they are not directly responsible for payment.

Respectfully,



Berwyn Burke
Editor-publisher

G 25887

November 6, 1957

Re: Permit No. G-25887
James, Spencer, & Melvin J. Toone

The Hailey Times
Hailey,
Idaho

Gentlemen:

Would you please furnish this department with an Affidavit of Publication in regard to Permit No. G-25887 in the name of James, Spencer, & Melvin J. Toone, which was a legal publication, "Notice of Proof of Completion of Works and Application of Water to Beneficial Use", published for four issues, 7-25-57 through 8-15-57, published in your paper.

We have received a statement of costs for legal publication sent to us by the applicants of the above mentioned permit from the Hailey Times, which we do not require for our files.

Please send us the affidavit of publication which is required to complete this file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

25887

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 4 1957
Department of Reclamation

RECEIVED
AUG 30 1957
Department of Reclamation

Permit No. 25887

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. J. Melvin Toone Spencer, W. Toone
James M. Toone - Farmers - Carey 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. 25887 Aug 16 1955 July 25 1955

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

Ans. under ground water 100 ft south of the NE corner
of the NW Quarter of the Southwest Quarter (NW 1/4 SW 1/4) Sec 8 T. 1 S. R. 21 E. B. M.

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 100 ft deep 100 ft 20' casing 13 ft to water
Eight inch Discharge. water measured over a weir
Irrigation Canal & Irrigation ditch to Point of use.

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. Irrigating Farm land Sub division #1: 160 acres Hay & Grain
Sprinkler Irrigation system Includes 1350 ft. 8 inch steel
Pipe + 2000 ft 6" Steel pipe + 3 - Sprinkly lines
1350 ft long 17 1/2 HP Sump Pump & 20 HP Booster Pump
Sub Division #2 supplements Irrigation 200 acres Potatoes Hay & Grain
Supplement Irrigation

1/2 NW 1/4 Sec. 7, T. 1 S., R. 21 E.
1/2 SE 1/4 Sec. 7, T. 1 S., R. 21 E.
1/2 SE 1/4 Sec. 7, T. 1 S., R. 21 E.
1/2 SW 1/4 Sec. 8, T. 1 S., R. 21 E.

Sprinkler Irrigation 25887
1/2 NW 1/4 Sec. 7, T. 1 S., R. 21 E.
1/2 SE 1/4 Sec. 7, T. 1 S., R. 21 E.
1/2 SW 1/4 Sec. 7, T. 1 S., R. 21 E.

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

Ans. Domestic water supply 1-HP. Pump
in well. Submersible pump.

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

Ans. 150 inches or 3 cubic ft per sec.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

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

Ans. 150 inches, water pumped. Starting June 1955
as set forth in ans. 6.

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. 6 shares Coal Stock. Carey Coal Company.

160 acres of water in Little Wood River Reservoir.

60 " " " Carey Valley. (Fish Creek.) Reservoir.

(Sign)

James M. Toomey
James M. Toomey

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe ~~him~~ ^{they are} to be the persons ~~he~~ ^{they} represents ~~himself~~ ^{themselves} to be, and that said testimony was subscribed

and sworn to before me, at my office in Carey County of Blaine
State of Idaho, on this 22nd day of August, A. D. 1957

My commission expires

Feb. 28, 1962.
Alice A. York

G-25887

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 4 1957
Department of Reclamation

RECEIVED
NOV 4 1957
Department of Reclamation

Permit No. 25887

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

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

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

Ans. Harold Meckan - 41 - Carey Idaho
farmer

Ques. 2. Are you acquainted with J. Melvin Leone of same the holder of Permit No. 25887? How long have you known him and where does he reside?

Ans. yes - four years - 5 Mi. North
west of Carey

Ques. 3. Have you read or heard read said Permit No. 25887, 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. Under ground water 100 ft. S. of N.E. corner
of N.W. 1/4 of S.W. 1/4 of Sec. 8, T-1, Range 21, E.B.M.
irrigation ditch & through Canal.

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. 3 cu. ft. per second

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. 150 in of water

G 25887

Ques. Sprinkler Irrigation

at Supplemental Irrig. (If so)

give S. 1 NW 1/4 Sec. 7, T. 1 S., R. 21 E. ed E. 1 NE 1/4 Sec. 7, T. 1 S., R. 21 E.
subd N. 1 SW 1/4 Sec. 7, T. 1 S., R. 21 E. m S. 1 SE 1/4 Sec. 7, T. 1 S., R. 21 E.
prov W. 1 NW 1/4 Sec. 7, T. 1 S., R. 21 E. ult W. 1 SW 1/4 Sec. 8, T. 1 S., R. 21 E.

Ans. irrigation (1) Sprinkler system on
160. (2) Supplemental water for 200 acres under
gravity flow. All Cultivated

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

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This is all No. 1 land steady flow of
100 in. Gravity land also need additional water

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. I line across the road from this ranch
and pass without this supplemental water the
ranch could not be operated profitably.

(Signed) W. Lloyd Muck

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 _____

County of Blaine State of Idaho, on this 22 day of August

A. D. 1961

Alice A. York
Notary Public.

My commission expires Feb 28, 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 30 1957
Department of Reclamation

RECEIVED
AUG 30 1957

Permit No. 025887

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Clifford P. Orchard Farmer + Plumber age 51
Box 132 Carey Idaho

Ques. 2. Are you acquainted with J. Melvin Jones + Sons, the holder of Permit No. 025887? How long have you known him and where does he reside?

Ans. Yes 5 mi. N.W. of Carey Idaho

Ques. 3. Have you read or heard read said Permit No. 025887, 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. Underground water 100 ft. S. of NE corner
of NW Section of S.W. Quarter Sec. 8, T-1 R-21 E-B-M
irrigation ditch and canal

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. 3 cubic ft per sec

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. 150 inches over weir

G-25887

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.

Answer: *1-160 acres*
Irrigation
E. 1/4 NW 1/4 Sec. 7, T. 1 S., R. 21 E.
S. 1/4 SW 1/4 Sec. 7, T. 1 S., R. 21 E.
NE 1/4 Sec. 7, T. 1 S., R. 21 E.
W. 1/4 SW 1/4 Sec. 8, T. 1 S., R. 21 E.
Sprinkler Irrigation
S. 1/4 NW 1/4 Sec. 7, T. 1 S., R. 21 E.
N. 1/4 SW 1/4 Sec. 7, T. 1 S., R. 21 E.
W. 1/4 NW 1/4 Sec. 7, T. 1 S., R. 21 E.

irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *1.0 acres land above regular canal*

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. *They are forming good land which could not be formed without pumping water*

(Signed) *Clifford P. Orchard*

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 _____

County of *Carney* State of Idaho, on this *22* day of *August*,
A. D. 19*57*.

Alice A. York
Notary Public.
My commission expires *Feb. 28, 1962*

September 4, 1957

Re: Permit No. ²⁵⁸⁸⁷ 0-25587

Mr. J. Melvin Toone, Mr. Spencer W. Toone
& Mr. James N. Toone
Carey, Idaho

Gentlemen:

We wish to acknowledge receipt of proof of application of water to beneficial use and completion of works.

We are returning same for additional information. Under question six (6) of the holder's proof, you overlooked giving the legal land description of the land irrigated or showing the number of acres irrigated in each 40 acre subdivision. Also we wish that you would fill out question number seven (7) of each of your witnesses' giving the same information as recited above. Otherwise the proofs are in good form.

It will also be necessary for you to get an affidavit of publication from the paper and forward to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls.

G-25887

October 23, 1957

RE: Permit No. G-25887

Mr. J. Melvin Toone, Mr. Spencer W. Toone
and Mr. James N. Toone
Carey, Idaho

Gentlemen:

Referring to our letter of September 4th, in which we returned your Proof of Application to Beneficial Use and Completion of Works for - completion of questions - six (6) of the deposition of holder and question seven (7) of the depositions of the two witnesses and the request for the affidavit of publication.

To date, we have not received the proofs or the affidavit of publication, which are a very important part of our file.

If you wish to complete this filing, it will be necessary for you to return the above mentioned depositions and the affidavit of publication at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

25887

- Advertising Results
- Commercial Printing
- Office Equipment
- Business Supplies
- Creative Promotions
- Newspaper Publishers

STATEMENT

The HAILEY TIMES

HAILEY, IDAHO

"It's Our Business To Help Your Business"

Hailey, Idaho Sept. 1, 1957

- ❖ James, Spencer and Melvin Toone
- ❖ P. O. Box 261
- ❖ Carey, Idaho

Phone 133

Description

Legal Publication, "Notice of Proof of Completion of works and Application of Water to Beneficial Use", published four issues, 7-25-57 through 8-15-57, 51 lines

G-2588

Carey Idaho
aug - 27 - 1957

Department of Reclamation
Boise Idaho.

Dear Sirs:

They have not sent us
any affidavit of Publication
so for enclosing Publication.
~~that~~ It was published 4
separate weeks.

Sincerely
Spencer W. Towner

C-25887

July 18, 1957

Re: Permit No. C-25887

Mr. Spencer W. Toome
Box 201,
Carey, Idaho

Dear Mr. Toome:

This acknowledges receipt of the notice of proofs of completion of works and application of water to beneficial use under Permit No. C-25887, to be made at 1:00 P. M. on the 22nd day of August at Carey, Idaho, before Alice York, Notary Public.

Today we have sent the notice to the Blaine County News, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then send the affidavit of publication and statement of costs to you.

At 1:00 P. M. on the 22nd day of August, at Carey, Idaho, you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder must appear before Alice York, Notary Public to execute the enclosed depositions.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. UL
State Reclamation Engineer
BY

Chief Clerk

MPR:lw

cc: James M. Toome, Jr.
Melvin Toome
Alice York, Notary

G-25887

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-25887
James M. Jr., Spencer W. & Melvin Toone Date: July 18, 1957

Blaine County News
Carey, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 22, 1957 the date set for proof, the expense of the publication to be paid by the applicant, Spencer W. Toone of Box 261 Carey, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

EPRLlw

Chief Clerk

G-25887

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

Notice is hereby given that at 1:00 P.M., on the 22nd
day of August, 19 57, at Carey, County of
Blaine, State of Idaho, before Alice York
Notary Public, proof will be submitted of the completion of
works for the diversion of 3.0 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-25887 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 are James M. Jr., Spencer W. Toone & Melvin Toone, Box 261, Carey, Idaho

2. Said works of diversion will be fully completed on the date set for such
completion, and the amount of water which said works are capable of conveying to
the place of use is 3.0 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
3.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 1 S.,
Rge. 21 E. B. M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 7.,
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, all in Twp. 1 S., Rge. 21 E. B.M.

6. The date of priority which said user is prepared to establish is
July 25, 1955.

25887

MARK R. RULP

State Reclamation Engineer

July 9, 1957

RE: Permit No. G-25887

Mr. Spencer W. Toone
Box 261
Carey, Idaho

Dear Mr. Toone:

This will acknowledge receipt of notice of proofs of completion of works and application for water for beneficial use to be sent to the Blaine County News for publication purposes.

You failed in your publication notice to state the name of the Notary Public before whom you were to appear for making said proofs. It will be necessary for you to give us the name of the Notary so that we may insert the same on the publication notice prior to publication.

Please attend to this at once so that same may be published for four (4) weekly issues in the paper prior to August 16, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

CC: James W. Toone, Jr.
Melvin Toone
Carey, Idaho

T:vh

G-25887



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

RECEIVED
JUL 15 1957
Department of Reclamation

July 9, 1957

RE: Permit No. G-25887

Mr. Spencer W. Toone
Box 261
Carey, Idaho

Dear Mr. Toone:

This will acknowledge receipt of notice of proofs of completion of works and application for water for beneficial use to be sent to the Blaine County News for publication purposes.

You failed in your publication notice to state the name of the Notary Public before whom you were to appear for making said proofs. It will be necessary for you to give us the name of the Notary so that we may insert the same on the publication notice prior to publication.

Please attend to this at once so that same may be published for four (4) weekly issues in the paper prior to August 16, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Ray W. Thompson
Ray W. Thompson
Office Manager

CC: James M. Toone, Jr.
Melvin Toone
Carey, Idaho

T:vh

Mrs. Alice York.
Carey Idaho.
Sent

G-25887

XX

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

RE: Permit No. G- 25887 DEPARTMENT OF RECLAMATION June 1, 1957

Messrs, James M, Spencer W., J. Melvin Toone
% Spencer W. Toone
Carey, Idaho

Dear Sirs:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-25887. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than August 16, 1957.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

25887

September 1, 1955

RE: Permit No. G-25887

Mr. Spencer W. Toone
Carey
Idaho

Dear Mr. Toone:

We enclose Permit No. G-25887 in the name of yourself, James M. Toone, Jr., and J. Melvin Toone together with departmental receipt No. G-11415 for the \$6.75 filing fee.

Although your application states that only one year will be required for completion of works and beneficial use, we have allowed two years or until August 16, 1957. However, these profits may be made at any earlier date that you are prepared to make them and we shall be glad to send you the necessary forms and instruction upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

Enc.

G-25887

the following described real property situated
in Blaine County, State of Idaho, described as follows, to-wit:

Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$);
Lots Three (3) and Four (4); Southeast Quarter
of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$); Lot Two (2);
Southeast Quarter of the Northwest Quarter
(SE $\frac{1}{4}$ NW $\frac{1}{4}$); Northeast Quarter of the Southwest
Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); Southeast Quarter (SE $\frac{1}{4}$) Sec-
tion Seven (7), Township One (1) South, Range
Twenty-one (21). East Boise Meridian.

West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$)
Section Eight (8), Township One (1) South,
Range Twenty-one (21). East Boise Meridian.

North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$);
Northeast Quarter of the Northwest Quarter
(NE $\frac{1}{4}$ NW $\frac{1}{4}$) Section Eighteen (18), Township One (1)
South, Range Twenty-one (21). East Boise Meridian.

~~West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$); Northeast~~
~~Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$);~~
~~Northwest Quarter of the Northeast Quarter~~
~~(NW $\frac{1}{4}$ NE $\frac{1}{4}$); Southeast Quarter of the Southwest~~
~~Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$); South Half of the Southeast~~
~~Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) all in Section Twenty-three~~
~~(23), Township One (1) North, Range Twenty (20)~~
~~East, Boise Meridian.~~ *ent*

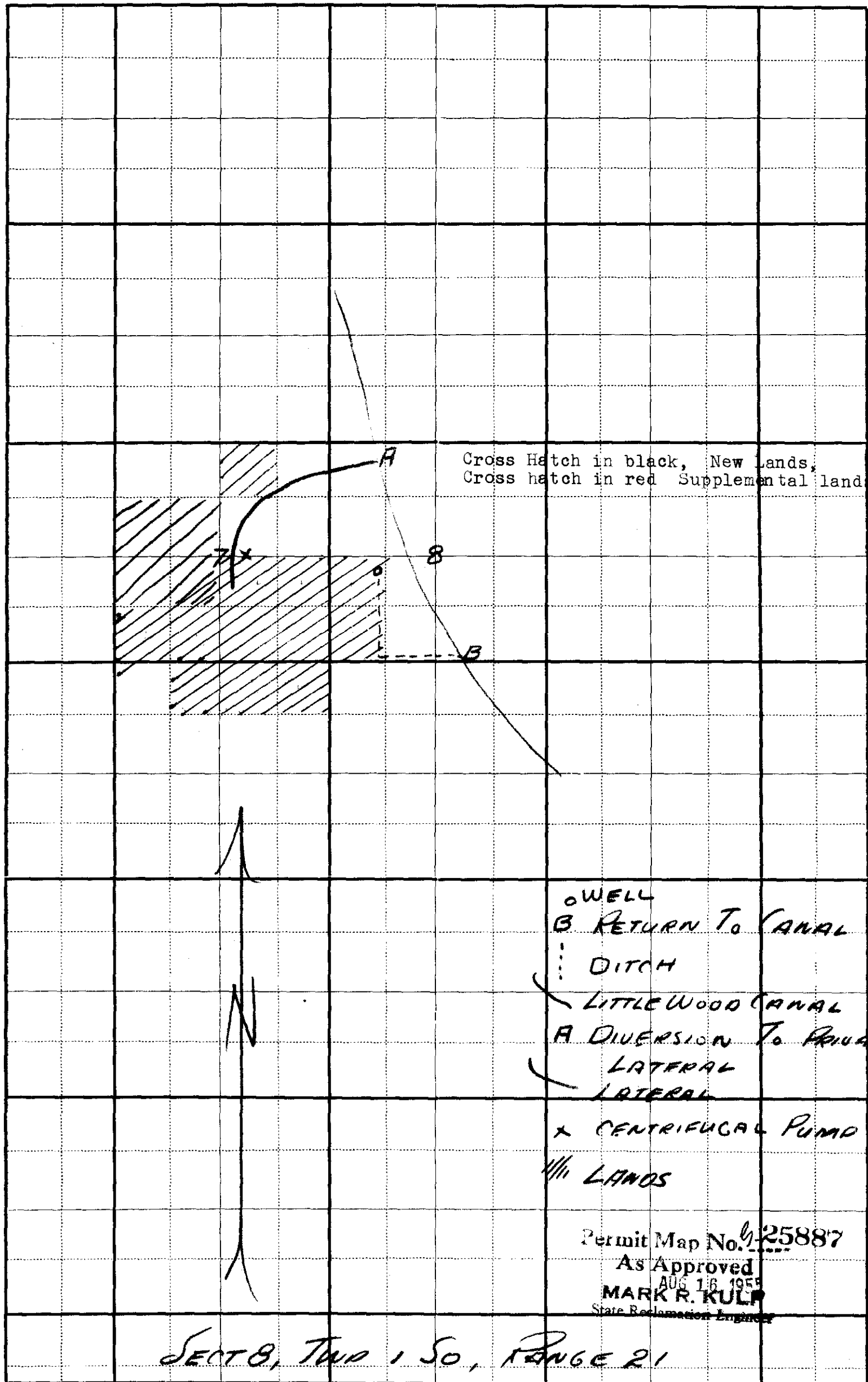
North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$);
Northeast Quarter of the Northeast Quarter
(NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section Twenty-six (26), Township
One (1) North, Range Twenty (20) East, Boise
Meridian.

Together with all water rights of every kind and
character whatsoever belonging to, appurtenant to
or available for use upon said premises including,
but without limiting the water rights thereto,
six shares of stock in the West Canal from Little
Wood River, one hundred fifty (150) acre feet
from Little Wood River Irrigation District, and
sixty (60) shares in Fish Creek Reservoir.

G-25887

SPENCER W. JAMES M. AND
NAME OF APPLICANT J. MELVIN TOONE

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

25887



ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 8, 1955

Mr. Spencer W. Toone
Carey
Idaho

Dear Mr. Toone:

We have your reply to Office Letter of August 1, 1955, in regard to the Application of yourself and others to appropriate 400 inches of water from a well and note your statement that you wish to use some of this water on your ranch as supplemental to your existing water right.

If you will give us the legal description of this additional 250 acres we can include it in your Application and approve same for the 400 inches applied for.

Also please advise the source of the existing water right, that is, if it is a decreed right, the amount and the priority.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson
Chief Clerk

RECEIVED
AUG 10 1955
Department of Reclamation
A:cu

Dear Sirs
Find Enclosed legal description of
all our Property. Property X out in red
has no connection with proposed well.
The rest would come under it. The part we sent
in before for full water & the rest for
25887 (over)

Supplement water. also find enclosed
statement of our present water
thank you

Spencer H. Toome

G 25887



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 1, 1955

RECEIVED
AUG 8 1955
Department of Reclamation

Mr. Spencer W. Toone
Carey
Idaho

Dear Mr. Toone:

In reference to the Application of yourself and James M. Toone, Jr., and J. Melvin Toone, which reached us this morning:

Your Application is for 400 inches of water to be used on 160 acres of land. The maximum allowed by statutes for irrigation is one inch per acre, so your Application cannot be approved for more than 160 inches unless you wish to use it on more land than the 160 acres described.

We shall await your further advise before processing your Application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson

Chief Clerk

A:cu

*I hear Sirs
With regard to your above
letter. We also need additional water
to irrigate our ranch already under-
water 250 acres. Our present water
right is not sufficient Over 258'*

to Produce a Satisfactory Crop.

Sincerely Yours.

J. Melvin Toone
& Sons.

By. Spencer W. Toone

Dear Sirs:

You retained our check
for \$6.75 when we sent this
in before correction.

Thank you
Spencer W. Foote

RECEIVED
AUG 1 1955
Department of Reclamation

G 25887

July 25, 1955

Messrs. James, Shaw & James
P.O.Box 176
Gooding, Idaho

ATTENTION: Mr. Andrew F. James

Dear Mr. James:

We acknowledge receipt of your letter of July 21 enclosing the application of Toone Brothers to appropriate water from a well accompanied by their check for the \$6.75 filing fees.

However, this application is made on the form used for filing on surface streams and we return it with the request that it be resubmitted on Form 3 enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

G 25887

JAMES, SHAW & JAMES

ATTORNEYS AT LAW

GOODING, IDAHO

A. F. JAMES (1882-1950)
CHAR. C. SHAW
ANDREW F. JAMES

P. O. BOX 176
TELEPHONE 16

July 21, 1955

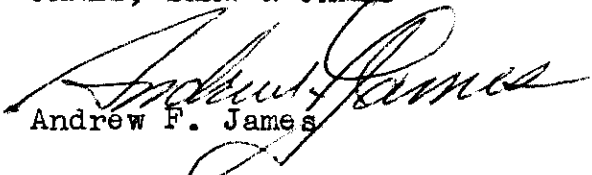
State of Idaho
Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

We enclose herewith on behalf of the
Toone Brothers of Carey, Idaho, application
for permit to appropriate public waters and
check in the sum of \$6.75 in payment of filing
fee.

Very truly yours,

JAMES, SHAW & JAMES


Andrew F. James

AFJ:ln

Enc. 2

RECEIVED
JUL 25 1955
Department of Reclamation

2588

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

Notice is hereby given that at 1:00 P.M. on the 22nd day of August, 1957, at Carey, County of Blaine, State of Idaho, before Alice York, Notary Public, proof will be submitted of the completion of works for the diversion of 3.0 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25887 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 are James M. Jr., Spencer W. Toone and Melvin Toone, Box 261, Carey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 1 S., Rge. 21 E. B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 7, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, all in Twp. 1 S., Rge. 21 E. B.M.

6. The date of priority which said user is prepared to establish is July 25, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 7/25-8/15

25887