

Thomas H. Roth
R. 1
Thornton, Idaho

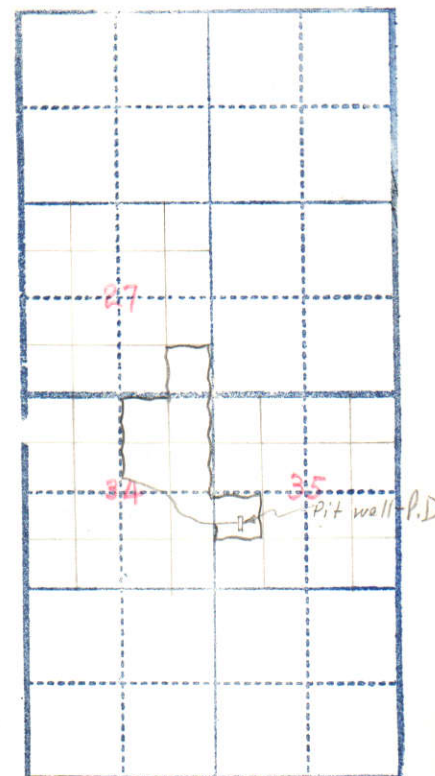
33-2245

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37663
Permit No. G- 29657
District No.

1. Name of Applicant: Thomas H. Roth
Postoffice address: Thornton County: Madison State: Idaho
2. Quantity of water claimed: 4 cubic feet per second
(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 - open pit 25 feet deep 75x125 ft.
4. Location of point of diversion or well is in the Lot 1 1/4 of the 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: Dug open pit pump 10" 15 H.P. ELC.
8. Estimated cost of works: \$ 3500.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 5 sec. ft.
Snake River Natural flow 1903 and 480 acre ft. Palisades Res.
(a) 2 (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) 2 (cubic feet per second, inches or gallons per minute) is for new lands.



December 28, 1967

Re: Permit No. G-29657

Thomas H. Roth
Thornton,
Idaho 83453

Dear Mr. Roth:

A representative of this department has made an examination of the works covered by your permit G-29657 and has found the following:

Quantity of water diverted: 2.54 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.54 c.f.s.

Purpose of use: irrigation of 127 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
sec. 27; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 34; NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 35, T. 5 N,
R. 39 E, B.M.

The priority date established is: April 26, 1961.

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

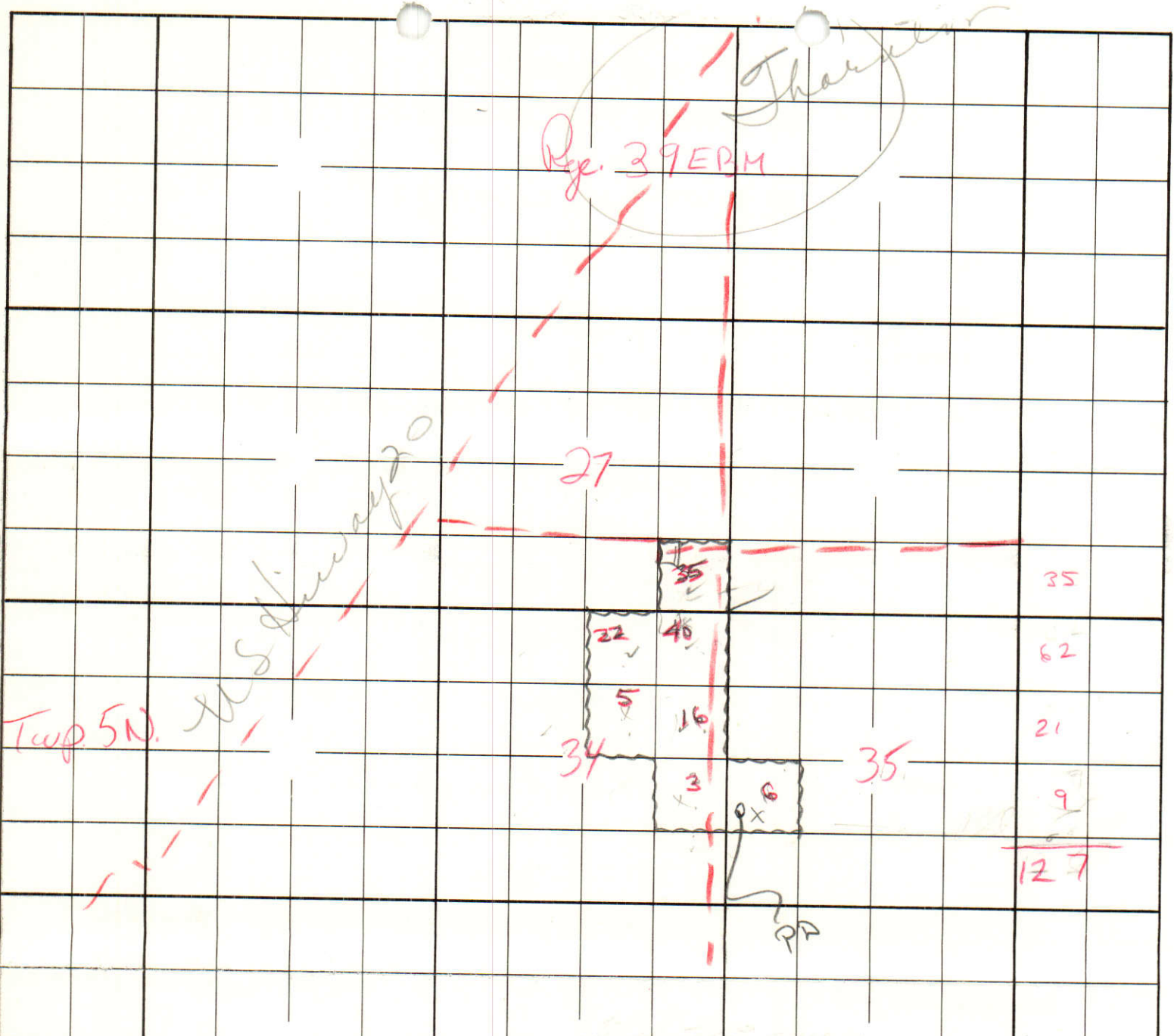
Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

*Fee paid
1-8-68 HQ*

29657



AREA OF TAKEN FROM MAP
 T. H. ROTH ASCS PHOTO.

AREA - 127 ACRES
 SUBD - 7
 Q - 2.54 c.f.s.

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

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 FEBRUARY 15, 1966
and the last publication having been made
on MARCH 8, 1966.

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 9th day of MARCH, 1966

John C. Porter
Notary Public.
(SEAL)

My commission expires 6-5-68

RECEIVED
MAR 28 1966
Department of Reclamation

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

Notice is hereby given that
on the 22nd day of March 1966,
at Rexburg, County of Madison,
State of Idaho before Ray W.
Rigby, Notary Public, at 25 N.
2nd E., Rexburg, Idaho, proof
will be submitted of the comp-
letion of works for the diver-
sion of 4 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-
29657, heretofore issued by the
Department of Reclamation of
the State of Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit is
Thomas H. Roth, Thornton, Ida-
ho.

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 4 cubic
feet per second.

3. The use to which said
water has been applied is irriga-
tion, purposes and the amount
applied to beneficial use is 4
cubic feet per second.

4. The point of diversion of
said water is Lot 1 of Sec. 35,
Twp. 5 N., R. 39, E.B.M., Madi-
son County, Idaho.

5. The place where said wa-
ter is used is Lot 1 of Sec. 35;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 4
and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 5 in Sec.
34, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, all
in Twp. 5 N., R. 39, E.B.M., Madi-
son County, Idaho.

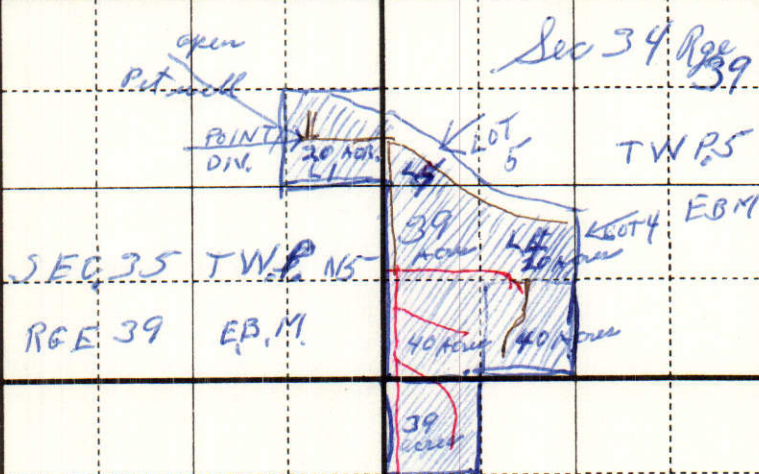
6. The date of priority which
said user is prepared to estab-
lish is April 26, 1961.

State Reclamation Engineer
Carl E. Tappan
Publ. Feb. 15, 22, Mar. 1, 8, 1966

29657

NAME OF APPLICANT Thomas H Roth

Form No. 0



North 

SEC27 RG39
TWP 5 EBM

Permit Map No. 29657

As Approved

GEORGE N. CARTER

Reclamation Engineer

APR 28 1961

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

29657

State of Idaho

License and Certificate of Water Right

Water License No. G-29657 Priority April 26, 1961 Amount 2.54 c.f.s.

THIS IS TO CERTIFY that

THOMAS H. ROTH

of Thornton, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 26, 1961; that Permit No. G-29657 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.54 second feet, was issued thereunder on March 26, 1968, showing that said works were completed on the 22nd day of March, 1966; and that on the 22nd day of March, 1966 THOMAS H. ROTH

of Thornton, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of an open pit well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-29657 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume of Licenses at Page, on the 26 day of March, 1968.

The right hereby confirmed dates from April 26, 1961.

The Point of Diversion is located Lot 1

in the NW 1/4 SW 1/4, Sec. 35, Twp. 5 N, R. 39 E, B.M. Madison County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.54 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	39 E	27	SE 1/4 SE 1/4	39	35
			NE 1/4 NE 1/4	40	40
		34	NW 1/4 NE 1/4	40	22
			SW 1/4 NE 1/4 (Lot 4)	20	5
			SE 1/4 NE 1/4	39	16
			NE 1/4 SE 1/4 (Lot 5)	5	3
			NW 1/4 SW 1/4 (Lot 1)	20	6
			Total acres to be irrigated:		127

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 26th day of March, 1968.

R. Kirk Higgins
State Reclamation Engineer.

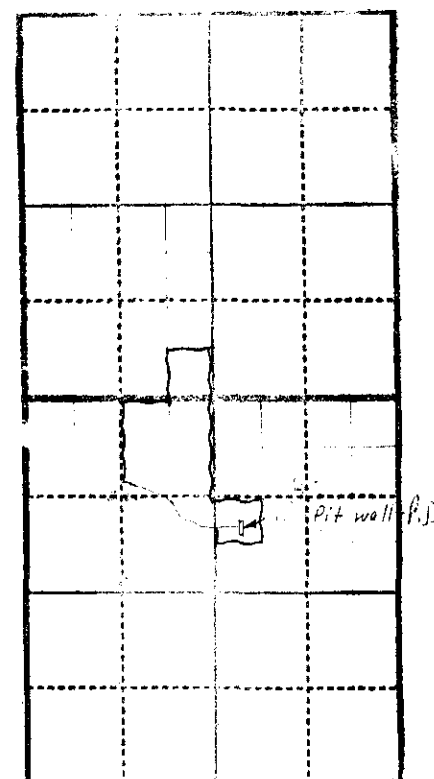
Thomas H. Roth
R. 1
Thornton, Idaho

33-2245

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

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Permit No. G- 29657
District No.

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Postoffice address: Thornton County: Madison State: Idaho
2. Quantity of water claimed: 4 cubic feet per second
(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 - open pit 25 feet deep 75x125 ft.
4. Location of point of diversion or well is in the Lot 1 1/4 of the 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: Dug open pit pump 10" 15 H.P. ELC.
8. Estimated cost of works: \$ 3500.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 5 sec. ft.
Snake River Natural flow 1903 and 480 acre ft. Palisades Res.
(a) 2 (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) 2 (cubic feet per second, inches or gallons per minute) is for new lands.



WATER RIGHT NUMBER 22-2205

OWNER LAST NAME - ROTH

FIRST NAME - THOMAS M.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - THORNTON

STATE - ID ZIP CODE - 83453

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 04-26-1961 COUNTY - MADISON

TOTAL DIV. RATE - 2.5400 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWSW 35 05N 39E LOT 01 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

2.5400 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 39E SEC 35 TRACT NWSW LOT 01 AC 06

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 39E SEC 34 TRACT NENE LOT AC 40 TRACT NENE LOT AC 22

TRACT SWNE LOT 04 AC 05 TRACT SENE LOT AC 16

TRACT NESE LOT 05 AC 03

USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 39E SEC 27 TRACT SESE LOT AC 35

DECREE NAME -

DATE -

TOTAL ACRES 127

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 29657

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 29657 / 22-2205
 Old No. New No.

Record

1. Original Owner: Thomas H. Roth

Present Owner: _____

2. Address:

3. City: Thornton State: ID Zip: _____

4. A. Source of Water: grw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-26-1961

D. County: 65

E. Total Diversion Rate: 2.54

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW SW</u>	<u>35</u>	<u>5N</u>	<u>39E</u>	<u>1</u>	

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 2.54
 (cfs or ~~AG FT/yr~~)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

71879

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 29457

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

March 26, 1968

Re: Permit No. G-29657

Mr. Thomas H. Roth
Thornton, Idaho 83453

Dear Mr. Roth:

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

Also enclosed is departmental receipt No. 339, in
the amount of \$19.00, covering the fees.

Very truly yours,

C. STEPHEN ALLRED, Assistant
State Reclamation Engineer

CSA:kd

Enclosure: certificates
receipt

29657

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 28, 1967

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED

JAN 5 1968

Department of Reclamation

Re: Permit No. G-29657

Thomas H. Roth
Thornton,
Idaho 83453

29657

Dear Mr. Roth:

A representative of this department has made an examination of the works covered by your permit G-29657 and has found the following:

Quantity of water diverted: 2.54 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.54 c.f.s.

Purpose of use: irrigation of 127 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 27; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 34; NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 35, T. 5 N, R. 39 E. B.M.

The priority date established is: April 26, 1961.

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Water Rights Clerk

DWM:ks

29657

December 28, 1967

Re: Permit No. G-29657

Thomas H. Roth
Thornton,
Idaho 83453

Dear Mr. Roth:

A representative of this department has made an examination of the works covered by your permit G-29657 and has found the following:

Quantity of water diverted: 2.54 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.54 c.f.s.

Purpose of use: irrigation of 127 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
sec. 27; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 34; NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 35, T. 5 N,
R. 39 E, E.M.

The priority date established is: April 26, 1961.

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

29657

December 28, 1967

Re: Permit No. C-29657

Thomas H. Roth
Thornton,
Idaho 83453

Dear Mr. Roth:

A representative of this department has made an examination of the works covered by your permit C-29657 and has found the following:

Quantity of water diverted: 2.54 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.54 c.f.s.

Purpose of use: Irrigation of 127 acres in the SE1/4, sec. 27; NE1/4, NE1/4, sec. 34; NW1/4, sec. 35, T. 5 N, R. 39 E, E.H.

The priority date established is: April 26, 1961.

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

Dmike

29657

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that THOMAS H. ROTH
 of Thornton, County of Madison, and State of
Idaho, the holder of Permit No. G-29657, issued upon
 Application No. G-37663 bearing date of priority of April 26, 1961, authorizing the
 diversion of 4.0 second feet of waters of a well

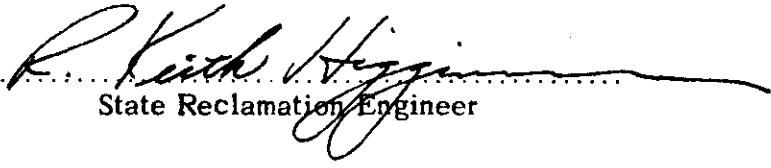
County of Madison, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.54 second feet of the waters of open pit well from
subterranean flow

that the point of diversion of said waters Lot 1 (NW 1/4 SW 1/4), Section 35, Township 5
North, Range 39 E., B. M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: SE 1/4 SE 1/4, Section 27; NE 1/4, NE 1/4 SE 1/4, Section 34;
NW 1/4 SW 1/4, Section 35, Township 5 North, Range 39 E., B. M.

Proof of Completion of Works Made: March 22, 1966

Witness my hand this 26th day of March, A. D. 19 68


 State Reclamation Engineer

29657

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

Permit No. G-29657

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

1. Name of applicant Thomas H. Roth

2. Source of water supply: Subterranean - open pit

3. Location of point of diversion: Is in the Lot 1 of Section 35

T. 5 N. R. 39 E., B.M. County of Madison

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

15 HP UNCLOSED ELEC MOTOR # 2377018

BERKELEY VERT PUMP # 6108420

10" DISCHARGE INTO 18" CORRUGATED PIPE

20' THROUGH EARTH CONTOUR DITCHES

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):

SESEK, Sec. 27; NEK, NESEK, Sec. 34; NWSEK, Sec. 35, T. 5 N.,

R. 39 E., B.M.

PRESENTLY ONLY 127 ACRES ARE IRRIGATED.

MUCH OF THE REMAINING LAND IS

BEING LEVELED & WORKED AND WILL

BE FARMED (IRRIGATED) OR GRAZED IN THE NEAR

FUTURE.

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

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

Remarks: MR. THOMAS H. ROTH WAS

PRESENT FOR THE INSPECTION. HE

STATED HIS PUMP AS MEASURED BY

CANAL CO DITCH RIDGE (WATER MASTER)

PRODUCES IN EXCESS OF 300"

I BELIEVE THIS AMOUNT TO BE A REASONABLE

FIGURE - MADE NO MEASUREMENT - CONFIRMED

NO MEASUREMENT - AS THE ACREAGE IS

THE LIMITING FACTOR BY A REASONABLE MARGIN

This examination was made on the 14TH day of SEPT, 1967

(Signed) D. R. Examiner.

29657

SW
Plat

Thomas H. Roth
Thornton, Idaho 20' - 30'
10'

Permit No. G-29657

Examination for Completion of Works & Beneficial Use

County Madison

Quantity: 4.0 c.f.s. Sec. 35 T. 5 N. 39 E., B.M.

Source: Subterranean

P.D.: Lot 1, Sec. 35, T. 5 N., R. 39 E., B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: 5 c.f.s. Snake River natural flow, 1903
480 a.F. Palisades Res.

Filed: 4/26/61

Due: 5/28/66

Made: March 22, 1961
Priority April 26, 1961

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.

15 HP UNCLOSED MOTOR
2377018

BEARLEY WEST POND
6108420

Bm # 3701

10" DISCHARGE INTO
18" CORRUGATED

20'

PUMP PRODUCES 200"
SINKS BY CAUSE TO WATER METER.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29657

REPORT ON PROOF OF Completion of Works & Beneficial Use
Thomas H. Roth
Thornton, Idaho

June 2, 1966

Ref: Permit No. G-29657
Thomas H. Roth

Mr. Ray W. Rigby,
Rigby & Thatcher,
Attorneys at Law,
P. O. Box 362
Rexburg, Idaho 83440

Dear Mr. Rigby:

Pursuant to your letter of May 26, 1966, a check of our records indicates that the pre-cancellation letter was sent to you in error. Please disregard this notice. The permit now awaits a field examination by our department.

Sorry for this error.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

DWMc: pak

29657

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

RAY W. RIGBY
GORDON S. THATCHER

May 26, 1966

TELEPHONE
356-3633
AREA CODE 208

MAY 31 1966

Department of Reclamation

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

Re: Permit No. G-29657
Thomas H. Roth

Dear Mr. Tappan:

I enclose herewith your notice of cancellation of the above numbered permit because of failure to comply with the date of April 28, 1966, for his completion of works and beneficial use.

However, I also enclose herewith a copy of our letter to you dated March 25, 1966, wherein we enclosed the deposition of holder and two witnesses and the affidavit of publication showing the completion of works and beneficial use.

Please check your records further in this matter, and if you are unable to find the depositions, we shall prepare another set.

Yours very truly,

Ray W Rigby
of RIGBY & THATCHER

ss
Enclosures

29657

STATE OF IDAHO

MAY 31 1966

DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

May 25, 19 66

Re: Permit No. G- 29657

To Thomas H. Roth

Thornton, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29657 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works and Beneficial Use which were due on

April 28, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29657 is hereby held for cancellation.

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

SAID PERMIT NO. G- 29657 claims the use of 4.0 cubic feet per second of the Subterranean Waters a well with point of diversion located Lot 1, Sec. 35, T. 5 N., R. 39 E., Madison County

and was approved April 28, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 25th day of May, 1966.

Carl E. Dappen
State Reclamation Engineer

29657

March 25, 1966

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

Re: Permit No. G-29657
Thomas H. Roth

Dear Mr. Tappan:

I enclose herewith Deposition of Holder and Two Witnesses concerning the above numbered permit, together with Affidavit of Publication from the Rexburg Standard.

Mr. Roth originally intended to dig an open pit, let the water run into it and then pump the water out of the hole. After he dug the pit, he had difficulties with the surrounding earth caving into the hole so he sunk a shaft for the pump down into the soil to avoid the cave-in problems. I hope the answers to the form questions convey this idea.

Please let me know if you need anything further regarding this application to beneficial use.

Yours very truly,

of RIGBY & THATCHER

ss
Enclosures

29657

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

55-16-71548-7

RECEIVED

MAY
28
P.M.
1966

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below
complete instructions on other side, where applicable.
Fold in the top and bottom edges and hold firmly to the back
of the card. Point of delivery. RETURN
RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

Idaho Dept. of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho

POD Form 3811 Jan. 1965

29657

29657

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom and
when delivered

☐

Show to whom, when, and
address where delivered

☐

Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

19053

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURANCE NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

5-26-66

e55-16-71548-7 GPO

29657

March 29, 1966

Re: Permit No. G-29657

Thomas H. Roth
Thornton, Idaho

Dear Mr. Roth:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Rexburg Standard, all submitted in proof of completion of works and beneficial use on Permit No. G-29657.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

29657

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

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 FEBRUARY 15, 1966
and the last publication having been made
on MARCH 8, 1966.

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

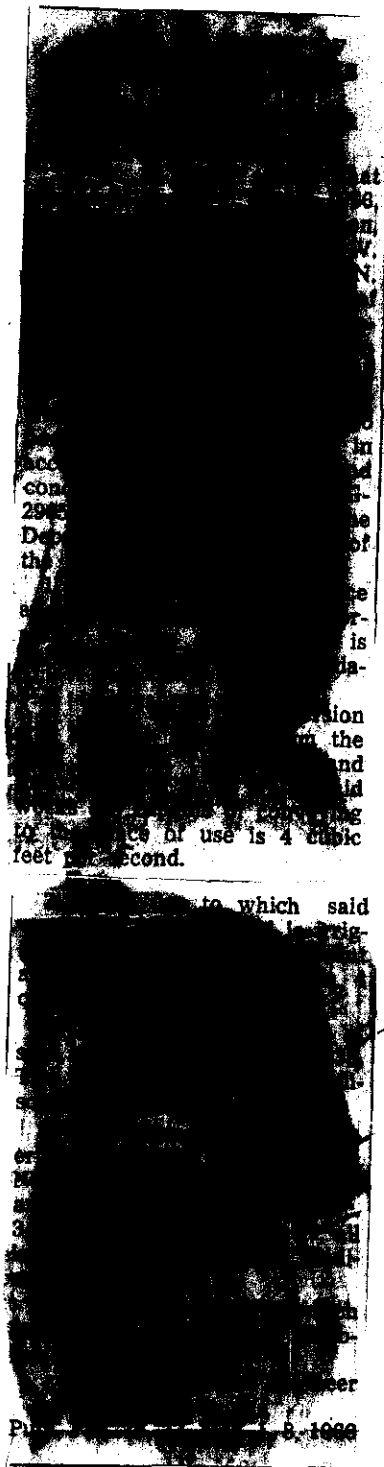


Subscribed to and sworn to before me
this 9th day of MARCH, 1966

John C. Porter
Notary Public.
(SEAL)

My commission expires 6-5-68

Department of Reclamation



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29657

RECEIVED
MAR 28 1966

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: _____

Thomas H. Roth, Thornton, Idaho, farmer, P. O. Address: 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-29657, approved April 28, 1961, date of priority - April 28, 1961.

Ques. 4. State source of water supply: subterranean, open pit 25' deep & well.

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

Lot 1, Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

Ques. 5. Describe your works of diversion: open pit with 10" pump and 15 h.p.

electric motor

_____ ; state amount of water they are capable of con-

veying from point of diversion to place of use: 4 c.f.s. ; Give name of canal or ditch

or other works by which water is conducted to such place of use: private ditch

_____ ; if a well, state depth of well 30' ; depth and size of

casing 20" - 30' deep ; depth to water 10' ; if pump is used,

state discharge of pump: 10" ; tell how it was measured or determined _____

estimated by the impeller ; 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:

Twp. 5 N., R. 39, E.B.M. - Sec. 35, Lot 1 (20); Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (40),

NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SW $\frac{1}{4}$ NE $\frac{1}{4}$ or Lot 4 (20), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (39), and Lot 5 (5); Sec. 27,

SE $\frac{1}{4}$ SE $\frac{1}{4}$ (39), total of 203 acres.

D

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

Additional land has been put under cultivation & with the additional water, crops are better on older lands.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Hopkins Brothers, Thornton, 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 of 1961 - 4 cfs - Time used since first use:

Each irrigation since that time.

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

5 sec. ft. Snake River Natural Flow from 1903 and 480 acre feet of Palisades Reservoir water

(sign)

Thomas H. 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 22nd day of March, A. D. 1966.

My commission expires: 1-26-67

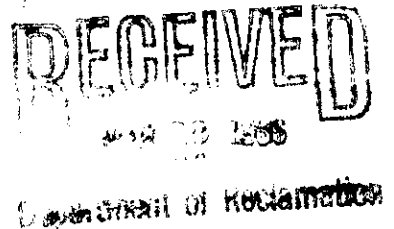
Lay W. Highby

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29657

* * * * *



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:

Lee F. Bowen - 40 - Thornton, Idaho
Farmer - Thornton, Idaho

Ques. 2 Are you acquainted with Thomas H. Roth, the holder of
Permit No. G-29657? How long have you known him and where does he reside?

Yes, I've known him for years, and he resides at Thornton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29657 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean, open pit 25' deep

Give location of place of diversion, showing subdivision, section, township and range
Lot 1, Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: open pit with pump 10"
and 15 h.p. motor.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 c.f.s. How much water have you seen being so
conveyed? 4 c.f.s.

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

Twp. 5 N., R. 39, E.B.M. - Sec. 35, Lot 1 (20); Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (40),
NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), Lot 4 (20), ^{SW NE}SE $\frac{1}{4}$ NE $\frac{1}{4}$ (39), and Lot 5 (5); Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (39)

All Totaling 203 acres.

29657

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.

Provides irrigation water for new lands put under cultivation and additional water for lands under irrigation at the present time. Requires at least 4 c.f.s. 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? July 1961

Other times you have seen such use: Each year following 1961

(Signed):

Lee F. Bowen

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 22nd day of March, A. D. 19 66

Lay W. Lighty
Notary Public for the State of Idaho
Residing Rexburg, Idaho

My commission expires 1-26-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29657

RECEIVED
MAR 28 1966

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:

Lemmar Johnson - 51 Lorenzo cde farmer
Route 1 Box 10 83432

Ques. 2 Are you acquainted with Thomas H. Roth ✓, the holder of
Permit No. G-29657? How long have you known him and where does he reside?

Yes, I've known him about _____ years, and he resides at Thornton, Idaho

Ques. 3. Have you read or heard said Permit No. G-29657 ✓ read, and are you familiar
with its provisions and conditions: Yes x ✓ No. _____

Ques. 4. State source of water supply: subterranean, open pit 25' deep ✓

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

Lot 1, Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: open pit with 15 h.p. motor
on 10" pump.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 cubic feet per second How much water have you seen being so
conveyed? 4 cubic feet per second.

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

Twp. 5 N., R. 39, E.B.M. - Sec. 35, Lot 1 (20); Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (40),
NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SW $\frac{1}{4}$ NE $\frac{1}{4}$ or Lot 4 (20), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (39), and Lot 5 (5);
Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (39) - Total of 203.

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.
Provides irrigation water for new lands put under cultivation and additional water for lands under irrigation at the present time. Requires at least 4 c.f.s. 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? July 1961

Other times you have seen such use: Each year following 1961 until ninety sixty six included

(Signed):

Lamar Johnson

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 22nd day of March, A. D. 19 66

Lay W. Lighty
Notary Public for the State of Idaho
Residing Rexburg, Idaho

My commission expires 1-26-67

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 862
REXBURG, IDAHO 83440

RAY W. RIGBY
GORDON S. THATCHER

March 25, 1966

TELEPHONE
356-8633
AREA CODE 208

RECEIVED
MAR 28 1966

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

Re: Permit No. G-29657
Thomas H. Roth

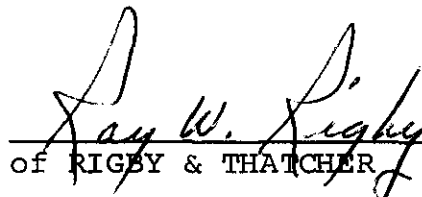
Dear Mr. Tappan:

I enclose herewith Deposition of Holder and Two Witnesses concerning the above numbered permit, together with Affidavit of Publication from the Rexburg Standard.

Mr. Roth originally intended to dig an open pit, let the water run into it and then pump the water out of the hole. After he dug the pit, he had difficulties with the surrounding earth caving into the hole so he sunk a shaft for the pump down into the soil to avoid the cave-in problems. I hope the answers to the form questions convey this idea.

Please let me know if you need anything further regarding this application to beneficial use.

Yours very truly,


of RIGBY & THATCHER

ss
Enclosures

29657

RECEIVED
FEB 9 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 7, 1966

(P. O.) Thornton, 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 Journal of
Rexburg, Idaho, published in the
county in which the works are situated.

Thomas H. Roth

(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

29657

1/65

RECEIVED

FEB 9 1966

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

Department of Reclamation

Notice is hereby given that ~~at Rexburg~~, on the 22nd day of March 1966, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at (address) 25 N. 2nd E., Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 4 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-29657, 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 Thomas H. Roth, 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 4 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 4 cubic feet per second.

4. The point of diversion of said water is Lot 1, of Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

5. The place where said water is used is Lot 1, of Sec. 35; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 4 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 5 in Sec. 34, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, all in Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

6. The date of priority which said user is prepared to establish is April 28, 1961.

Carl E. Tappan

State Reclamation Engineer

29657

Re: Permit No-29657
Thomas H. Roth

Feb. 9, 1966

Rexburg Journal,
Rexburg, Idaho.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to March 22, 1966. The expense of the publication is to be paid by Ray W. Rigby, Attorney of Box 362, Rexburg, Idaho 83440 to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29657

Re: Permit No. G-29657
Thomas H. Roth

February 9, 1966

Mr. Ray W. Rigby,
Attorney at Law,
Box 362,
Rexburg, Idaho/ 83440

Dear Mr. Rigby:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29657, in the name of Thomas H. Roth as Notary on the 22nd day of March, 19 66, at 25 N. 2nd E., Rexburg, Idaho. Final Proof is to be made before you, at 6 o'clock.

As of this date, we have mailed the Notice to the Rexburg Journal Rexburg, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29657

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 382
REXBURG, IDAHO 83440

RAY W. RIGBY
GORDON S. THATCHER

February 7, 1966

TELEPHONE
856-8633
AREA CODE 208

RECEIVED
FEB 9 1966

Department of Reclamation

State of Idaho
Department of Reclamation
Room 107, State House
Boise, Idaho 83701

Re: Permit No. G-29657
Thomas H. Roth

Gentlemen:

Enclosed herewith is Notice of Proof of Completion of Works and Application of Water to Beneficial Use, Form No. 36, in duplicate, and Notice, Form No. 11, in the above entitled matter.

Please send us the necessary forms for completing the depositions.

Yours very truly,


of RIGBY & THATCHER

ss
Enclosures

29657

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

February 1, 1966

Re: Permit No. G - 29657

Thomas H. Roth
Thornton, Idaho

Dear Mr. Roth:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29657 are due not later than **April 28, 1966**

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,

CARL E. TAPPAN
STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29657

May 3, 1961

Re: Permit G-29657

Mr. Thomas H. Roth,
Rt. #1,
Thornton, Idaho.

Dear Mr. Roth:

We enclose Permit No. G-29657 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-5878 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

Very truly yours,

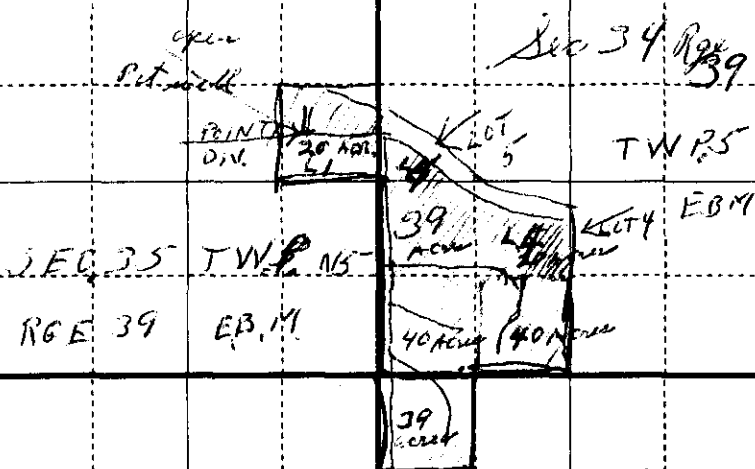
GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29657

James H Roth

Form No. 0

↓

SEC 27 RA 39
TVV P 5 EBM

29657

29657

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

Notice is hereby given that on the 22nd day of March 1966, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at 25 N. 2nd E., Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 4 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-29657, 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 Thomas H. Roth, 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 4 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 4 cubic feet per second.

4. The point of diversion of said water is Lot 1, of Sec. 35, Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

5. The place where said water is used is Lot 1, of Sec. 35; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 4 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 5 in Sec. 34, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, all in Twp. 5 N., R. 39, E.B.M., Madison County, Idaho.

6. The date of priority which said user is prepared to establish is April 26, 1961.

State Reclamation Engineer
Carl E. Tappan

Publ. Feb. 15, 22, Mar. 1, 8, 1966
29657