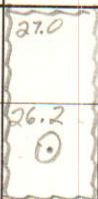


R 39 E



35

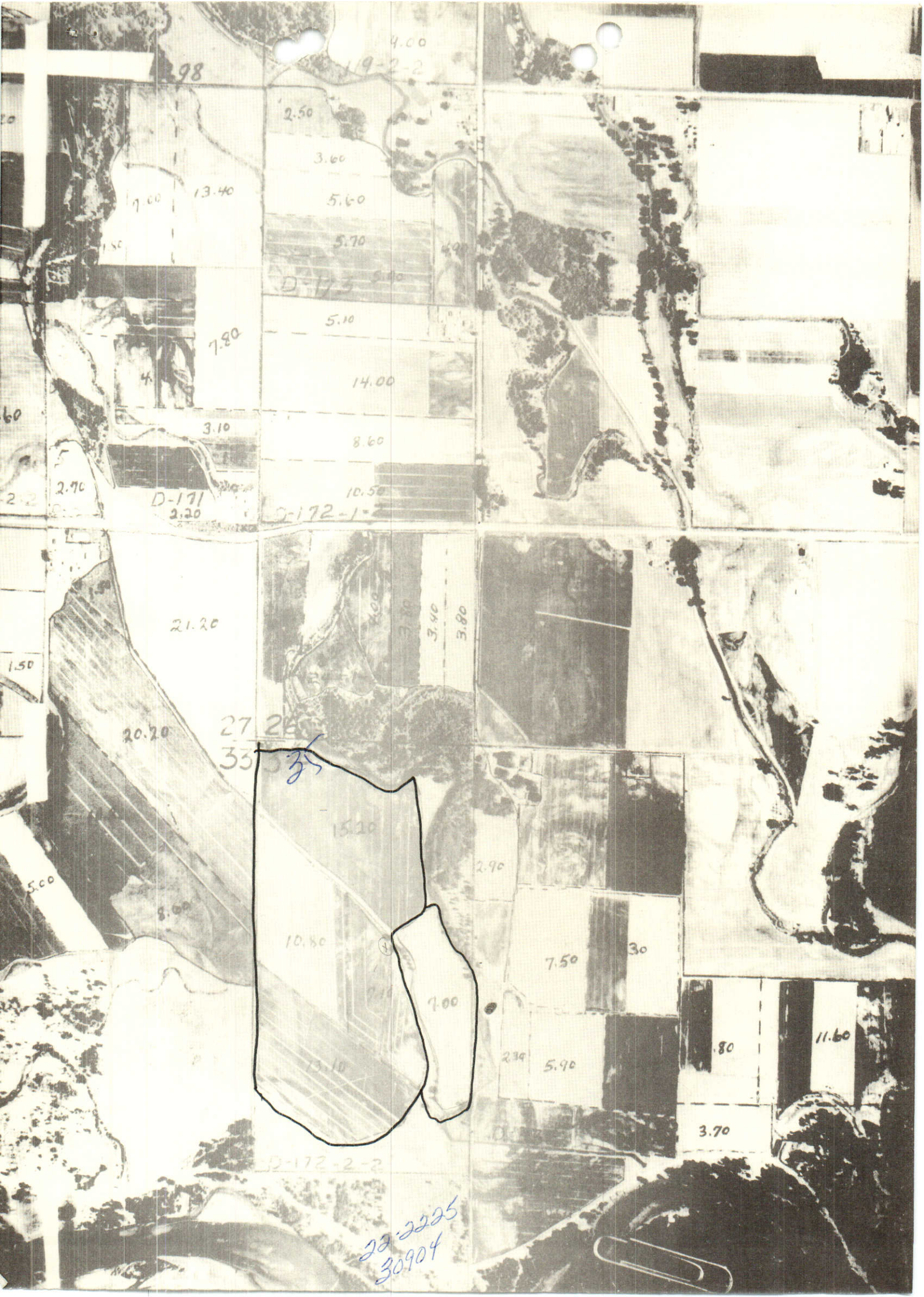
53.2 Acres

Area = 53.2
Sub. = 2

Q = 1.06 ¹⁸⁶²

VOL = ~~186.1~~ ¹⁸⁶² Ac FT/SEASON

Priority = JANUARY 14, 1963



98

4.00

19-2-2

2.50

3.60

5.60

5.70

D-173

5.10

14.00

8.60

10.50

D-172-1-2

7.00

13.40

7.80

3.10

D-171
2.20

21.20

20.20

27 26

33 35

15.20

10.80

7.00

2.90

7.50

30

2.30

5.90

.80

11.60

3.70

D-172-2-2

22-2225
30904

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Annette Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Proof

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for four
consecutive issues, the first publication hav-

ing been made on November 23, 1967
and the last publication having been made

on December 11, 1967.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter



Subscribed to and sworn to before me

this 11th day of December, 1967.

John C. Porter

Notary Public.

(SEAL)

My commission expires 6-5-68

RECEIVED

DEC 23 1967

Department of Reclamation

NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that
on December 18, 1967 at Rex-
burg, County of Madison, State
of Idaho, before notary public
Ray W. Rigby, 25 North 2nd
East, Rexburg, Idaho, proof will
be submitted of the comple-
tion of works for the diversion

of 1.6 c.f.s of the waters of a
well, and the application to ben-
eficial use of said water, in
accordance with the terms and
conditions of permit G-30904,
heretofore issued by the Depart-
ment of Reclamation of the
State of Idaho.

1. The name and address of
permit holder is Richard R
Roth, Route 1, Thornton, Idaho.

2. Said works of diversion
will be fully completed on the
date for such completion, and
the amount of water which
said works are capable of con-
veying to the place of use is 1.6
cubic feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is 1.6
c.f.s.

4. The point of diversion of
said water is SW1/4NW1/4, Sec.
35, T. 5 N., R. 39 E., B.M.,
Madison County.

5. The place where said water
is used is W1/4NW1/4, Sec. 35, T.
5 N., R. 39 E., B.M.

6. The date of priority which
said user is prepared to estab-
lish is January 14, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer
(Publ. Nov. 23, 30, Dec. 7, 14,
1967).

30904

**NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE**

03 Notice is hereby given that on December 18, 1967 at Rexburg, County of Madison, State of Idaho, before notary public Ray W. Rigby, 25 North 2nd East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion

of 1.6 c.f.s of the waters of a well, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-30904, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Richard R. Roth, Route 1, Thornton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.6 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 5 N., R. 39 E., B.M., Madison County.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T. 5 N., R. 39 E., B.M.

6. The date of priority which said user is prepared to establish is January 14, 1963.

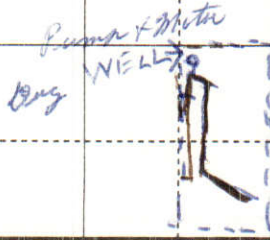
R. KEITH HIGGINSON
State Reclamation Engineer
(Publ. Nov. 23, 30, Dec. 7, 14, 1967).

NAME OF APPLICANT

Richard R Roth

Form No. 0

Sec 35 Range 39
TWP 35 FBM



North

T51N R39E

Permit Map No. 30904
As Approved
GEO. N. CARTER
State Registration Engineer
JAN 17 1963

WATER LICENSE

Water License No. G-30904/22-2225 Priority January 14, 1963 Amount 1.06 c.f.s.

THIS IS TO CERTIFY, that RICHARD R. ROTH
of Thornton, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated January 14, 1963; that Permit G-30904/22-2225 was issued pursuant
to said application; that the proposed works were completed on or about May 1967,
with a storage or carrying capacity of 2.59 c.f.s., said works consisting of well, pump, and earth ditches
well, pump, and earth ditches; and that on December 18, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 186.2
acre feet per season, with a maximum rate of diversion of 1.06 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW 1/4 NW 1/4, Sec. 35, T. 5 N, R. 39 E, B.M., and
other additional points _____, in the County of
Madison; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 186.2 acre feet per year.

Description and location of place of use:

TWP.	RANG.	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	
5 N	39 E	35						27	26.2										53.2

Total number of acres irrigated 53.2

The right to the use of the water 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
29th day of October, 19 69.
R. Kirk Higin
State Reclamation Engineer

22 2225

22-2225
30904

planned
for

APPLICATION FOR PERMIT *22-2225*

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38984
Permit No. G- 30904
District No.

1. Name of Applicant: Richard R. Roth
Postoffice address: Thornton, Rt. 1 County: Madison State: Idaho
2. Quantity of water claimed: 80 inches - 1.6 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW 1/4 of the NW 1/4 of Section 35
Twp. 5 N , Rge. 39 E , B.M., County of Madison
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 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: Open Pit
8. Estimated cost of works: \$2500.00
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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Surface water
 - (a) 1.6 (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.

LICENSE ISSUED FOR 106 SEC. FI.
 LICENSE PAGE NO. 1

October 29, 1969

Re: Permit No. G-30904/22-2225

Mr. Richard R. Roth
Route 1
Thornton, Idaho 83453

Dear Mr. Roth:

Enclosed you will find your Water License issued on the above numbered permit .

Also enclosed is departmental receipt No. 3764 in the amount of \$9.00 covering the fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

C
O
P
Y

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 21, 1969

Water Reclamation

Re: Permit No. 30904/22-2225

Richard R. Roth
Route #1
Thornton, Idaho 83453

Dear Mr. Roth:

A representative of this department has made an examination of the works covered by your Permit 22-2225 and has found the following:

Quantity of water diverted: 2.59 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.06 c.f.s.

The maximum quantity diverted shall not exceed 186.2 acre feet per season.

Beneficial Use: for irrigation of 53.2 acres in W/4NW/4, Sec. 35,
T. 5N, R. 39E, B.M.

The priority date established is: January 14, 1963

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dean R. Reynolds".

Dean R. Reynolds
Field Examiner

DRR:mh

22-2225
30904

October 21, 1969

Re: Permit No. 30904/22-2225

Richard R. Roth
Route #1
Thornton, Idaho 83453

Dear Mr. Roth:

A representative of this department has made an examination of the works covered by your Permit 22-2225 and has found the following:

Quantity of water diverted: 2.59 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.06 c.f.s.

The maximum quantity diverted shall not exceed 186.2 acre feet per season.

Beneficial Use: for irrigation of 53.2 acres in W4NW4, Sec. 35,
T. 5N, R. 39E, B.M.

The priority date established is: January 14, 1963

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:mb

30904
10-22-69

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

Permit No. G-30904

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

1. Name of applicant Richard R. Roth

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW 1/4 NW 1/4 of Section 35

R 39 E T 5 N County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: contacted Mr. Roth

AMARILLO Right Angle Drive unit 30 HP Ser. # OL

Johnston Pump

12" Discharge

EARTH Ditches

5. Water is used for: irrigation purposes

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):

SW 1/4 sec. 35, T. 5 N, R. 39 E, B.M.

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

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

Remarks: contacted Mr. Roth

100 - 36 = 2.78 cfs

100 - 38 = 2.64 " 2.63

100 - 40 = 2.5 "

100 - 41 = 2.44 "

4 / 10.35 = 2.59

Allow 1.06 cfs

Vol 86.2 Acc 5%

Irrigation Req 3.5

This examination was made on the 8 day of July, 1968

(Signed) Examiner.

PLAT

AMARILLO RANGE Drive
Ser #0L

30 HP
1760 RPM

Johnston Pump

8" CASING
12" Discharge

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.

Richard R. Roth
Route #1
Thononton, Idaho

Permit No. G-30904

Examination for Completion of Works and Beneficial Use

County Madison County

Sec. 35 T. 5 NR. 39 E

Quantity:

1.6 c.f.s.

Source:

subterranean

P.D.:

SW 1/4, sec. 35, T. 5 N, R. 39 E, B.M.

Use:

Irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

surface water

Filed:

January 14, 1963

Due:

January 17, 1968

Made:

December 18, 1967

Priority:

January 14, 1963

well/pump, & pumped
into ditches & flood
irrigation

28' x 20'
H-12 feet
Q-250"

100 - 36 2.78
100 - 38 2.64
100 - 40 2.5
100 - 41 2.44

R 39 E

27.0
26.2
0

35

53.2 Acres

Area = 53.2
Sub. = 2

Q = 1.06 1962

VOL = 186.1 Ac FT/SEASON

Priority = JANUARY 14, 1963

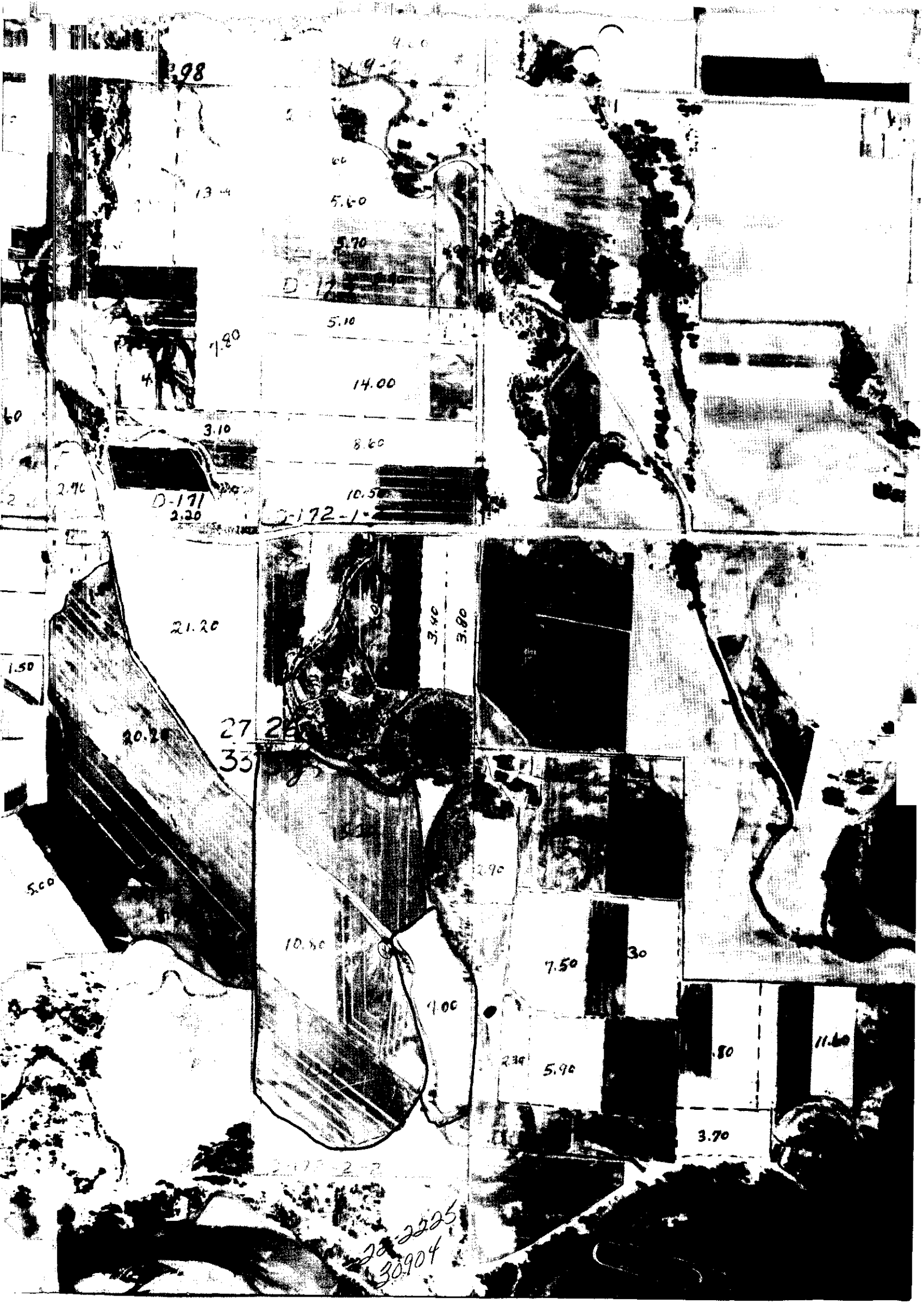
Form 28
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30904

REPORT ON PROOF OF Completion of Works & Beneficial Use



December 29, 1967

Re: Permit No. G-30904

Richard R. Roth
Route 1
Thornton, Idaho

Dear Mr. Roth:

We acknowledge receipt of the depositions and affidavit of publication in the
Rexburg Standard-Journal submitted as proof of com-
pletion of works and beneficial use on Permit G-30904.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McKidowney
Water Rights Clerk

DWM:dj

30904

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 362
REXBURG, IDAHO 83440

RECEIVED
DEC 20 1967

RAY W. RIGBY
GORDON S. THATCHER

December 28, 1967

Department of Reclamation
Department of Reclamation
TELEPHONE
856.2623
AREA CODE 208

Mr. R. Keith Higginson
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. G-30904
Richard R. Roth

Dear Mr. Higginson:

I enclose herewith the following instruments to complete the submission of completion of works and application of water to beneficial use on the above numbered permit:

- (1) Affidavit of Publication from The Rexburg Standard & Journal.
- (2) Deposition of Holder.
- (3) Deposition of two Witnesses.

If you need anything further to complete this filing, please let us know.

Yours very truly,

Ray W. Rigby
of RIGBY & THATCHER

SS
Enclosures

30904

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30904

RECEIVED

DEC 29 1967

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:

Jacob E. Whittaker, 52, Route 1, Thornton, Idaho, farmer, Route 1

Thornton, Idaho.

Ques. 2 Are you acquainted with Richard R. Roth, the holder of
Permit No. G-30904? How long have you known him and where does he reside?

I've known him 37 years, and he resides at Route 1, Thornton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30904 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: Well with pump, and pumped
into ditches and flood irrigated.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.6 cfs How much water have you seen being so
conveyed? 1.6 cfs

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40) and SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40), in Sec. 35, Twp. 5 N., R. 39, E.B.M.
in Madison County, Idaho.

30904

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is 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.

Land could only be partially irrigated before with early flood water, and makes better crops. Requires at least 1.6 cfs for profitable cultivation.

Ques. 9. Have you any ownership 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? May, 1967.

Other times you have seen such use: All during irrigation season of 1967.

(Signed):

Jacob E. Whittaker

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

Re xburg, County of Madison, State of Idaho, on this 18th day of December, A. D. 19 67.

Lay W. Lighty

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 1-26-71

30904

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30904

RECEIVED

DEC 29 1967

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:

Dee F. Bowen, Route 1, Thornton, Idaho, farmer, age 42, Route 1

Thornton, Idaho.

Ques. 2 Are you acquainted with Richard R. Roth, the holder of
Permit No. G-30904? How long have you known him and where does he reside?

I've known him 35 years, and he resides at Route 1, Thornton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30904 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: Well with pump, and pumped
into ditches and flood irrigated.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.6 cfs How much water have you seen being so
conveyed? 1.6 cfs

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40) and SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40), in Sec. 35, Twp. 5 N., R. 39, E.B.M.,
Madison County, Idaho.

30904

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is 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.

Land could only be partially irrigated before with early flood water, and makes better crops. Requires 1.6 cfs for profitable irrigation.

Ques. 9. Have you any ownership 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? May, 1967.

Other times you have seen such use: All during irrigation season of 1967.

(Signed):

Alce F. Bowman

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 Rexburg

 , County of Madison, State of Idaho, on this 18th day of December, A. D. 1967.

Lay W. Light

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 1-26-71

30904

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

Boise, Idaho

DEC 29 1961

Permit No. G-30904

Department of Reclamation

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: _____

Richard R. Roth, Route 1, Thornton, Idaho, farmer, Route 1, Thornton, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if 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: _____

Permit No. G-30904, approved January 17, 1963, date of priority is
January 17, 1963.

Ques. 4. State source of water supply: subterranean

Give location of point of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

Ques. 5. Describe your works of diversion: Well with pump, and pumped into
ditches and flood irrigated

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 1.6 cfs ; Give name of canal or ditch or other works by which water is conducted to such place of use: ditch on

Richard Roth property; if a well, state depth of well 28 feet ; depth and size of casing 28 feet 20" casing ; depth to water 12 feet ; if pump is used, state discharge of pump: 250" ; tell how it was measured or determined _____
well driller ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: 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:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40) and SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40), in Sec. 35, Twp. 5 N., R. 39, E.B.M.,
Madison County, Idaho.

Log in

30904

Lf

State nature of all improvements which have been made as a direct result of said use:

Some of the land had never had water on it before, and was converted to irrigated land.

Ques. 6: If this is a ground water permit, give name and address of person that drilled the well: Frandsen Bros., Route 4, Blackfoot, Idaho.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May, 1967 - Time used since first use:

Used throughout irrigation season in 1967.

Ques. 10. Describe all other water rights appurtenant to same place of use:

Only have an early flood water right, which is a decreed right to 150 inches, with a priority date of 1902, and which cuts off approximately July 10 in normal years, and the water applied for is to supplement that decreed right.

(sign)

Richard R. Roth

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

Rexburg, County of Madison

State of Idaho, on this 18th day of December, A. D. 19 67.

My commission expires: 1-26-71

Lay W. Rigby
Notary Public for Idaho
Residing at Rexburg, Idaho

30904

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

DEC 23 1967

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Annette Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Proof

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for four
consecutive issues, the first publication hav-

ing been made on November 23, 1967
and the last publication having been made

on December 14, 1967.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter

Subscribed to and sworn to before me

this 14th day of December, 1967.

John C. Porter
Notary Public.

(SEAL)

My commission expires 6-5-68

30904

November 7, 1967

Re: Permit No. G-30904

Richard R. Roth
Route 1
Thornton, Idaho

Dear Mr. Roth:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-30904.

We have mailed the notice to the Rexburg Journal
to be published once a week for four consecutive weeks prior to December 18,
1967, which is the hearing date when the permit holder Richard R. Roth

and two disinterested witnesses must appear before _____
Ray W. Rigby, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Richard R. Roth

_____. Be sure all the forms have the notary's
seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

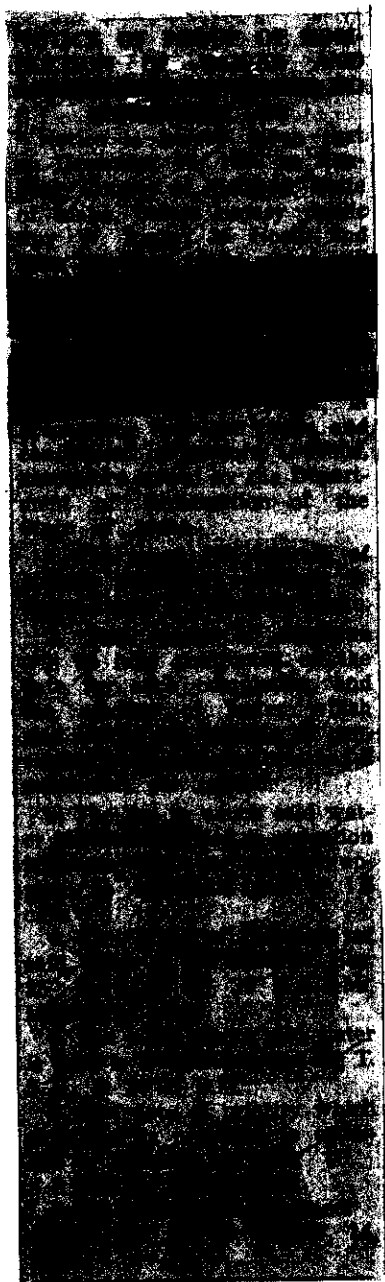
Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

30904



(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Rexburg Journal of Rexburg, Idaho; published in the county in which the works are situated.

Richard R. Roth
(signature)

Route 1, Thornton, Idaho
(address)

November 6, 1967
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

30904

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

Notice is hereby given that on December 18, 1967 at Rexburg,
County of Madison, State of Idaho, before notary public (name & address) _____
Rav W. Rigby, 25 North 2nd East, Rexburg, Idaho, proof will be
submitted of the completion of works for the diversion of 1.6 c.f.s. of the waters
of a well, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-30904, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Richard R. Roth, Route 1,
Thornton, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
1.6 cubic feet per second.
3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial
use is 1.6 c.f.s.
4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 5 N,
R. 39 E, B.M., Madison County.
5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T. 5 N,
R. 39 E, B.M.
6. The date of priority which said user is prepared to establish is _____
January 14, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

30904

November 7th, 1967

Re: Permit No. G-30904
Richard R. Roth

Rexburg Journal
Rexburg, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to December 18, 1967. The expense of the publication is to paid by Richard R. Roth, Route 1, Thornton, Idaho

_____,'
to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

30904

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 362
REXBURG, IDAHO 83440

NOV 7 1967

RAY W. RIGBY
GORDON S. THATCHER

November 6, 1967

TELEPHONE
356-8633
AREA CODE 208

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

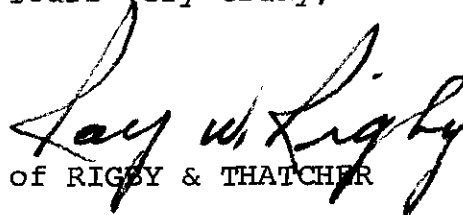
Re: Permit No. G-30904
Richard R. Roth

Dear Mr. Higginson:

I enclose herewith Form 36, Notice of Proof of Completion of Works and Application of Water to Beneficial Use, and Form 11, concerning the above entitled permit. Will you please send the forms for deposition of holder and witnesses to this office.

By the way, we have never received the recorded Assignments on Permit No. G-32571 and G-32570, assigned by Florence M. Gardner to Hoopes, Lewis and Webster. They were sent to your office on October 18, 1967.

Yours very truly,


of RIGBY & THATCHER

SS
Enclosures

30904

Re: Permit No. G-30904

November 1, 1967

Richard R. Roth
Route 1
Thornton, Idaho

Dear Mr. Roth:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than January 17, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

30904

RECEIVED
MAY 24 1967

WELL LOG AND REPORT TO THE Department of Reclamation
STATE RECLAMATION ENGINEER OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-238

Permit No. 6.30904 Well No. _____ County Blaine

Owner Richard Roth

Address Highway R1 Idaho

Driller Guy L. Zander

Address R4 Blackfoot

Well location NW 1/4 NW 1/4 Sec. 35, T. 5 N/S, R. 39 E/W

Size of drilled hole 20"

irrigation Total depth of well 28 ft

Give depth to standing water from the ground 12 ft Water temp. _____ °Fahr.

Test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet. Pump? _____ Bail? _____

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for _____ Weight of casing per lineal foot _____

Thickness of casing 1/4 Casing material Steel
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 20"
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
20"	0	28		

Number and size of perforations None located _____ feet to _____ feet from ground

Date of commencement of well March 10, 1967 Date of completion of well March 13, 1967

30904

WELL LOG

[illegible]

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed Ray L. Franzen

By _____

Dated May 10, 1967.

License No. 952

Well Driller's Helper

30904

January 23, 1963

Re: Permit No. G-30904

Mr. Richard R. Roth,
Route #1,
Thornton, Idaho.

Dear Mr. Roth:

We enclose Permit No. G-30904 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7660 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. --

30904

NAME OF APPLICANT

Richard R Roth

Form No. 0

Sec 35 Range 39
TWP 13 FBM

Range 39 North
Well 39



North

T51N R39E

530904

JAN 17 1965