

T 546 N. 540 E.

48.12

10.05

33
+3

33 34-110

34 35
-2

x 70
34.0

3
10

313.50

82.49

77.83

88.80

30510

Eq 40E

To
Saxburg

30510

10 lines
8/32

3

Q₂₅

31

62

24

40

7

71

24

40

25

89

24

40?

33

97

24

40

25

319

10

24

40

25

11

Tracker

AREA - 319

SUBD - 11

Q - 3.87 c.f.s.

VOL - 1118 AC-FT / SEASON

Priority 25 May 1962

WRP
WRK 7/13/69

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

Notice of Proof of Completion

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 July 25, 1967
and the last publication having been made
on August 15, 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 15th day of August, 1967.

John C. Porter
Notary Public.
(SEAL)

My commission expires 6-5-68

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

Notice is hereby given that
on August 18, 1967 at Rexburg,
County of Madison, State of
Idaho, before notary public
(name & address) Mary Smith,
30 South 2nd West, Rexburg,
Idaho, proof will be submitted
of the completion of works for
the diversion of 6.42 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 per-
mit G-30510, heretofore issued
by the Department of Reclama-
tion of the State of Idaho.

1. The name and address of
permit holder is Jim W. Howe,
Rexburg, 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 6.42 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 6.42
c.f.s.

4. The point of diversion of
said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
3, T. 5 N, R. 40 E, B.M.

5. The place where said water
is used is SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,
Sec. 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
3; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; N $\frac{1}{2}$ -
NW $\frac{1}{4}$, Sec. 11, T. 5 N, R. 40
E, B.M.

6. The date of priority which

said user is prepared to establish
is May 25, 1962.

R. Keith Higginson,
State Reclamation Engineer
(Publ. July 25, Aug. 1, 8, 15,
1967).

correct affidavit

RECEIVED
AUG 31 1967

Department of Reclamation

RECEIVED
AUG 29 1967

Department of Reclamation

30510

NAME OF APPLICANT

James W. Howe

Form No. 0

+5 N. 1 R. 4 E. B. M.

3

2

10

11

Permit Map No. *230510*

As Approved

JUN 1 1962

GEO. N. CARTER

State Reclamation Engineer

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

30570

T. 5 N., R. 40 E. B. M.

Commencing at the Northwest corner of Lot 4
of Sec. 2, Township 5 North, Range 40 East of the
Bear Meridian, and running thence S 89° 51' E 1331 ft
to the Northwest corner of Lot 4, thence S 0° 02' E 1710.3 ft,
thence S 32° 15' E 1483.2', thence S 0° 10' E 135 ft, thence
S 39° 08' E 671.2', thence S 23° 10' W 258.6', thence S 14° 45' W
2519', thence S 0° 44' E 262.8 ft, thence S 2° 48' W 240.9',
thence S 7° 50' W 200', thence S 11° 29' W 286.6', thence
S 10° 17' W 154.2', thence S 7° 08' W 200', thence S 12° 50' W
200.8', thence S 19° 00' W 153', thence S 9° 07' W 100',
thence S 2° 23' W 247.1', thence S 28° 50' E 484.5',
thence S 2° 57' E 261', thence S 17° 20' E 370.3',
thence S 20° 14' E 130.8', thence S 23° 50' E 200.6', thence S 19° 00'
E 200', thence S 10° 21' E 1021.6', then west 3,446.3' to
North 9240' to the point of beginning and containing 648.25
acres more or less and containing 17.9 acres of waste.

thence no line to L. 1 Sec. 3, T. 5-40.
thence 787.3' or so to

WATER LICENSE

Water License No. G-30510 Priority May 25, 1962 Amount 3.87 c.f.s.THIS IS TO CERTIFY, that JIM W. HOWE

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 25, 1962; that Permit G-30510 was issued pursuant to said application; that the proposed works were completed on or about July 1, 1962, with a storage/or carrying capacity of 3.87 c.f.s., said works consisting of well, motor and pump; and that on August 18, 1967,

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1118 acre feet per season, with a maximum rate of diversion of 3.87 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 Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 5 N, R. 40 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 1118 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>5 N</u>	<u>40 E</u>	<u>2</u>							<u>37</u>		<u>7</u>	<u>40</u>	<u>40</u>	<u>25</u>					<u>149</u>
		<u>3</u>				<u>25</u>									<u>24</u>			<u>24</u>	<u>73</u>
		<u>10</u>	<u>24</u>																<u>24</u>
		<u>11</u>					<u>33</u>	<u>40</u>											<u>73</u>

Total number of acres irrigated 319

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

22nd day of April, 1969.

State Reclamation Engineer

22 2223

30510

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38584
Permit No. G- 30510
District No.

1. Name of Applicant: **Jim W. Howe**
Postoffice address: **Rexburg** County: **Madison** State: **Idaho**
2. Quantity of water claimed: **321 inches of 6.42 cfs**
(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 **SE** $\frac{1}{4}$ of the **NE** $\frac{1}{4}$ of Section **3**
Twp. **5 N** , Rge. **40 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 $\frac{1}{4}$ 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: **Turban pump in well**
8. Estimated cost of works: **\$ 35,000**
9. (a) Is reservoir to be used? **no**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
(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) **321** (cubic feet per second, inches or gallons per minute) is for new lands.

EXTENSION OF TIME APPLICATION

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above extension of time for Permit 30510. Extended to September 1, 1967.

Witness my hand this 28th day of June, 1967.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 3.87 SEC. FT.
LICENSE PAG NO.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 1997

Steven R. Parry
Anderson, Nelson, Hall & Smith
P.O. Box 51630
Idaho Falls, Idaho 83405-1630

Re: Rowan v. Riley

Dear Mr. Parry:

Your letter of June 3, 1997 asks for an immediate response to two "demands." Your first demand is "to know whether Mr. Webster took his action on behalf of the Department as the Department's agent or whether he took it independently." Mr. Webster is not an employee or contract representative of IDWR, and was not to my knowledge, acting directly on behalf of IDWR. However, the permit issued to Ms. Rowan earlier this year (22-07792) includes a condition to install a measuring device on the diverting works. This condition needs to be complied with prior to submitting proof of beneficial use. Perhaps this is the reason that the measuring device was being installed. The permit does not authorize trespass on the property or possessions of others.

The second demand is for IDWR "to make an appointment with the Rileys to come to the property and confirm that the water on the 160 acres is coming from the north well and the Rileys' Water License." I am willing to comply with this demand after notification to and concurrence of Ms. Rowan. However, I must caution you that the water rights and claims to water rights now in IDWR records do not authorize diversion of water from the north well for use on the 160 acre tract south of the tracks. This may create a rather difficult situation because as our water records now exist, we could be confirming diversion from the north well to an unauthorized place of use for water from that well. Ordinarily, this kind of information requires followup to prevent the unauthorized use.

Filing an amnesty-based claim on license 22-02223 is one possible way of showing a water right from the north well for the 160 acre parcel. The amnesty statute (§ 42-1426, Idaho Code) does not allow an increase in the rate of diversion from the original right. License 22-02223 is for 3.87 cfs and 319 acres. This license provides 0.012 cfs per acre. If an amnesty claim is made for an additional 160 acres, the rate of flow for each acre is 0.0081 cfs per acre; i.e., 3.87 cfs divided by 479 acres.

Steven R. Perry

June 6, 1997

Page 2

IDWR guidelines require a minimum diversion rate of 0.01 cfs per acre (1/2 miner's inch per acre) for recommending that a right be adjudicated. Without additional information to verify that the diversion rate is adequate to irrigate the expanded acreage, IDWR would either not recommend adjudication of an amnesty-based claim, recommend only part of the expanded area, or recommend a permissible place of use which would allow a part of the original/expanded place of use to be irrigated each year.

By copy of this letter, I am requesting Ron Carlson, Manager of IDWR's regional office in Idaho Falls, to have an IDWR field agent contact you and Greg Moeller to arrange the requested field examination.

Sincerely,

A handwritten signature in cursive script that reads "Norman C. Young".

NORMAN C. YOUNG

Administrator

Water Management Division

c. Greg Moeller
Ron Carlson

April 22, 1969

Re: Permit No. G-30510

Mr. Jim W. Howe
Pexburg,
Idaho 83440

Dear Mr. Howe:

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

Also enclosed is departmental receipt No. 2902 in the amount of \$27.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

30510

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 14, 1969

✓ DR

RECEIVED
APR 9 1969
Department of Reclamation

Re: Permit No. G-30510

Jim W. Howe
Rexburg, Idaho 83440

Dear Mr. Howe:

A representative of this department has made an examination of the works covered by your Permit G-30510 and has found the following:

Quantity of water diverted: 3.87 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 3.87 c.f.s.

The maximum quantity diverted shall not exceed 1118 acre feet per season.

Purpose of use: Irrigation of 319 acres in SW¹/₄ NW¹/₄, Sec. 2; SE¹/₄ NE¹/₄, E¹/₂ SE¹/₄, Sec. 3; NE¹/₄ NE¹/₄, Sec. 10; N¹/₄ NW¹/₄, Sec. 11, T. 5 N., R. 40 E., B.M.

The priority date established is: May 25, 1962

A fee totaling \$27.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Handwritten signature of Dean R. Schnaible in cursive.

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

30510

February 14, 1969

Re: Permit No. 2-30510

Jim W. Howe
Rexburg, Idaho 83440

Dear Mr. Howe:

A representative of this department has made an examination of the works covered by your Permit 2-30510 and has found the following:

Quantity of water diverted: 3.87 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 3.87 c.f.s.

The maximum quantity diverted shall not exceed 1118 acre feet per season.

Purpose of use: Irrigation of 319 acres in SW1/4, SW1/4, Sec. 2;
SE1/4, E1/4, Sec. 3; NE1/4, Sec. 10; NW1/4, Sec. 11, T. 5 N,
R. 40 E, P.M.

The priority date established is: May 25, 1962

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

Fee Paid
4-10-69
License Pending
Issuance
30510

February 14, 1969

Re: Permit No. G-30510

Jim W. Howe
Rexburg, Idaho 83440

Dear Mr. Howe:

A representative of this department has made an examination of the works covered by your Permit G-30510 and has found the following:

Quantity of water diverted: 3.87 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 3.87 c.f.s.

The maximum quantity diverted shall not exceed 1118 acre feet per season.

Purpose of use: Irrigation of 319 acres in SW¹/₄ NW¹/₄, SW¹/₄, Sec. 2; SE¹/₄ NE¹/₄, E¹/₂ SE¹/₄, Sec. 3; NE¹/₄ NE¹/₄, Sec. 10; NW¹/₄, Sec. 11, T. 5 N., R. 40 E., B.M.

The priority date established is: May 25, 1962

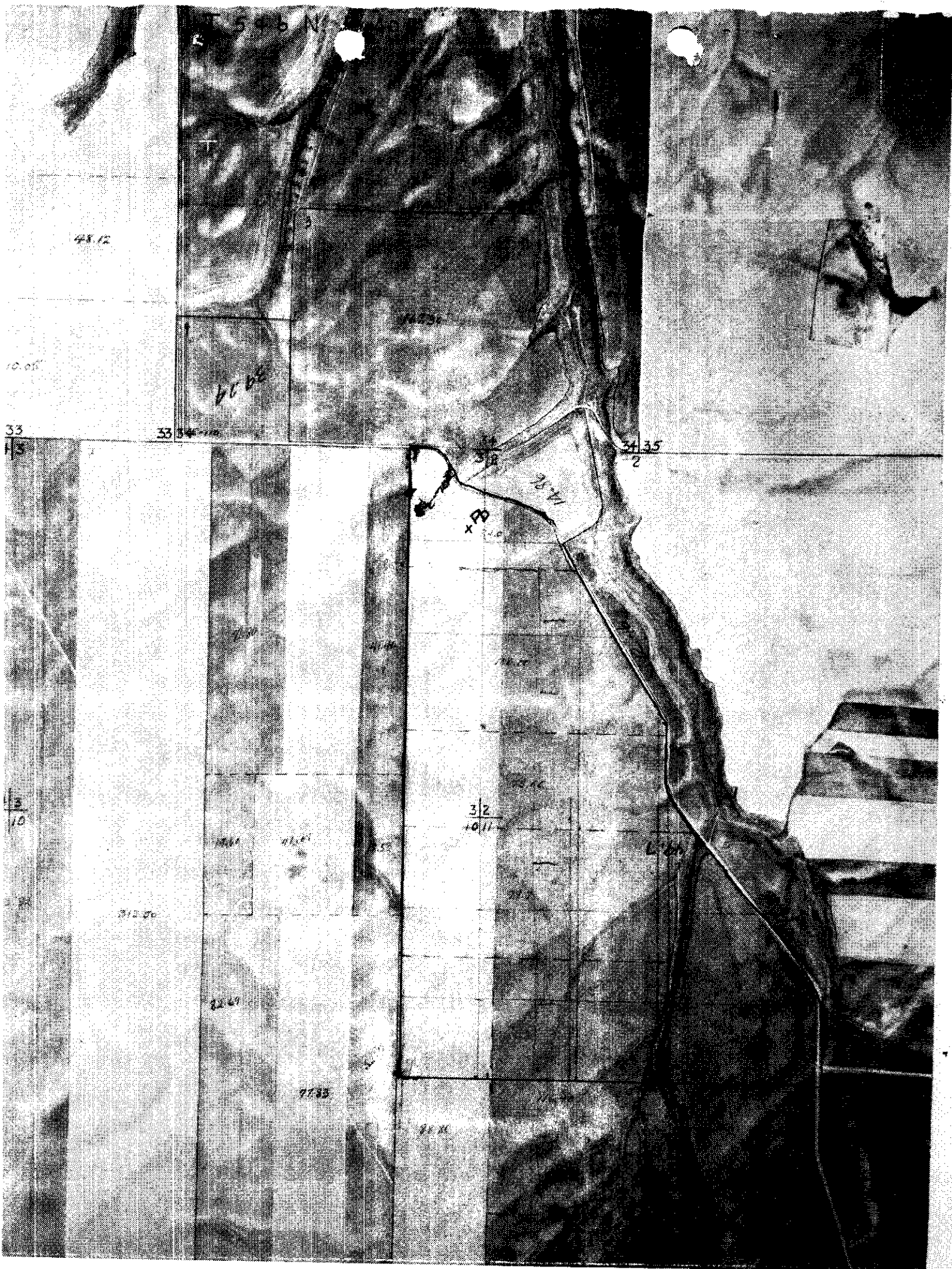
A fee totaling \$27.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

30510



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

Permit No. G-30510

This proof is for C/W & B/U

In Water District No.

1. Name of applicant Jim W. Howe

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3

T. 5 N R. 40 E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor

300 H.P. 1265333 Byron & Jackson 3965'99
10" Dis. Booster Pump G.E. 30 H.P.
CA 121009 Aqua-line 308580

5. Water is used for: irrigation

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

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

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11,
T. 5 N, R. 40 E, B.M. (321.57)

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

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

Remarks: $\frac{346 \times 502}{4488} = 3.87$

396 $\frac{1}{64}$ 30WS Rainbird nozzles at
an av. pressure of 35#

Quantity - subdivision & acreage not marked so couldn't check
no. of acres irrigated = 3.5

This examination was made on the day of Aug, 1968

(Signed) Examiner.

30510

plat
TH

Jim W. Howe
Rexburg, Idaho well, pump, sprinkler
in casing - 435'

Permit No. G-30510 H-385'
Q-6.42 c.f.s. 350 - 5/32 - 40"

Examination for C/W & B/U

County Madison

Quantity: 6.42 c.f.s. Sec. 3 T. 5N R. 40E

22 -
Source: subterranean

P.D.: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 5 N, R. 40 E, B.M.

Use: irrigation

Extension: yes

Protest:

Completion of Works:

Other Rights:

Filed: May 25, 1962

Due: September 1, 1967

Made: August 18, 1967

Priority: May 25, 1962

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.

30510

Q-40E

to
Saxburg

US-54

3

Q-40

37

7

37

77

89

77

919

10

11

drain

AREA - 219

DEED - 11

Q - 3.87

Yield - 1.5

Priority 25 May 1962

(C. 11)
KLR 7/13/69

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30510

REPORT ON PROOF OF Completion of Works & Beneficial Use

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

Notice of Proof of Completion

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 July 25, 1967
and the last publication having been made
on August 15, 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

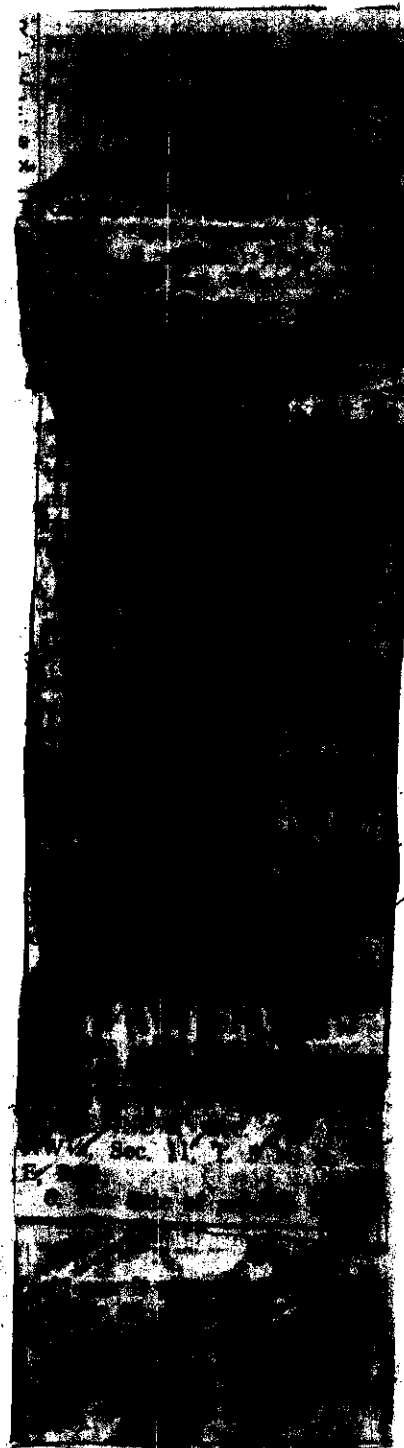
~

Subscribed to and sworn to before me

this 15th day of August, 1967

John C. Fort
Notary Public.
(SEAL)

My commission expires 6-5-68



Correct affidavit

DEPARTMENT OF RECLAMATION

Department of Reclamation

30570

Margaret

August 31, 1967

Re: Permit No. G30510

Jim W. Howe
Rexburg, Idaho

Dear Mr. Howe:

We acknowledge receipt of the depositions and affidavit of publication in the
Rexburg Standard submitted as proof of com-
pletion of works and beneficial use on Permit G-30510.

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. McEldowney
Water Rights Clerk

DWM:dj

30510

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
29 1967

Permit No. 30510

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: _____

Jim W. Howe, Rexburg, Idaho; farming; Rexburg, 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: _____

G30510. June 1, 1962. May 25, 1962.

Ques. 4. State source of water supply: subterranean

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, Township 5 North, Range 40 E. B. M.

Ques. 5. Describe your works of diversion: well, pump and sprinkler system

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 6.42 cfs ; 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 435' ; depth and size of casing no casing ; depth to water 385' ; if pump is used,

state discharge of pump: 6.42 cfs ; tell how it was measured or determined _____

measured at time well & pump tested; if sprinkler irrigation, give number and size of nozzles and operating pressure: 350 nozzles, 5/32's, 40 lbs. o.p.

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:

40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 6.64 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 80 acres in the

W $\frac{1}{2}$ SW $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2; 25.05 acres in the SE $\frac{1}{4}$

NW $\frac{1}{4}$, 23.85 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.85 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3;

23.85 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10; 33.33 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11; all in Township 5 North, Range

40 E. B. M.

No log

30510

State nature of all improvements which have been made as a direct result of said use:
dry farm land has been converted to irrigated land, and irrigated
crops grown.
Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
the well: Andrews Well Drillers, Idaho Falls, 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: July 1, 1962 - Time used since first use:
June, July, August and September and October of 1963, 1964, 1965, 1966 and
to Aug. 18, 1967.

Ques. 10. Describe all other water rights appurtenant to same place of use:
None

(sign) *Jim W. Howe*

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 him-
self 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 August, A. D. 1967.

Mary Smith
Notary Public, Rexburg, Idaho.
My commission expires: June 25, 1971.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
AUG 29 1967
Department of Reclamation

Permit No. G30510

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:

Adelbert W. Webster, 39, Rexburg, Idaho; farming, Rexburg, Idaho.

Ques. 2 Are you acquainted with Jim W. Howe, the holder of Permit No. G 30510? How long have you known him and where does he reside?

More than 30 years. Rexburg, Idaho.

Ques. 3. Have you read or heard said Permit No. G 30510 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, Township 5 North, Range 40 East, Boise Meridian.

Describe works for conveying water to place of use: pump and sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 6.42 cfs. How much water have you seen being so conveyed? 6.42 cfs.

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

40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 6.64 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 80 acres in the

W $\frac{1}{2}$ SW $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2; 25.05 acres in the SE $\frac{1}{4}$

NE $\frac{1}{4}$, 23.85 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.85 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3;

23.85 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10; 33.33 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,

40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11; all in Township 5 North, Range

40 E.B.M.

30510

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.

Sandy loam soil and requires the full 6.42 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? None.

Ques. 10. When did you first see this water used? July, 1962.

Other times you have seen such use: Through the months of June to last of September each year thereafter.

(Signed):

Adelbert H. Heister

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 August, A. D. 19 67

Mary Smith

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires June 25, 1971.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
29 1967

Department of Reclamation

Permit No. G 30510

* * * * *

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:

William L. Webster, 42, Rexburg, Idaho; farming, Rexburg, Idaho.

Ques. 2 Are you acquainted with Jim W. Howe, the holder of Permit No. G 30510? How long have you known him and where does he reside?

He resides in Rexburg, Idaho. I have known him more than 30 years.

Ques. 3. Have you read or heard said Permit No. G 30510 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: deep well.

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, Township 5 North, Range 40 East, Boise Meridian.

Describe works for conveying water to place of use: pump and sprinkling system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 6.42 cfs. How much water have you seen being so conveyed? 6.42 cfs.

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

40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 6.64 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 80 acres in the

W $\frac{1}{2}$ SW $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2; 25.05 acres in the SE $\frac{1}{4}$

NE $\frac{1}{4}$, 23.85 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.85 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3;

23.85 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10; 33.33 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,

40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11; all in Township 5 North,

Range 40, E.B.M.

30510

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.

For profitable cultivation this requires the full 6.42 cfs as it is a sandy loam soil.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? July of 1962.

Other times you have seen such use: Every year since then during the months from June to the last of September.

(Signed):

William S. Webster

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 August, A. D. 19 67

Mary Smith

Notary Public for the State of Idaho

Residing Rexburg, Idaho.

My commission expires June 25, 1971.

MARY SMITH
W. LLOYD ADAMS

Attorneys at Law

30 SOUTH SECOND WEST
REXBURG, IDAHO 83440
PHONE: 208-336-7193

RECEIVED
August 28, 1967
AUG 29 1967
Department of Reclamation

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

Re: Permit #G30510
Jim W. Howe

Dear Mr. Higginson:

I am enclosing herewith Deposition of Holder and Witnesses in the Proof of Application of Water to Beneficial Use and Completion of Works pertaining to the above permit number, together with the Affidavit of Publication.

Yours very truly,

Mary Smith

Mary Smith

MS/p

Encls:

30510

10 days

August 12, 1967

C
O
P
Y

Re: Permit No. 1-22210
John W. Moore

The Rexburg Standard
Rexburg, Idaho 83440

Gentlemen:

We are enclosing the affidavit of publication for the above referenced permit. The affidavit of publication for the affidavit of August 1967, is incorrect in regards to the legal publication of the above mentioned permit. The affidavit of publication was not published in it, and you have used that clipping for the affidavit. We must have the correct affidavit of publication for the affidavit of August 1967. The affidavit of publication is on file at the State Reclamation Engineer's office.

T. 5 N, R. 40 E, B.M.
May we hear from you soon?

6. The date of priority which said used is prepared to ex-
Very truly yours, May 25, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer

Donald W. McElowney
Water Rights Clerk

If this notice is published once more incorrectly, your newspaper will have to publish an extra time at your expense.

Very truly yours,
Enc: Affidavit of publication

Donald W. McElowney
Water Rights Clerk

DWM:dj

38510

August 29, 1967

Re: Permit No. G-30510
Jim W. Howe

The Rexburg Standard
Rexburg, Idaho 83440

Gentlemen:

We are enclosing the affidavit of publication for the above referenced permit which was sent to our department by Mr. Howe's agent.

The first time this permit was published, there were several errors in it, and you have used that clipping for the affidavit. We must have the corrected issue's clipping on the affidavit and would appreciate your taking care of the matter.

May we hear from you soon?

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Affidavit of publication

30510

3
July 31, 1967

Re: Permit No. G-30510
Jim W. Howe

Rexburg Journal
Rexburg, Idaho 83440

Gentlemen:

Your paper published last week and received in this office July 21, 1967, is incorrect in regards to the legal publication of the above referenced permit and will have to be changed to read as follows:

5. The place where said water is used is SW~~1~~4NW~~1~~4, SW~~1~~4, Sec. 2; SE~~1~~4NE~~1~~4, E~~1~~4SE~~1~~4, Sec. 3; NE~~1~~4NE~~1~~4, Sec. 10; N~~1~~4NW~~1~~4, Sec. 11, T. 5 N, R. 40 E, B.M.

6. The date of priority which said used is prepared to establish is May 25, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer

If this notice is published once more incorrectly, your newspaper will have to publish an extra time at your expense.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30510

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

Notice is hereby given that on August 18, 1967 at Rexburg,
County of Madison, State of Idaho, before notary public (name & address) _____
Mary Smith, 30 South 2nd West, Rexburg, Idaho, proof will be
submitted of the completion of works for the diversion of 6.42 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-30510, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Jim W. Howe, Rexburg, 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
6.42 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 6.42 c.f.s.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 5 N, R. 40 E, B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11, T. 5 N, R. 40 E, B.M.

6. The date of priority which said user is prepared to establish is May 25, 1962

R. KEITH HIGGINSON

State Reclamation Engineer

30570

July 17, 1967

Re: Permit G-30510
Jim Howe

Mary Smith
Attorney at Law
Rexburg, Idaho 83440

Dear Miss Smith:

We are returning your personal check for the amount of \$5.00 and your application for the amendment of the land list of the above referenced permit. This is pursuant to your telephone call of June 26, 1967.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElowney
Water Right Clerk

DWM:ks

Enclosure: check (\$5.00)
amendment

30510

July 17, 1967

Re: Permit No. G-30510

Mr. Jim W. Howe
Rexburg, Idaho 83440

Dear Mr. Howe:

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-30510.

We have mailed the notice to the Rexburg, Standard-Journal to be published once a week for four consecutive weeks prior to August 18, 1967, which is the hearing date when the permit holder Jim W. Howe

and two disinterested witnesses must appear before Mary Smith, 30 South 2nd West, Rexburg, Idaho, 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 Jim W. Howe

_____. 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. McEldeaney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

30510

July 17, 1967

Re: Permit No. G-30510

Rexburg Standard-Journal
Rexburg, Idaho 83440

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to August 18, 1967. The expense of the publication is to paid by Jim W. Howe, Rexburg, 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

30510

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

Department of Reclamation

Notice is hereby given that ~~at~~ at M., on the 18th day of August
1967, at Rexburg, County of Madison, State of Idaho
before Mary Smith, Notary Public, at (address) 30 South 2nd West,
proof will be submitted of the completion
of works for the diversion of 6.42 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G 30510, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Jim W. Howe, Rexburg, Idaho 83440

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 6.42 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
6.42 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, Township 5 North,
Range 40 East, Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ NW $\frac{1}{4}$, 6.64 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, 25 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 2; 25.05 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 23.85 ac. in
NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.85 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 3; 23.85 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 23.85
ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 23.85 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ all in Section 10; 33.33 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 25 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 11,
all in Township 5 North, Range 40 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is May 25, 1962.

State Reclamation Engineer

30570

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 1, 1967

(P. O.) Boxburg, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Boise Tribune - Journal of
Boise, Idaho Published in
the county in which the works are situated.

Jim W. Howe

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

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

Engineer

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 1, 1967

(P. O.) Rexburg, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Jim W. Howe

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

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

Engineer

30510

Re: Permit No. G-30510

June 30, 1967

Mr. Jim W. Howe
Rexburg, Idaho 83440

Dear Mr. Howe:
Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than _____.

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

Enc: Amendment for land list
Publishing forms

Form 36A

30570

June 30, 1967

RE: Permit G-30510
Jim W. Howe

Mary Smith
Attorney at Law
30 South Second West
Rexburg, Idaho 83440

Dear Miss Smith:

Enclosed is the extension of time approval on the
above referenced permit. You will note this extension
is to September 1, 1967 as requested.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Extension

30570

1967
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 1, 1967

(P. O.) Rexburg, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Jim W. Howe

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

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

Engineer

RECEIVED
JUL 5 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 1, 1967

(P. O.) Rexburg, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Jim W. Howe

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

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

Engineer

305/0

Re: Permit No. G-30510

June 30, 1967

Mr. Jim W. Howe
Rexburg, Idaho 83440

Dear Mr. Howe:
Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than _____.

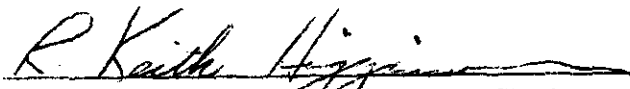
Under the terms of your permit, it is required that a notice be published ^{September 1, 1967} once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before 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

Enc: Amendment for land list
Publishing forms

Form 36A

30570

June 30, 1967

RE: Permit G-39510
Jim W. Howe

Mary Smith
Attorney at Law
30 South Second West
Rexburg, Idaho 83440

Dear Miss Smith:

Enclosed is the extension of time approval on the
above referenced permit. You will note this extension
is to September 1, 1967 as requested.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc1: Extension

30510

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Madison)

Permit No. 30510

Jim W. Howe of Rexburg, Idaho, 83440
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder, of Permit to Appropriate the Public Waters of the State of Idaho No. 30510.

That under the terms and conditions of said permit, work thereunder was required to be completed by June 1, 19 67.

That he has heretofore performed the following work described under said permit: dug well, installed pump, and sprinkler system,

Costing \$ 48,000.00.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: It has been very difficult to figure out the boundaries of affiant's property and has necessitated a survey. As a result of the survey an additional 177.70 acres should be included in the permit, without increasing the cfs, as this additional acreage has been watered under the well.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to Sept 1, 19 67.

Jim W. Howe
(signature)

Subscribed and sworn to before me this 15th day of June, 19 67.

Mary Smith
(notary public)

My commission expires June 25, 1967.

Date of receipt at office of Department of Reclamation June 19, 1967

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above extension of time for Permit 30510.

Witness my hand this 28th day of June, 19 67.

R. Keith Higginson
State Reclamation Engineer

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 13, 1967

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED
JUN 19 1967
Department of Reclamation

Re: Permit G-30510
Jim W. Howe

Mary Smith
Attorney at Law
30 South Second West
Rexburg, Idaho 83440

Dear Miss Smith:

Pursuant to your letter of June 8, 1967, we are forwarding an application form for an extension of time for the above referenced permit.

Please contact us if we may be of further assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Donald W. McEldowney".

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: App. for Extension of Time

30510

MARY SMITH
W. LLOYD ADAMS

Attorneys at Law

RECEIVED
JUN 10 1967

Department of Reclamation

30 SOUTH SECOND WEST
REXBURG, IDAHO 83440
PHONE: 208 / 356-5493

June 15, 1967

Permit G-30510
Jim W. Howe

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
State House
Boise, Idaho

Dear Mr. McEldowney:

I am enclosing herewith the application of Jim W. Howe for an extension of time and would appreciate it if you would grant the same. Just so you can more readily see the problem we have had I am enclosing a photo of the description.

You will note from Mr. Howe's affidavit that we should include another 177.70 acres under the permit without increasing the water. I would appreciate it if you would send me the necessary blanks for that. As soon as we receive those we will return them and the Notice for the hearing.

Yours very truly,

Mary Smith

Mary Smith

s

30510

June 13, 1967

Re: Permit G-30510
Jim W. Howe

Mary Smith
Attorney at Law
30 South Second West
Rexburg, Idaho 83440

Dear Miss Smith:

Pursuant to your letter of June 8, 1967, we are forwarding an application form for an extension of time for the above referenced permit.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: App. for Extension of Time

30510

MARY SMITH
W. LLOYD ADAMS

RECEIVED
JUN 9 1967

Attorneys at Law

30 SOUTH SECOND WEST
REXBURG, IDAHO 83440
PHONE: 208 - 356-5493

Department of Reclamation

June 8, 1967

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

Re: Permit #G-30510
Jim W. Howe

Attention: Mr. Bosch

Dear Sir:

We would appreciate it very much if you would grant us a six week extension of time in which to submit proof of completion of works and application of water to beneficial use. We have had some problem involving the description of the property and expect to have that straightened out next week.

The work has been completed and the water has been used on the land, it is just a problem of correcting our descriptions.

We would appreciate very much receiving this condieration.

Yours very truly,

Mary Smith
Mary Smith

MS/p

30510

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

March 31, 1967

Re: Permit No. G - 30510 - Jim W. Howe

Mary Smith
Attorney at Law
Rexburg, Idaho

Dear Miss Smith:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-30510 are due not later than **June 1, 1967**

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

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

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

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

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc: Jim W . Howe
Rexburg, Idaho

305/0

July 27, 1965

Re: Permits No. G-28989; G-30510
Jim W. Howe

W. Lloyd Adams & Mary Smith
Attorneys at Law
Rexburg, Idaho

Attn: Mary Smith

Dear Miss Smith :

Enclosed is approved amendment to point of diversion and Receipt No. G-9503, \$3.00 fees., as you requested by letter dated July 26th.

Note priority under Permit No G.28989 has been advanced to May 25, 1962, the same priority as G-30510. Normally a change of one mile in point of diversion would not be approved except with a priority as of the time the application is received in this office. Most changes in location of a well changes the water which will be diverted, hence it makes a new permit.

The two permits show difference amounts of water and lands to be irrigated.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

36570

Re: Permit No.
G-30510

June 11, 1962

Mr. Jim W. Howe,
Rexburg, Idaho.

Dear Mr. Howe;

We enclose Permit No. G-30510 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-6993 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit. ~~has been submitted to you~~

Well logs are an important part of your recorded water right and State Statutes require that well drillers' supply logs on all wells, whether irrigation, domestic, drain or stock wells, to be filed in the Department of Reclamation. In view of the rapidly increasing demand for ground water, the lowering of the ground water level, and the creation of critical ground water areas, it is important that you, as owner, make sure a log on your well is filed in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Enc.

30510

NAME OF APPLICANT

Carl W. House

Form No. 0

+ 5 N. 1. R. 11 E. 34 M.

3

6

2

10

11

Permit Map No. *230510*
As Approved
GEO. N. CARTER
State Reclamation Engineer

T. 6 N, R 40 E B. M.

Commencing at the southeast corner of Lot 4 of Sec. 2, Township 6 North, Range 40 East of the Deer River, and running thence S 89° 51' E 133.6 ft to the Northeast corner of Lot 4, thence S 0° 42' E 1710.5 ft, thence S 32° 15' E 1453.2', thence S 0° 10' E 135 ft, thence S 39° 48' E 671.2', thence S 25° 10' W 258.6', thence S 14° 45' W 2519', thence S 0° 44' E 262.8 ft, thence S 2° 48' W 246.9', thence S 7° 50' W 200', thence S 11° 29' W 286.6', thence S 10° 17' W 154.2', thence S 7° 08' W 200', thence S 12° 50' W 200.8', thence S 19° 00' W 153', thence S 9° 07' W 100', thence S 2° 23' W 247.1', thence S 28° 50' E 484.5', thence S 2° 57' E 201', thence S 17° 20' E 376.3', thence S 28° 14' E 130.8', thence S 23° 50' E 200.6', thence S 19° 00' E 200', thence S 1521.6', thence west 3,446.3' thence North 9,240' to the point of beginning and containing 64.5 acres or less and containing 17.9 acres of waste.

There is no line on L. 1 Sec. 2, 35-40.
 A. E. 787.3' or so to.

30510



IN REPLY
REFER TO: 360

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
MAY 25 1962

Department of Reclamation

~~MAY 24 1962~~

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Gentlemen:

Attached is personal check in the amount of \$6.50, along with
Application for Permit, from Jim W. Howe, Rexburg, Idaho. This
check was erroneously mailed to this office.

Sincerely,

Ralph H. Geibel

Ralph H. Geibel
Chief, Finance Branch

Enclosures

30570