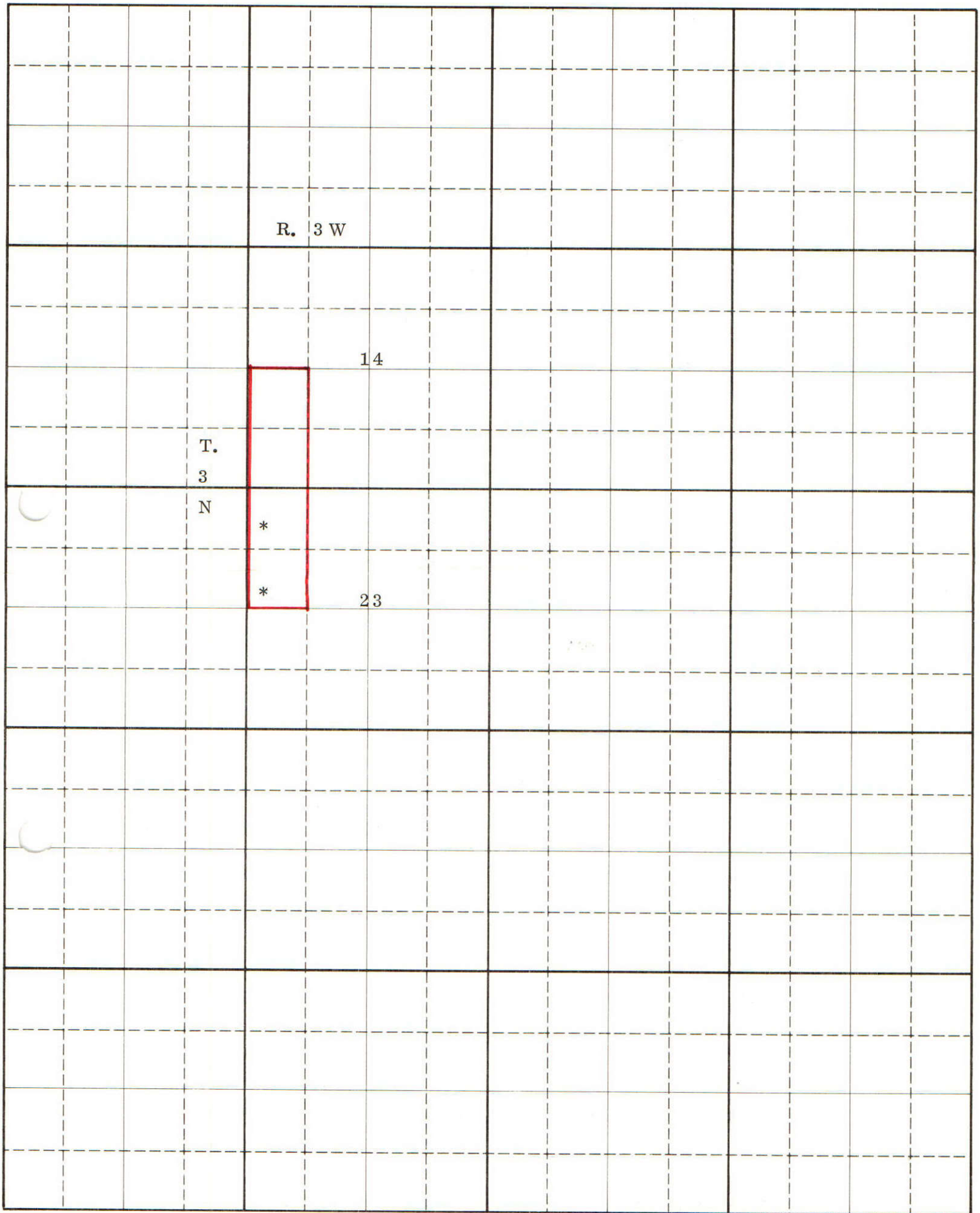




SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

RECEIVED

NOV 21 1974

Department of Water Resources

NOV 21 1974

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 7, 14, 1974

OK
11-21-74
CA

Verla Harker

Subscribed and sworn to before me this.....

14th day of November, 19 74
Edmund J. Kaur

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1975

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 63-2812

Notice is hereby given that NEIL J. SWENSON of Box 374, Star Rt. A, Anchorage, Alaska 99507 has applied to the Department of Water Administration for a change of point of diversion of the waters of a groundwater source.

The right sought to be changed is evidenced by License No. 63-2812 and is recorded as follows.

Amount: 1.10. Priority: April 26, 1950. Point of Diversion: NW 1/4 NW 1/4, Sec. 23, T. 3 N, R. 3 W., B.M. Canyon County. The water is used for irrigation purposes from March 15 to Nov. 15 for 70 acres.

TO BE CHANGED AS FOLLOWS

Amount: 1.10
Point of Diversion: SW 1/4 NW 1/4, Sec. 23, T. 3 N, R. 3 W., B.M. The water will be used for irrigation purposes from March 15 to Nov. 15 for 70 acres.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before Nov. 25, 1974.

R. KEITH HIGGINSON
Director
November 7, 14, 1974

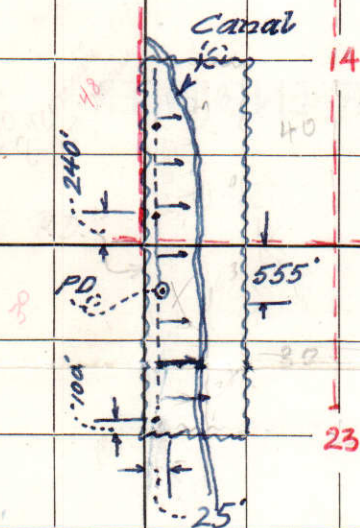
R-3W

← to Marsing

U.S. Hwy. 20

to U.S. Hwy. 30 →

T.
3
N.



Rd of Control reports

48 a. dry in SW 1/4 S14

30 a " " NW 1/4 S23.

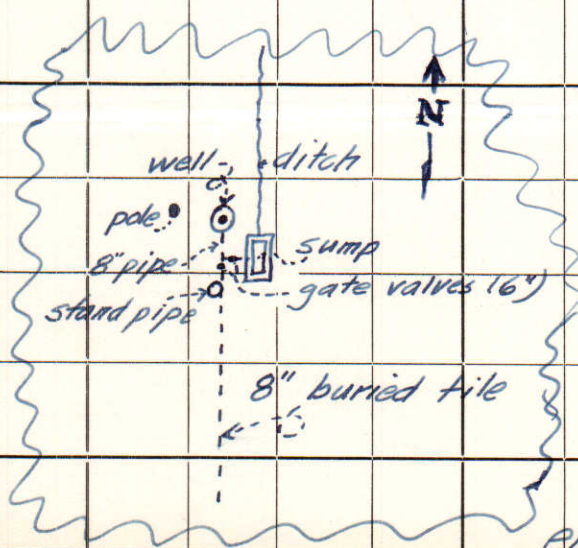
TO NAMPA →

Area Irrigated = Approx 70 acres.

Temp. = not recorded

Q = 55" (Sparling Meter)

Crop = Hay, Grain, Row Crops.



enlarged detail of pump and diverting works
(no scale)

AFFIDAVIT OF PUBLICATION

State of Idaho,
County of Canyon, SS.

Helen C. Norton, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. I am the principal clerk of the Idaho Free Press, a daily newspaper published in the City of Nampa in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That Saturday of each week has been designated as the particular day of the week on which legal notices required by law or by order of any Court of competent jurisdiction within the State to be published weekly, will be published in said Idaho Free Press in compliance with the provisions of Section 58-108 I.C.A. 1932, as added thereto by Chapter 154, 1933 Session Laws of Idaho, and the Publisher of this newspaper in conformity with the provisions of said law, does, at the head of the Editorial Column of said paper, and in each issue thereof, announce Saturday of each week as the day of the week on which legal notices required by law or by order of any Court of competent jurisdiction to be published weekly, will be published.

4. That the notice, of which the annexed is a printed copy was printed in said Saturday issue of said Idaho Free Press for a period of four successive weeks in the regular and entire issue of each Saturday publication of said paper during the period and time of publication and was printed in the newspaper proper and not in a supplement.

5. That said notice was published in each and every Saturday issue, beginning with the issue of April 11, 195 3, and ending with the issue of May 2, 195 3.

Subscribed and sworn to before me this 2nd day
of May, 195 3.

Bonnie L. Reinhardt
Notary Public for Idaho
Residing at Nampa, Idaho

My Commission Expires July 14, 1956

NOTICE FOR PUBLICATION
Notice of Proof Application of Water To Beneficial Use

Notice is hereby given that at 10 a.m. on the 2nd day of May, 1953, at Caldwell, County of Canyon, State of Idaho, before A. G. Luedeman, a Notary Public, proof will be submitted of the application to beneficial use of 1.58 cubic feet per second of the waters of subterranean flow from a well in accordance with the terms and conditions of Permit No. 21475 heretofore issued by Mark R. Kulp, State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is N. L. Swenson, Route 3, Caldwell, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 1.58 cubic feet per second.

The place where said water is used: W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 14 and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 23, all in township 3, North of range 3, West of the Boise Meridian, in Canyon County, State of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is said well.

The right to take water from such works is based upon Permit No. 21475.

The source of supply from which such water is diverted is subterranean.

The date of priority which said user is prepared to establish is April 26, 1950.

MARK R. KULP,
State Reclamation Engineer,
April 11, 18, 25, May 2.

21475

T. 3 N., R. 3 W.



14

Point of Diversion — Well

23

Permit Map No. 21475
 As Approved
 MAY 6 1950
 MARK R. KULP
 State Reclamation Engineer

Identification No. 63-2812
Transfer No. 63-2812 #1950

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

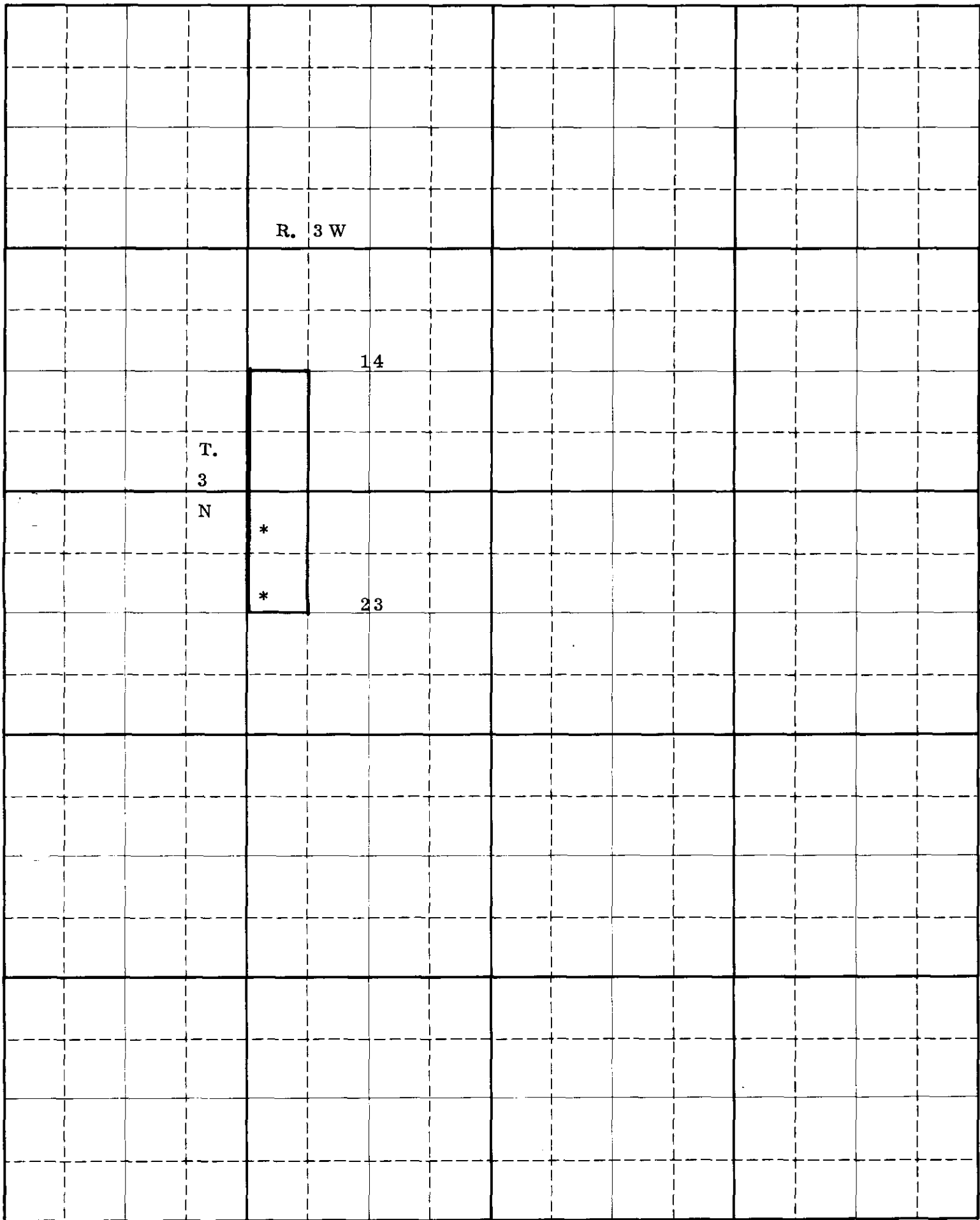
1. Name of Right Holder Neil J. Swenson
Post office address Box 374, Star Route A, Anchorage, Alaska 99507
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.
- b. License No. 63-2812 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground water tributary to _____
(Name of stream or source)
4. Date of Priority April 26, 1950
5. Amount of water a. 1.10 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from March 15 to Nov. 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23,
Township 3 N, Range 3 W, B.M., in Canyon County;
Additional points of diversion, if any _____

8. Lands presently irrigated or 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 $\frac{1}{4}$	
3 N	3 W	14										X	X						35
		23						X	X										35

Total number of acres presently irrigated 70

MICROFILMED



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

9. If applicant was not the original holder of this right explain how it was acquired: Applicant is the son of permit holder and purchased land from his father.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 1.10 c.f.s. and/or _____ acre feet
- b. New point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 3 N
 _____, Range 3 W, B.M. (Retaining original point in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23)
- c. Description of method of diversion and conveyance from new points of diversion: _____
well, pump, motor, gravity irrigation
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Original well is quite old, need new well for additional water to irrigate under licensed right.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE NONE

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

- b. Do you intend to make the transfer permanent? _____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

W. J. Johnson
 (signature of applicant)

Subscribed and sworn to before me this 29th day of October, 19 74

V. J. Sullivan
 (notary public)

My commission expires Sept. 4, 1976 Residing at Boise, Idaho

Director, Department of Water Resources
**ACTION OF STATE RECLAMATION ENGINEER
 AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2812,
 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 3 day of December, 19 74.

R. Kirk Higin
 State Reclamation Engineer
 DIRECTOR

FOR DEPARTMENT USE ONLY

Received by W 10-29-74 Date 10-29-74

Protest filed by: _____ Date _____

Prelim. check by JES Date 10/29/74
Received #145

Fee received by W Date 10-29 Fee \$ 30.00

Approved for publication by CA 11-21-74

Published in News Tribune Dates Nov. 7 & Nov. 14

Hearing held _____

Watermaster Recommendation sent _____

State of Idaho

License and Certificate of Water Right

Water License No. 21475

Amount 1.1 second feet

Water District No.

Priority April 26, 1950

THIS IS TO CERTIFY that N. L. SWENSON

of Caldwell, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated April 26

, 19 50 ; that Permit No. 21475

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

1.58 second feet, was issued thereunder on May 19

, 19 51 , showing that said works

were completed on the 30th day of April

, 19 51 ; and that on the 2nd

day of May

, 1953 ,

N. L. SWENSON

of Caldwell

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well subter-

anean flow) , a tributary of

, for the purpose of Irrigation and domestic use

, under Use Permit No. 21475

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

8 of Licenses at page 5159 , on the 9th day of October

, 19 53 ;

The right hereby confirmed dates from April 26

, 19 50 ;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 23 , Tp. 3 N, R. 3 W. , B. M.

County Canyon

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	23	W 1/2 NW 1/4	80	35
		14	W 1/2 SW 1/4	80	35
			Number of Acres Actually Irrigated - - -		70

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

9th day of October

, 19 53 .

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-2812

APPLICATION No. 29167
 PERMIT No. 21475
 DISTRICT No.

M. L. Swenson
 4525 N. E. 41st Ave.
 Portland, 11, Oregon

1. Name of Applicant: N. L. SWENSON

Postoffice address: Portland

County: Multnomah

State: Oregon

I. If applicant is a corporation, give:

- (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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 79 inches or 1.58 cubic feet per second.

3. Source of water supply: Subterranean flow from a well which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 23 , T. 3 N. , R. 3 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 5,000.00

8. Kind of works: Well, pump, ditches and pipe line

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 81 acres under Wilder Irrigation District

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

N. L. SWENSON *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 12:05 P. M. April 26, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21475

Recorded in Book 77 Page 21475 Approved May 6, 1950

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before July 6, 1950 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before November 6, 1950

The whole of said work to be completed on or before **May 6, 1951**

Beneficial use of water appropriated in accordance herewith, to be made on or before **May 6, 1953**

WITNESS My hand this 6th day of May, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th.....

day of May, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS
Governor.

By J. D. "CY" PRICE *Secretary of State.*

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3 N.	3 W.	14 23					40	40			40	40						80 80 160	
Total Number of Acres to be Irrigated - -																			
Permit No. 21475 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that N. L. SWENSON of Route 3, Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 21475, issued upon Application No. 29167 bearing date of priority of April 26, 1950, authorizing the diversion of 1.58 second feet of the waters of subterranean flow from a well, County of Canyon, State of Idaho, for irrigation and domestic 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 1.58 second feet of the waters of said well; that the point of diversion of said waters is in the NW1/4 NW1/4 Section 23, Township 3 North, Range 3 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W1/2 SW1/4 Section 14, W1/2 NW1/4 Section 23, Township 3 North, Range 3 West, B.M.																			
Witness my hand this 19th day of May, A. D. 1951.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made April 30, 1951. Certificate of Completion of Works issued May 19, 1951.																			
COPIES ISSUED FOR 1.1 SEC. FT.																			
Page 5159																			

WATER RIGHT NUMBER 63-2812

OWNER LAST NAME - SWENSON

FIRST NAME - NEIL J.

ORIG OWNER -

ADDRESS LINE 1 - STAR RT. A BOX 374

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - ANCHORAGE

STATE - AK ZIP CODE - 99507

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 04-26-1950 COUNTY - CANYON

TOTAL DIV. RATE - 1.1000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND - T

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNW 23 03N 03W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

NWNW 23 03N 03W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE -

1.1000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 03W SEC 23

TRACT NWNW LOT

AC

TRACT

SNNW LOT

AC

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 03W SEC 14

TRACT NWSW LOT

AC

TRACT

SWSW LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS - TRANS. 1950.

AC. IRR.=70.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 21475

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED J G
5/10/85

3/79

IDENT. NO. 63-2812

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]

September 4, 1975

Re: License No. 63-2812

Mr. Neil J. Swenson
Route # 8
Caldwell, Idaho 83605

Dear Mr. Swenson:

This office has received your request to correct the land list under the above referenced water right license.

The field examination made in 1953 prior to issuance of the license has been reviewed and that report does not show the land being irrigated as you now claim it is. Another difficulty in changing the license as issued is caused by the application for transfer filed in October, 1974, to add a point of diversion to this license.

Therefore, since the information in the file does not indicate an error was made in the issuance of the license, we feel that the land licensed in each tract could be changed most easily by filing a transfer.

A partially completed application for transfer is enclosed for your convenience. Please review this application to make sure it correctly describes the changes you wish to make, sign it before a notary public, and return it with a \$30.00 filing fee.

If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosure: App for transfer

Rec'd.
9-3-75
Wentworth District
sh

September 3, 1975

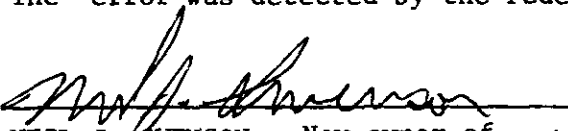
R. Keith Higginson
Director
Department of Water Resources

I, Neil J. Swenson, of Rt. 8, Caldwell, ID 83605, request the Department of Water Resources issue a corrected license on 63-2812.

The license shows 1.1 cfs of water for 70 acres of land; 35 acres in the $W\frac{1}{2}NW\frac{1}{4}$, Sec. 23 and 35 acres in $W\frac{1}{2}SW\frac{1}{4}$, Sec. 14; all in T. 3 N, R. 3 W. The license should read 2.3 acres in $NW\frac{1}{4}SW\frac{1}{4}$, 11.6 acres in $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 14; 19.3 acres in $NW\frac{1}{4}NW$, and 32.0 acres in $SW\frac{1}{4}NW\frac{1}{4}$, Sec. 23, all in T. 3 N, R. 3 W, For a total of 65.2 acres with 1.304 cfs of water.

This is the way the water has always been applied to the lands. All the ground is irrigated but the rest of the described lands have ditch rights out of the forest canal.

The error was detected by the Federal Land Bank Officials.



NEIL J. SWENSON - New owner of said property, son of original license holder, N.L. Swenson

December 5, 1974

Re: Transfer No. 63-2812

Mr. Neil J. Swenson
Box 374, Star Route A
Anchorage, Alaska 99507

Dear Mr. Swenson:

Enclosed is a copy of your approved Application for Transfer No. 63-8012. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

UNRECORDED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Transfer

Application No. 63-2812

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) CB 10-30-74

In form to receipt

(2) NA

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) NA

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) CB 10-30-74

In form for advertising

(5) NA

Platted on Map No. NA

(6) NA

Located within Water District No. NA

(7) R.W.H. 11-25-74

Critical groundwater area: yes NA no ☒

(8) R.W.H. 11-25-74

Groundwater levels:

NA Declining, ☒ Stable, NA Increasing

(comment) NA

(9) NA

Other rights on the same place of use

(10) NA

Comments: NA

(11) CA 11-21-74

Affidavit of Publication received(date) OK

(12) R.W.H. 11-25-74

Final date for protests 11-25-74
Protests received: yes NA no ☒

(13) NA

All requested information received from agencies or applicant: yes NA no NA

(14) R.W.H. 11-25-74

Action recommended:

☒ Approve NA Deny

NA Proposed Priority

NA Reason for Reduction

NA Measuring device required

NA See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Western

By R. Hamilton Date 11-25-74

MICROFILMED

Department of Water Resources

NOV 21 1974

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 7, 14, 1974

Serla Farker

Subscribed and sworn to before me this

14th day of November 1974

Notary Public, Residing at Nampa, Idaho

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 1, 1974

News-Tribune
P.O. Box 1179
Caldwell, ID 83605

Re: Proposed Change of Water Permit No. 63-2812 - Neil J. Swenson
Application for Permit No. 63-8054 - Parley W. &/or Iris B. Despain

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

Bill submitted
11-21-74
Cen

MICROFILMED

ca

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 63-2812

Notice is hereby given that NEIL J. SWENSON of Box 374, Star Rt. A, Anchorage, Alaska 99507 has applied to the Department of Water Administration for a change of point of diversion of the waters of a groundwater source.

The right sought to be changed is evidenced by License No. 63-2812 and is recorded as follows.

Amount: 1.10. Priority: April 26, 1950. Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 3 N, R. 3 W, B.M. Canyon County. The water is used for irrigation purposes from March 15 to Nov. 15 for 70 acres.

TO BE CHANGED AS
FOLLOWS

Amount: 1.10

Point of Diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 3 N, R. 3 W., B.M. The water will be used for irrigation purposes from March 15 to Nov. 15 for 70 acres.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before Nov. 25, 1974.

R. KEITH HIGGINSON
Director

November 7, 14, 1974

OK
11-7-74
ca

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-2812

Notice is hereby given that NEIL J. SWENSON
of Box 374, Star Rt. A, Anchorage, Alaska 99507 has applied to the Department of Water
Administration for a change of point of diversion of the waters of
a groundwater source.

The right sought to be changed is evidenced by License No. 63-2812
and is recorded as follows.

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Point of Diversion: NW 1/4, Sec. 23, T. 3 N, R. 3 W, B.M. Canyon County

The water is used for irrigation purposes from March 15 to Nov. 15
for 70 acres

TO BE CHANGED AS FOLLOWS

Amount: 1.10

Point of Diversion: SW 1/4, Sec. 23, T. 3 N, R. 3 W., B.M.

The water will be used for irrigation purposes from March 15 to Nov. 15
for 70 acres

Any protests against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Administration on or before
Nov. 25, 1974.

R. KEITH HIGGINSON
Director

Published in the News-Tribune, Caldwell, ID
on Nov. 7, 1974 and Nov. 14, 1974.

RECORDED

October 9, 1953

RE: Permit No. 21475

Mr. N. L. Swenson
Route 3
Caldwell, Idaho

Dear Mr. Swenson:

We enclose License and Certificate of Water Right issued under Permit No. 21475, confirming your right to the use of 1.1 second feet of water from a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 3 North, Range 3 West, B.M., with priority of April 26, 1950, for irrigation and domestic use on 70 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14, Township 3 North, Range 3 West, B.M.

We also enclose departmental receipt No. 26268 for the \$8.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21475

Oct 7, 1953

RECEIVED
OCT 9 1953
Department of Reclamation

Dept. of Reclamation
Boise

Dear Mr. Kulp.

Enclosed is \$8.00
fee as requested in
letter of Sept 19th,
permit # 21475 for
license of water from
well.

Sincerely,

W.L. Swenson
Route 3

Caldwell, Idaho

21475

September 19, 1953

Re: Permit No. 21475

Mr. N. L. Swenson
Route 3,
Caldwell, Idaho

Dear Mr. Swenson:

The report of our Field Engineer on examination of Beneficial Use on Permit No. 21475 shows that your well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 3 North, Range 3 West, B.M. will deliver 55 inches of water and that you have irrigated approximately 70 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 14 and the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, same township and range.

Therefore, upon receipt of the statutory fee of \$8.00 which is at the rate of \$2.00 for each 40 acre subdivision, in which the land is located, a license will be issued for 55 inches, or 1.1 second foot of water from said well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer,
By

Chief Clerk

A/re

21475

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

Permit No. 21475

This proof is for Beneficial use In Water District No. _____

1. Name of applicant N. L. Swenson, Route 3, Caldwell, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23
T. 3 N. R. 3 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Well, 170' deep. Cased to bottom with 12" casing. 8" Column, 120' deep. 3 stage bowls, size unknown. Static height 90'. No draw down. U.S. Motor #850339, 20 H.P., 220 V., 50 A., 3 phase, 60 cycle, 1800 RPM. Johnson Pump #JC 2632. Pump mounted on 33" sq. concrete base, no cover. Westinghouse switch panel on pole 5' W of pump. GE meter #20 354 762, 50 A, 240 V, 60 cycle, 1.8 demand, on same pole as panel. Discharge to S thru 8" pipe. 3' from pump is a "T", one 8" pipe goes to E, another to the S into 8" concrete tile, buried, 2075' long. Valve openings every 100' on this line. (for irrigation) Pipe to E from "T" goes 2' into concrete sump 5'X3'X3'. From sump open ditch goes N 795', then into 8" buried concrete tile, 1100' long, then again to open ditch. Valve openings every 100' on this line also. 6" gate valves are located at S and E
5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: of "T".

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):

W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, Township 3 North, Range 3 West, B. M.

W $\frac{1}{2}$ SW $\frac{1}{4}$ " 14 " " "

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

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

Remarks: Accompanied on inspection by Mr. Swenson.

Water Temp. not recorded.

Crop- Hay, Grain and Row Crops.

Mr. Swenson estimates approx. 70 acres irrigated by this well on West side of Canal.

This examination was made on the 11th day of September, 1953.

(Signed)

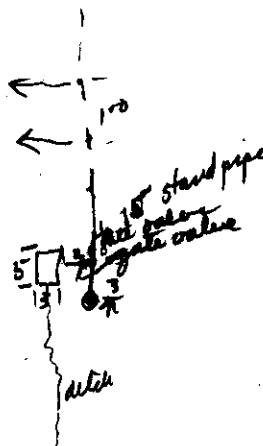
James H. Rose, Jr.
Examiner.

21475

69
240
33
3 273
91
100 cfs
91 100
91
90

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.



N. L. SWENSON
Rt. 3, Caldwell, Idaho

Permit No. 21475

Examination for Beneficial use

County Canyon

S. 23 - 3N - 2W

Q = 1.00 cfs.

S = Well

P.D. = NW. NW. Sec. 23, T. 3N. - R. 3W.

Use = Irrigation & Domestic

RECEIVED
SEP 17 1953

Department of Reclamation

Priority - April 26, 1950.
Due - May 6, 1953.

C/W: 5-19-51

est. 70 acres above canal
irrigated from pump.
concrete tile 8" to 5 from pump.

170' well, cased to bottom
with 12" casing, 8" column
120' down, 3 stage, size
unknown, 90' static height, no
draw down.

discharge to 5" thru 8" pipe.

row crops, grain, hay.

U.S. Motor # 850339. 20 HP.
220V, 50A. 3 phase, 1800
R.P.M. 60 cycle

Johnson Turbine # JC 2632

55" from Sparking Meter.

pump mounted on 33" square
concrete foundation. no cover.

Woolinghouse switch panel, on
pole 5' W of pump.

GE Meter # 20 354 762 50A
240V 60 cycle. 1.8 demand.

concrete pump

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21475

REPORT ON PROOF OF Beneficial Use

N. L. SWENSON, Route 3, Caldwell, Idaho

1.1 cfs
max

app. 1.58 cfs

70 acres
4-40'±

May 6, 1953

RE: Permit No. 21475

Mr. N. L. Swenson
Route 3
Caldwell, Idaho

Dear Mr. Swenson:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Idaho Free Press in proof of beneficial use under Permit No. 21475.

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

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cp

21475

AFFIDAVIT OF PUBLICATION

State of Idaho,

ss.

County of Canyon,

Helen C. Norton, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. I am the principal clerk of the Idaho Free Press, a daily newspaper published in the City of Nampa in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That Saturday of each week has been designated as the particular day of the week on which legal notices required by law or by order of any Court of competent jurisdiction within the State to be published weekly, will be published in said Idaho Free Press in compliance with the provisions of Section 58-108 I.C.A. 1932, as added thereto by Chapter 154, 1933 Session Laws of Idaho, and the Publisher of this newspaper in conformity with the provisions of said law, does, at the head of the Editorial Column of said paper, and in each issue thereof, announce Saturday of each week as the day of the week on which legal notices required by law or by order of any Court of competent jurisdiction to be published weekly, will be published.

4. That the notice, of which the annexed is a printed copy was printed in said Saturday issue of said Idaho Free Press for a period of four successive weeks in the regular and entire issue of each Saturday publication of said paper during the period and time of publication and was printed in the newspaper proper and not in a supplement.

5. That said notice was published in each and every Saturday issue, beginning with the issue of April 11, 1953, and ending with the issue of May 2, 1953.

Helen C. Norton

Subscribed and sworn to before me this 2nd day of May, 1953.

Bonnie L. Reinhardt

Notary Public for Idaho
Residing at Nampa, Idaho

My Commission Expires May 21, 1955

21475

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 4 1953
Department of Reclamation

Permit No. 21475

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. N. L. Swenson, Route 3, Caldwell, Idaho, a farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3 State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 21475 dated May 19, 1951. Date of priority April 26, 1950

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

Ans. Subterranean flow from a well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 3 North, Range 3 West, B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. A drilled well, 170 feet deep, with 12 inch casing, depth to water 90 feet. A pump is used with a discharge of 600 to 700 G.P.M. Measured by engineers report.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, all in Township 3 North, Range 3 West, B.M.

21475

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

Ans.

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

Ans.

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

Ans.

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

Ans. To full capacity from April 26, 1950

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None, except that for the East portion of the 160 acres I have 81.75 acres under Wilder Irrigation District. I pump for about 70 acres.

(Sign) J. H. Swenson

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 Caldwell, Idaho County of Canyon, State of Idaho, on this 2nd day of May, A. D. 1953,

My commission expires September 2, 1955

21425

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21475

Proof of Application of Water to Beneficial Use

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.

Ans. A. G. Luedeman, 62 years of age, 1307 Blaine Str, Caldwell, Idaho.
Secy.-Treas. Canyon National Farm Loan Association

Ques. 2. Are you acquainted with N. L. Swenson, the holder of Permit No. 21475? How long have you known him and where does he reside?

Ans. I have known him 10 years. He resides at Route 3, Caldwell, Idaho

Ques. 3. Have you read or heard read said Permit No. 21475, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean flow from a well, diversion is in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 23, Township 3 North, Range 3 West, B.M. Well, pump, ditches
and pipe line.

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

Ans. 1.58 cubic feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 79 inches or 1.58 cubic feet per second. From information
contained in the engineer's report.

21475

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. About 20 acres in West portion of W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 14, and about 50 acres in West portion of W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, all in Township 3 North, Range 3 West, B.M. All under cultivation.

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

Ans. _____

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

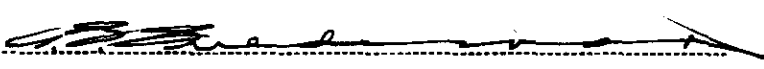
Ans. Was only sage brush land. 79 inches of water will be sufficient for profitable cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

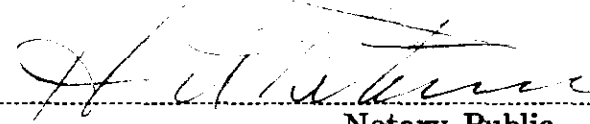
Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have personally witnessed the full application of the beneficial use of the water diverted.

(Signed) 

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 Caldwell, County of Canyon, State of Idaho, on this 2nd day of May, A. D. 1953.


Notary Public.

My commission expires May 20 1954

21425

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21475

Proof of Application of Water to Beneficial Use

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.

Ans. Julius S. Swenson, 59 years of age, Route 3, Caldwell, Idaho,
a retired farmer

Ques. 2. Are you acquainted with N. L. Swenson, the
holder of Permit No. 21475? How long have you known him and where does
he reside?

Ans. I have known him all my life. He resides at Route 3, Caldwell,
Idaho

Ques. 3. Have you read or heard read said Permit No. 21475, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Subterranean flow from a well, diversion is in NW¹ NW¹ of Section
23, Township 3 North, Range 3 West, B.M. Well, pump, ditches and pipe
line.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. 1.58 cubic feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. 79 inches or 1.58 cubic feet per second. I was present when the
engineer made his report.

21475

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. About 20 acres in West portion of W¹/₂SW¹/₄ of
Section 14 and about 50 acres in West portion of W¹/₂NW¹/₄ of Section 23.
All under cultivation.

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

Ans. _____

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

Ans. Originally sage brush and 79 inches will be sufficient for
profitable cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in said works.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have done some of the irrigating work and have seen the full
application of the beneficial use of the water diverted.

(Signed) _____

Julius S. Swenson

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 Caldwell,
County of Canyon, State of Idaho, on this 2nd day of May,
A. D. 1953.

[Signature]
Notary Public.

My commission expires September 2, 1955

21475

✓
April 3, 1953

RE: Permit No. 21475

Mr. N. L. Swenson
Route 3
Caldwell, Idaho

Dear Mr. Swenson:

We have sent to the Idaho Free Press copy of notice of beneficial use proof to be made on Permit No. 21475 on May 2, 1953, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. A. G. Luedeman, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21475

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21475

Date: April 3, 1953

Idaho Free Press

Nampa, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 2, 1953**, the date set for proof, the expense of the publication to be paid by the applicant, **N. L. Swenson** of **Route 3, Caldwell, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

21475

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 2nd day of May, 1953,
at Caldwell, County of Canyon, State of Idaho, before
A. G. Luedeman, a Notary Public, proof will be submitted of the
application to beneficial use of 1.58 cubic feet per second of the waters of Subterranean flow from
a well in accordance with the terms and conditions of Permit No. 21475
heretofore issued by the Mark R. Kulp, State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

N. L. Swenson Route 3 Caldwell, Idaho

The use to which said water has been applied is irrigation and domestic

The amount applied to beneficial use is 1.58 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

W 1/2 of NW 1/4 of Sec. 14 and W 1/2 of NW 1/4 of Sec. 23, all in Township 3, North of

Range 3, west of the Boise Meridian, in Canyon County, State of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

said well

The right to take water from such works is based upon Permit No. _____

The source of supply from which such water is diverted is subterranean

The date of priority which said user is prepared to establish is April 26, 1950

MARK R. KULP

State Reclamation Engineer.

21475

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... March 24, 1953

(P. O.)..... Caldwell, 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
..... Idaho Free Press of Nampa, Idaho published in
the county in which the works are situated.

N. L. Swenson

(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.

21475

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

March 2, 1953

Mr. N. L. Swenson
Route 3
Caldwell, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. ~~21175~~. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than ~~May 6, 1953~~, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

21475

May 21, 1951

Re: Permit No. 21475

Mr. N. L. Swenson
Route 3
Caldwell, Idaho

Dear Mr. Swenson:

We enclose Certificate of Completion of Works issued under Permit No. 21475 for the diversion of 1.58 second feet of water from a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 3 North, Range 3 West, B.M. for irrigation and domestic use on the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14 and the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, same Township and Range.

We also enclose Departmental Receipt No. 23329 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21475

Permit No. 21475

STATE OF IDAHO
Department of Reclamation

RECEIVED
MAY 2 1951

Proof of Completion of Works Department of Reclamation

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Canyon

ss.

N. L. Swenson

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21475, and that his postoffice address is Route 3, Caldwell State of Idaho (former address was 4525 N.E. 41st Ave., Portland, Oregon)

Second: That the name of the stream which said water is to be directed is

Third: That the point of diversion of said water is Subterranean flow from a well

N.W. 1/4 N.W. 1/4 - Sec. 23 - T 3 N R 3 W Canyon County

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 6, 1951.

Fifth: That the use for which said water is intended is irrigation and domestic purposes

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: well, pump, ditches and pipe line

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line (State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 79 inches or 1.58 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: W 1/2 of SW 1/4 Section 14, Twp 3 North, Range 3 West and W 1/2 of NW 1/4 Section 23, Twp 3 North, Range 3 West.

Ninth: Remarks: That Existing water rights appurtenant to the lands to be irrigated are 81 acres under Wilder Irrigation District. Well has 12 inch casing and is 175 feet deep - Johnston Turbine 20 h.p. pump & motor

(Sign Here)

Subscribed and sworn to before me this 30th day of April, 1951

My commission expires Sept. 2, 1951

Notary Public.

21475

May 4, 1951

Re: Permit No. 21475

Mr. N. L. Swenson
Route 3
Caldwell, Idaho

Dear Mr. Swenson:

We return your proof of completion of works under Permit No. 21475, for the following corrections:

1. Question 3 should give the point of diversion, or location of the well, by legal subdivision, section, township and range.
2. Question 6 should state whether the works were or were not completed.
3. The size and depth of the well, casing, etc. should be stated, and also the kind and H.P. of the pump. This may be given under "Remarks".

We hold to your credit the \$5.00 fee in connection with this proof, and upon return of the corrected proof, a certificate of completion of works will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

21475

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. H. L. Swenson
4525 N.E. 41st Ave.
Portland, 11, Oregon

Boise, Idaho **March 1, 1951**

Dear Sir:-

Under the terms of your permit No. ~~22173~~ you are required to complete your diversion works on or before ~~May 6, 1951~~. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

*change
address
to Route 3
Caldwell
Idaho*

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. N. L. Swenson
4525 N.E. 41st Ave.
Portland, 11, Oregon

Boise, Idaho **March 1, 1951**

Dear Sir:-

Under the terms of your permit No. 21475 you are required to complete your diversion works on or before May 6, 1951. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

21475

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

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. 21475

Date May 8, 1950

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. N. L. Swenson
4525 N. E. 41st. Ave.
Portland 11, Oregon

MARK R. KULP
State Reclamation Engineer

21475

T. 3 N., R. 3 W.



14

Point of Diversion - Well

23

Permit Map No. 21475
As Approved
MAY 6 1950
MARK R. KULP
State Reclamation Engineer

**Notice of Proof Application of Water
To Beneficial Use**

Notice is hereby given that at 10 a.m. on the 2nd day of May, 1953, at Caldwell, County of Canyon, State of Idaho, before A. G. Luedeman, a Notary Public, proof will be submitted of the application to beneficial use of 1.58 cubic feet per second of the waters of subterranean flow from a well in accordance with the terms and conditions of Permit No. 21475 heretofore issued by Mark R. Kulp, State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is N. L. Swenson, Route 3, Caldwell, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 1.58 cubic feet per second.

The place where said water is used: W $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 14 and W $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 23, all in township 3, North of range 3, West of the Boise Meridian, in Canyon County, State of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is said well.

The right to take water from such works is based upon Permit No. 21475.

The source of supply from which such water is diverted is subterranean.

The date of priority which said user is prepared to establish is April 26, 1950.

MARK R. KULP,
State Reclamation Engineer.
April 11, 18, 28, May 2.