

45-02512

State of Idaho
License and Certificate of Water Right

Water License No. G-26174/45-2512

Amount 1.36 c.f.s.

Water District No. _____

Priority January 16, 1956

THIS IS TO CERTIFY that **ALBERT ANDERSON & SONS CO.,** an Idaho Corporation of **Oakley, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **January 16**, 1956; that Permit No. **G-26174** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.36** second feet, was issued thereunder on **September 21**, 19 65, showing that said works were completed on the **12th** day of **October**, 19 64; and that on the **12th** day of **October**, 19 64, **ALBERT ANDERSON & SONS CO.**

of **Oakley**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of **subterranean flow**, for the purpose of irrigation

, under Use Permit No. **G-26174** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page **8280**, on the **21** day of **September**, 19 65;

The right hereby confirmed dates from **January 16**, 19 56;

The Point of Diversion is located

In the **SW 1/4 NE 1/4, Sec. 5**, Tp. **13 S**, R. **22 E**, **B. McCassia** County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.36** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13S	22 E	5	NE1/4 (Lot 1)	40	44
			NW1/4 (Lot 2)	40	43.96
			SW1/4	40	40
			Total number of acres to be irrigated		127.96

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

21st day of **September**, 19 65.

s/ **RALPH W. THOMAS**
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-34057
Permit No. G- 26174
District No.

1. Name of Applicant: ALBERT ANDERSON & SONS COMPANY, an Idaho corporation
Postoffice address: 25 VAN ENGELN Drive, Oakley, Idaho County: Cassia State: Idaho
2. Quantity of water claimed: 2.4 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 2.4 or Idaho
Miners' inches 120 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: One (1) well drilling during February 1955.
4. Location of point of diversion or well is in the 500 ft. East of the SW Corner of
SW $\frac{1}{4}$ $\frac{1}{4}$ of the NE $\frac{1}{4}$ $\frac{1}{4}$ of Section 5
Twp. 13 S. , Rge. 22 E. , B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well and ditches all on applicant's place.
8. Estimated cost of works: \$ Approximately \$10,000.00
9. (a) Is reservoir to be used? None
(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 Three (3) years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: July 3, 1945 Idaho
(b) Amount of capital stock: \$ 200,000.00 (c) Amount paid in: \$ 177,200.00
(d) Names and addresses of directors: Lula Anderson, Burley, Idaho; Albert Anderson, Oakley, Idaho;
Ray Anderson, Oakley, Idaho; Vanness Anderson, Burley, Idaho.
 - II. The financial resources of the applicant are (a) Cash onhand: \$ 10,000.00
(b) Treasury stock: None (c) Bonds to be issued: None
(d) Other resources: real estate, livestock and equipment over \$200,000.00
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-26174

Recorded in Book 92 Page 26174 Approved Feb. 7. 1956

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 April 7, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 7, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 7, 1959

Witness my hand this 7th day of February, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th
day of February, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
By Paula L. Fleenor *Secretary of State.*
Deputy Secretary of State

By ROBERT E. MYLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
13 S.	22 E	5	X	X	X													120 acres	
Permit No. G-26174 ✓ CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Albert Anderson and Sons Co., an Idaho Corporation of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. G-26174, issued upon Application No. G-34057 bearing date of priority of January 16, 1964, authorizing the diversion of 2.4 second feet of waters of a well in County of Cassia, 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 work of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place intended use 1.36 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is SW¹/₄NE¹/₄, Section 5, T. 13 S., R. 22 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: NE¹/₄NE¹/₄ (Lot 1), NW¹/₄NE¹/₄ (Lot 2), SW¹/₄NE¹/₄, Section 5, T. 13 S., R. 22 E.B.M. Witness my hand this 21st day of September, A.D. 1965. S/RALPH W. THOMAS Deputy State Reclamation Engineer Proof of Completion of Works made: October 12, 1964. LICENSE ISSUED FOR 1.36 SEC. FT. LICENSE PAGE NO. 8280																			

WATER RIGHT NUMBER 45-2912

OWNER LAST NAME - ALBERT ANDERSON & SONS CO.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - OAKLEY

STATE - ID ZIP CODE - 83346

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 01-16-1956 COUNTY - CASSIA

TOTAL DIV. RATE - 1.3600 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNE 05 13S 22E LOT 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 -

1.3600 CFS USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 13S RNG 22E SEC 05 TRACT NENE LOT 01 AC 44 TRACT NWNE LOT 02 AC 44

TRACT SWNE LOT AC 40

DECREE NAME -

DATE -

TOTAL ACRES 128

REMARKS - AC. IRR. = 127.96.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 26174

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED DOT

VERIFIED DDL

4/19/85



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

August 3, 1983

RE: License Nos. 36-2412 (Transfer No. 2299), 36-2665, 36-7119, 36-7157, 36-7304, 36-7366, 36-7402, 36-7480, 36-7561, 37-7001, 37-7019, 37-7315, 37-7316, 37-7363, 37-7470, 45-2016, 45-2018, 45-2019, 45-2020, 45-2028, 45-2029, 45-2031, 45-2050, 45-2053, 45-2066, 45-2109, 45-2254 (Transfer No. 2590), 45-2299, 45-2351 (Transfer No. 2329), 45-2490, 45-2494, 45-2512, 45-2519 (Transfer No. 1849), 45-2520 (Transfer No. 1849), 45-2526 (Transfer No. 1849), 45-2556, 45-2567 (Pending Transfer No. 2332), 45-2579, 45-2611, 45-2613, 45-2614, 45-2620, 45-2628, 45-2629, 45-2630, 45-2642, 45-2657, 45-2668 (Pending Transfer No. 2332), and 45-2688

First Security Bank of Idaho
ATTN: Mr. LaMar Giles
P.O. Box 7069
Boise, ID 83730

Dear Mr. Giles:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

If you have any questions please feel free to contact our office.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

OK to process
Re 8/2/83

ASSIGNMENT OF WATER RIGHTS

RECEIVED

The undersigned (hereinafter "Grantor"), for good and valuable consideration, receipt of which is hereby acknowledged, does hereby sell, assign, transfer, grant, convey and warrant to FIRST SECURITY BANK OF IDAHO, N.A. (hereinafter "Grantee"), all right, title and interest in the licenses, decrees, adjudications, claims, permits, written agreements and stock in water companies, listed in Exhibit J attached hereto and incorporated by reference, along with any and all interest the Grantor may have, acquire, claim or otherwise hold over any other unspecified public waters of the State of Idaho (hereinafter "Water Rights") which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and incorporated by reference.

Grantor warrants that it has performed all acts and made all filings necessary to maintain in full force and effect all of the Exhibit J Water Rights, and that there are no written or oral agreements which adversely affect or change the aforementioned Water Rights.

Grantor further covenants and warrants that a notice of claim has been or will be filed prior to June 30, 1983, pursuant to Idaho Code Section 42-243 by Grantor for the benefit of Grantee for all unspecified public waters of the State of Idaho which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and by this reference incorporated herein.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary effective January 31, 1983.

ALBERT ANDERSON AND SONS COMPANY

By 15/
President

ATTEST:

15/
Assistant Secretary

STATE OF IDAHO)
County of Cassia) ss.

On this 17th day of May, 1983, before me, a notary public in and for said county and state, personally appeared Wm. A. Anderson and Wm. A. Parsons, known to me to be the President and Assistant Secretary, respectively, of ALBERT ANDERSON AND SONS COMPANY, the corporation named in the above instrument, and acknowledged to me that they executed the same on behalf of such corporation.

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

15/
NOTARY PUBLIC for Idaho
Residing at _____, Idaho

WATER RIGHTS

EXHIBIT J

Licenses and Permits

36-2412	37-7363	45-2066	45-2579
36-2665	37-7470	45-2109	45-2611
36-7119	✓37-7480	45-2254	45-2613
36-7157	37-7531	45-2299	45-2614
36-7304	37-7806	45-2351	45-2620
36-7366	45-2016	45-2490	45-2628
36-7402	45-2018	45-2494	45-2629
36-7480	45-2019	45-2512	45-2630
36-7561	45-2020	45-2519	45-2642
✓36-7877	45-2028	45-2520	45-2657
37-7001	45-2029	45-2526	45-2668
37-7019	45-2031	~~45-2547~~	45-2688
37-7315	45-2050	45-2556	45-7379
37-7316	45-2053	45-2567	

Decrees and Adjudications

45-0166	45-0170	45-0514	45-0698
45-0168	45-0171	45-0695	45-0701
45-0169	~~45-0425~~	45-0696	45-0702

Claims

45-4000	45-4006	45-4011	45-4023
45-4001	45-4007	45-4013	45-4026
45-4002	45-4008	45-4014	45-4048
45-4005	45-4009		

Agreements

1. "99 YEAR LEASE" dated April 1, 1954, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist and Dallon Elquist.

2. "AGREEMENT" dated April 3, 1963, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist, Bertha Elquist, Dallon C. Elquist and Norma Jean Elquist.

Stock in Water Companies

<u>Name of Company</u>	<u>Number of Shares</u>
Oakley Canal Co.	1,167.02
Northside Canal Co.	1,006.02

ACT

ION

N

OWNER LAST NAME - ALBERT ANDERSON & SONS CO.

N

CITY - OAKLEY

STATE - ID

N

SOURCE - GROUNDWATER

N

STAGE - LICENSE

PRIORITY - 01-16-1956 COUNTY - CASSIA

TOTAL DIV. RATE -

1.3600CFS

N

DIVERSION POINT - SWNE 05 13S 22E

N

USE - IRRIGATION

USE DIV. RATE - 1.3600CFS

N

USE - IRRIGATION

PLACE OF USE - TWN 13S RNG 22E SEC 05 TRACT NENE LOT 01 AC 44 TRACT NWNE LOT 02 AC 44

N

TRACT SWNE

AC 40

N

OLD NO. - 26174

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3/79

IDENT. NO. 45-2512

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]

- DATA ENTRY -

Record

Present Owner:

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

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[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: 26174

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

MO 5-17-79

September 21, 1965

Re: Permit No. G-26174

Albert Anderson & Sons Co.
25 Van Engelen Dr.
Burley, Idaho

Gentlemen:

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

Also enclosed is departmental receipt No. G-9827, in the
amount of \$11.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

G26174

500 - July 8, 1964

July 21, 1965

RE: Permit No. G-26174

Albert Anderson & Sons Company
25 Van Engelen Drive
Burley, Idaho

Dear Mr. Anderson:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26174 shows the well is (~~280~~) capable of conveying ⁶³ miner's inches, or ^{1.36} c.f.s. of water for the irrigation of 120 acres.

Upon receipt of the statutory fees, totaling \$ 11.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of January 16, 1956 , to the use of 1.36 second feet of subterranean water with the point of diversion in the SW¹/₄NE¹/₄, Sec. 5 for irrigation of 120 acres in the N¹/₂NE¹/₄, SW¹/₄NE¹/₄, Sec. 5, T. 13 S., R. 22 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

26174

A Anderson Sprinkler lines

$$\begin{array}{r} \#1 \\ \hline 47 \end{array}$$

$$\begin{array}{r} \#2 \\ \hline 48 \end{array}$$

$$\begin{array}{r} \#3 \\ \hline 48 \end{array}$$

$$\begin{array}{r} 42 \\ \hline 89 = 46 \end{array}$$

$$\begin{array}{r} 43 \\ \hline 91 = 46 \end{array}$$

$$\begin{array}{r} 42 \\ \hline 90 = 45 \end{array}$$

30 Heads

29 Heads

30 Heads

J 26/24

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26174

REPORT ON PROOF OF Completion of Works & Beneficial Use

Albert Anderson & Sons Company
25 Van Engelen Drive.
Burley, Idaho

R 22 E

T
13
S

TROUT

PD

L2 43.96
L1 44

40

UNION PACIFIC
R.R.

TO OAKLEY

Subdivisions = 3

Area = 420^{128} acres

Q = 1.36 cfs or 68 inches

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

Permit No. G-26174This proof is for Comp. of Works & Bana. Use

In Water District No. _____

1. Name of applicant Albert Anderson & Sons Co.2. Source of water supply: One well drilling

3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 5
T. 13S R. 22E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 45 Motor 125 HPSerial # 1072203Laguer & Bowler pump # 20801

10" Discharge reduced to 8" x 12' with 2 tees East & West into
8" portable main line and 3-3" laterals with 1/2" 7/8" nipples each - plus
a facilities to irrigate by siphon tubes from open ditches, by pumping
into a 30" concrete stand pipe 2' high, and buried 10" concrete pipe 800' east.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

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

SW 1/4, NE 1/4, Section 5, 13S-22E making a total of 120 acres to be
irrigated.

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

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

Remarks: Allen Woodhouse, river, alongSprinkler = 421.53 GPM = .94 cfsCurrent Meter # 375 (p49m4) Q = .42(stated measured by State of Idaho - No current meter used measurement)Measured by taking pressure reading along lateral and current meter measurement in open ditch.This examination was made on the 14 day of July, 19 65

(Signed)

L. J. Johnson
Don McElwain

Examiner

G-26174

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 21 1965

Department of Reclamation

DD
1106 v n-8 n. 340
2.4 ch 77
Albert Anderson & Sons
25 Van Engelen Drive
Burley, Idaho
Permit No. G-26174

Make map
Examination for Comp. of Works & Bene. Use

County Cassia

5/13/22

Sec. 5 T. 13S. 22E

2.4

Quantity:

WELL

Source:

2 WNE-5-13S-22E

P. D.:

IRRIGATION

Use:

16 JAN 56

Filed:

7 FEB 59

Due:

NONE - WORKING
FIVE YEARS ON
PROOF.

Extension:-

Protest:

Completion of Works:

NONE

Other Rights:

LD-200
1-63

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Date 11-7, 1965 DISCHARGE MEASUREMENT NOTES

Anderson River at Concrete check Permit # 6-26174

Station	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
	~~2.00~~	~~12~~	~~93~~		~~80%~~	~~22~~	~~.22~~			~~.11~~	~~.02~~
	2.25	25	93		10	43	.27			.25 ²³	.06
	2.50	38	95		10	48	.25			.36	.09
	3.00	50	95		5	42	.17			.48	.108
	3.50	37	95		5	43	.16			.35	.06
	3.75	25	95		7	60	.16			.24	.04
	4.00	25	95		7	48	.19			.24	.05
	4.25	13	95		80%	400	.15			.12	.02
	2.25	225									.42 cfs

11-26-74

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

1M April 1962

October 21, 1964

Re: Permit No. ~~8-26174~~
Albert Anderson & Sons

Albert Anderson & Sons
25 Van Engelen Drive
Burley, Idaho

Dear Mr. Anderson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~BURLEY HERALD-BULLETIN~~, all submitted in proof of completion of works and beneficial use on Permit No. ~~8-26174~~.

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

cc: ^{et} EPR:
Halsen & Halsen

826174

RECEIVED
OCT 21 1964

Department of Reclamation

STATE OF IDAHO)
: ss.
County of Cassia)

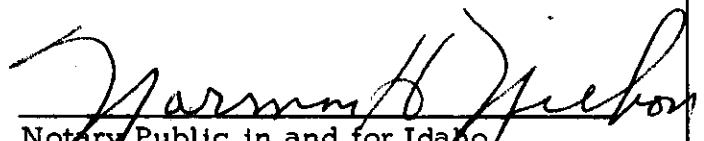
A. H. Nielson, being first duly sworn, deposes and says:

That he is a Notary Public of the State of Idaho residing at Burley, Idaho, that he is the Notary Public before whom the witnesses were to appear on the 21st day of September, 1964, regarding Permit G-26174, Albert Anderson and Sons Co. That the office of this affiant was open on the 21st day of September, 1964, and has been open each business day thereafter up to and including the 12th day of October, 1964; that during said time there were no protests made or received by this affiant or this office in regard to the above mentioned permit; that the reason for the delay in the making the proof is that Jack Anderson, one of the managers of Albert Anderson and Sons Co., was killed in an automobile accident and this caused so much concern and anxiety that it was impossible to obtain the member of the Albert Anderson and Sons Co. and to get the witnesses together.

DATED This 16th day of October, 1964.



Subscribed and sworn to before me this 16th day of
October, 1964,


Notary Public in and for Idaho
Residing at Burley, Idaho

My Commission Expires:
May 12, 1966.

B26174

October 11, 1964

RE: Permit G-26174
Albert Anderson & Sons

Nielson & Nielson
Attorneys & Counselors at Law
Burley, Idaho

ATTENTION: Mr. A. H. Nielson

Dear Mr. Nielson:

Receipt is hereby acknowledged for Proof of Application of Water to Beneficial Use and Completion of Works for the above referred permit. It is noted that the advertisement called for making the proofs on September 21, 1964, however, the proofs were made on the 12th of October.

Before the proofs can be accepted a notarized statement is required by this department from the Notary indicating his office was open on the 21st of September and that no protests were received or had been received up to the date of the proofs, October 12, 1964.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

RALPH W. THOMAS
Deputy State Reclamation Engineer

ERT:ct

Enc. Proofs

26174

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

October 13, 1964

TELEPHONE
678-5574

RECEIVED
OCT 14 1964

Department of Reclamation

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

Re: Permit No. G-26174

Gentlemen:

In the above matter we are sending the publication of notice of proof and the depositions of the holder and two witnesses. This matter was delayed, as I told you previously, because of the death of Albert Anderson's son in an automobile accident.

If there is any additional information you need we will be pleased to give you what information is available to us.

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:nw
Enclosures.

826174

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
OCT 14 1964

BOISE, IDAHO

Department of Reclamation

Permit No. G-26174

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: My name is Albert Anderson, I live at Burley, Cassia County, Idaho, I am the Secretary of Albert Anderson & Sons Co., my postoffice address is 25 Van Engelen Drive, Burley, Idaho

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

I am acting as Secretary of the company as authorized by the Board of Directors, the company is Albert Anderson & Sons Co, principal place of business is Oakley, Cassia County, Idaho

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G-26174, January 16, 1956, permit approved on the 7th day of January, 1956

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, Township 13 South, Range 22, E.B.M.

Ques. 5. Describe your works of diversion: well, pump and ditches from the well

; state amount of water they are capable of conveying from point of diversion to place of use 2.4 cu. ft Give name of canal or ditch

or other works by which water is conducted to such place of use: There is not any canal used, all the ditches are on the land of the applicant

; if a well, state depth of well 1100 ft ; depth and size of casing:

starts at 16 and tapers to 8, 1 ... ; depth to water 340 ; if pump is used, at the point where the pump hangs in the well

state discharge of pump: 2.4 cu. ft; tell how it was measured or determined: measured by the State of Idaho and I know it pumps approximately that amount from seeing it so often

none ; 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 : All of the following

described real estate has been irrigated from this pump, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13 South, Range 22, E.B.M.,

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

Beuase of the water there is better cultivation of the land. Prior to the digging of the well part of the land did not have any water at all, the other part had some water from the Oakley Canal Co., but not sufficient to raise crops.

no logs as Bailey reports they did not drill
+ Anderson can't remember to drill G 26174

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Boley & Weech of Murtaugh, Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:
none

Ques. 8. What is the minimum amount of water required for the purpose specified above:
The minimum amount of water required for irrigation is 1 inch to the acre

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:

The original applicant

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: January, 1956 Time used since first use:

and it has been used to irrigate the land during 1956 and every year thereafter

Ques. 11. Describe all other water rights appurtenant to same place of use:

There has been used some water from the Oakley Canal Company, but there is not sufficient and there is other lands belonging to the company which can use this water and to which the water has been used from the Oakley Canal Company

(sign) Albert Anderson

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

Burley, Fouts Building, County of Cassia

State of Idaho, on this 12th day of October, A.D. 1964.

A. H. Nielsen
Notary Public for State of Idaho
Residing at Burley, Idaho

My Commission expires: February 20, 1966.

826174

RECEIVED
OCT 14 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-26174

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:

My name is Ross T. Nielson, I am 46 years of age, I reside at 538 West 40th in Burley,
Cassia County, Idaho. I am a certified Public Accountant and farmer.

Ques. 2. Are you acquainted with Albert Anderson & Sons Co., the holder of
Permit No. G-26174 ? How long have you known him and where does he reside:

I have known the Albert Anderson & Sons Co. since 1948, and its officers since that date.

Ques. 3. Have you read or heard said Permit No. G-26174 read, and are you familiar
with its provisions and conditions: Yes: xxx No:

Ques. 4. State source of water supply: Well

State place of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, Township 13 South, Range 22. E.B.M.

Describe works for conveying water to place of use: Well with a pump in it and ditches
from the well to the land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.4 cu. ft. How much water have you seen being so

conveyed: I have seen all of the 2.4 cu. ft. conveyed to the place of use

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

Water has been used on the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13
South, Range 22. E.B.M.

526174

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

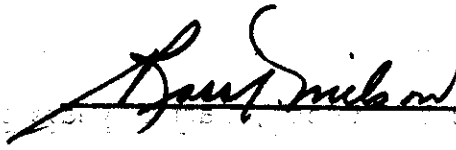
There was not an adequate water right for the land prior to the time the well was dug,
there have been profitable crops raised since the well has been dug.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: I have no interest in the well, pump, or land

Ques. 10. When did you first see this water used: I have seen the well and pump
in about January 1956 when the pump was first used.
Other times you have seen such use:

I have seen the well and pump many times since then and would say it pumps
approximately 120 inches of water

(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 Burley, Fouts

Burley, County of Cassia, State of Idaho, on this 12th day of October,
A. D., 1964.



Notary Public for State of Idaho

Residing: Burley, Idaho

My commission expires: February 20, 1966.

826174

RECEIVED
OCT 14 1964

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-26174

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:

My name is Mac Martin I am 45 years of age, I reside at 2031 Burton Ave., Burley,
Cassia County, Idaho, I am a farmer and rancher.

Ques. 2. Are you acquainted with Albert Anderson & Sons Co., the holder of
Permit No. G-26174? How long have you known him and where does he reside:

I have known Albert Anderson & Sons Co. and the officers thereof since the company was
organized & have known the Andersons for 40 years

Ques. 3. Have you read or heard said Permit No. G-26174 read, and are you familiar
with its provisions and conditions: Yes: xxxx No:

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

State place of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, Township 13 South, Range 22, E.B.M.

Describe works for conveying water to place of use: There is a pump in the well and
ditches from the well the place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.4 cu. ft. How much water have you seen being so
conveyed: I have seen all this water, 2.4 cu. ft. conveyed to the place of use

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

The water has been used on the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13
Range 22, E.B.M.

B26174

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

There was not an adequate water right for the land prior to the time the well was dug, and since the well was dug there has been crops raised that have been profitable.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: I have no interest whatever in the well or the land.

Ques. 10. When did you first see this water used: I have seen this pump when it was first started and notice the water and I would say it was along in January, 1956.
Other times you have seen such use: I have been interested in the development of wells and I have seen this well operating each year since 1956., and I know that it pumps approximately 120 inches of water.

(Signed)

Luac Martin

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 Burley, Fouts

Building, County of Cassia, State of Idaho, on this 12th day of October,

A. D., 1964.

A. H. Miller

Notary Public for State of Idaho

Residing: Burley, Idaho

My commission expires: February 20, 1966.

526174

RECEIVED
OCT 14 1964

Department of Reclamation

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

R. C. Ostrander, being first

duly sworn, deposes and says that he is the

Business Manager of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated August 31, 1964, and ending with the issue dated September 21, 1964.

R. C. Ostrander
Subscribed and sworn to before me this

24th day of September, 1964.

Barbara J. Ostrander Notary Public

Cost of Publication _____

Notary Fee MY COMMISSION EXPIRES

APRIL 27, 1968

Total Cost _____

B26174

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

R. C. Ostrander, being first

duly sworn, deposes and says that he is the

Business Manager of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated August 31, 1964, and ending with the issue dated September 21, 1964

Subscribed and sworn to before me this

24th day of September, 1964

Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

64-237

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

Notice is hereby given that at 10:00 A.M. on the 21st day of September, 1964, at Fouts Bldg., Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at Fouts Bldg., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 2.4 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-26173, 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 Albert Anderson & Sons Co., an Idaho Corporation of Oakley, Cassia County, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 2.4 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 2.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13 S., Range 22, EBM, Cassia County, Idaho.

5. The place where said water is used is N $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13 S., Rge. 22, EBM, Cassia County, Idaho.

6. The date of priority which said user is prepared to establish is January 16, 1956.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin August 31, September 7, 14, 21, 1964.

826171

October 8, 1964

Re: Permits No. 20676 Albert Anderson & Sons
 " No. G-26174 " " "

Nielson & Nielson
Attorneys
Box 367, Burley, Ida.

Attn: A. H. Nielson

Dear Mr. Nielson:

The legal notice in regard to Permit No. G-26174 published in the Burley Herald Bulletin showed proofs were to have been made on September 21, 1964, with you as Notary Public. We have not received the depositions or Affidavit of Publication.

Kindly advise by return mail as this permit is subject to cancellation.

Your letter of August 13th requested 30 days for holder of permit to determine the value of Permit No. 20676. We have received no information.

Kindly advise by return mail as this permit is subject to cancellation.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

G26174

Re: Permit No. G-26174
Albert Anderson & Sons Co.

August 24, 1964

Mr. A. H. Nielson,
Attorney at Law,
Burley, Idaho.

Dear Mr. Nielson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26174, in the name of Albert Anderson & Sons Co.. Final Proof is to be made before you, as Notary on the 21st day of September, 1964, at 10:00 o'clock A.M., at Fonta Building, Burley, Idaho.

As of this date, we have mailed the Notice to the Burley Herald Bulletin, Burley, Idaho, with instructions to publish it once a week for 10 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

B26174

Encl.
EPR:pmk
cc: Applicant

Re: Permit No. G-26174
Albert Anderson & Sons Co.

Date: August 24, 1964

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to September 21, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant 's attorney, A. H. Nielson
of Fouts Bldg., Burley, 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 or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

B26174

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 20, 1964

TELEPHONE
678-5574

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

Re: Permit No. G-26174, Albert Anderson & Sons Co.
Oakley, Idaho

Gentlemen:

In the above matter we are sending Form No. 36 in duplicate and
Form No. 11, both filled out.

Would you set the date when the hearing can be held before me
as Notary Public. Any time in September is agreeable with me.

If there is any additional information you need, would you
contact us.

Sincerely yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN:nw
Encl.

26174

RECEIVED
AUG 21 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 20, 1964

(P. O.) Oakley, 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 Burley Herald Bulletin of
Burley, Idaho published in the
county in which the works are situated.

ALBERT ANDERSON & SONS, CO.

By

Albert Anderson

Its Secretary

(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

B26174

RECEIVED
AUG 24 1964
10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 10:00 A.M., on the 21st day of September
1964, at Fouts Bldg., Burley, County of Cassia, State of Idaho,
before A. H. Nielson, Notary Public, at (address) Fouts Bldg.
Burley, Idaho, proof will be submitted of the completion of works for
the diversion of 2.4 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-26174, 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 Albert Anderson & Sons Co. an Idaho Corporation of Oakley, Cassia County, Idaho

2. Said works of diversion will be fully completed on the date set for such comple-
tion, and the amount of water which said works are capable of conveying to the place of
use is 2.4 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
2.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13 S.,
Range 22, EBM, Cassia County, Idaho

5. The place where said water is used is N $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5,
Township 13 S., Range 22, EBM. Cassia County, Idaho

6. The date of priority which said user is prepared to establish is March 1, 1956

CARL E. TAPPAN

State Reclamation Engineer

G-26174

August 17, 1964

Re: Permit No. G-26174
Albert Anderson & Sons

A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Enclosed are Forms 36 and 11, as requested by
you on August 13, 1964, in regard to the above permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. 36 and 11

26174

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 13, 1964

TELEPHONE
678-5574

RECEIVED
AUG 14 1964

Department of Reclamation

State of Idaho
Department of Reclamation
107 Statehouse
Boise, Idaho

Re: Permit No. G-26174

Gentlemen:

In the above matter we have had considerable correspondence with your department and there has been sent to us forms 16 and 17A. In checking the matter, we cannot find any Affidavit of Publication and attribute the fact to the following conditions:

Charles Brown, the owner and editor of the Oakley Herald, had mental trouble along in 1959. He could not operate his business and as he was the owner and the manager of the business, very little was done. Not long after, Charles Brown died, his place of business was closed and there has not been an Oakley Herald, so apparently we will have to start all over again. If you would send the forms necessary to order publication in the Burley Herald Bulletin and the notice that goes therein, we will see that this matter is taken care of promptly and will within sixty days mentioned in Mr. Tappan's notice to Albert Anderson and Sons Company dated August 3, 1964.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:md

26174

August 7, 1964

RE: Permit G-26174
Albert Anderson & Sons

Nielson & Nielson
Attorneys-at-Law
Burley, Idaho

Gentlemen:

This is in reply to your letter of August 7, 1964 in regards to making proof on above permit.

Our letter of August 3, 1964 stated that the terms and conditions of the Permit to Appropriate the Public Waters of the State of Idaho, had not been complied with. The proof of completion of work and application of water to beneficial use was received in May of 1959. However, before the requirement can be met, a deposition of holder and deposition of two witnessess must be forwarded to this department. These depositions were requested by our letter of July 29, 1964.

Enclosed are the forms required for the needed depositions. Please have them completed and return promptly to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. PETRI
State Water Rights Clerk

HP:ct

Enc. Proofs

826174

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

August 7, 1964

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

RECEIVED
AUG 7 1964

Department of Reclamation

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

Re: Permit G-26174

Dear Sir:

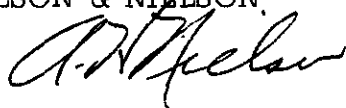
In the above matter we received your statement dated August 3, 1964. Our office was under the impression that we had made proof on this well.

If we have not, would you send us the necessary forms to make such proof. The well has been in operation since March, 1, 1956, and pumps 120 inches of water.

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:nw

G26174

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 26174 August 3, 19 64

To Albert Anderson & Sons Co.,
Oakley, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 26174 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

The Depositions and Affidavit of Publication have not been received

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 26174 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- 26174 claims the use of 2.4 cubic feet per second of the Subterranean Waters a well with point of diversion located: SW 1/4 Sec. 5., Twp. 13 S., Rge. 22 E.B.M.

and was approved February 7, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 3rd day of August, 19 64.

Carl E. Tappan

State Reclamation Engineer

cc: A. H. Nielson
Nielson & Nielson
P. O. Box 367
Burley, Idaho

826174

July 29, 1964

Re: Permit No. G-26174

Albert Anderson & Sons Co.,
Oakley, Idaho.

Gentlemen:

Enclosed is pre-cancellation notice in regard to above noted permit. The legal notice was published in the Oakley Herald showing that proof of completion of works and beneficial use of the water would be made before A. H. Nielson at 10:00 A.M. June 30, 1959.

The Depositions and Affidavit of Publication have not been received.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Encl.
CET:RWT:pmk

826174

June 8, 1959

Re: Permit No. G-26174
Albert Anderson & Sons Co.

Oakley Herald
Oakley, Idaho

Gentlemen:

It is requested that the following corrections be made in the publication notice under Permit G-26174.

In Paragraph One (1) change the name to Albert Anderson & Sons Company.

Omit the words "By Edna P. Rutledge, Chief Clerk under the last line " State Reclamation Engineer"

It is important that these corrections be evidenced by tear sheets forwarded to this office.

Very truly yours,

GED. N. CARTER
State Reclamation Engineer

By:

HENRY PETRI
Water Rights Clerk

HP:ew

S26174

May 22, 1959

Re: Permit No. G-26174

Albert Anderson & Sons,
Oakley, Idaho.

Gentlemen:

On May 20, 1959, a Pre-Cancellation Notice was made on your Permit No. G-26174, before your Notice of Publication was received in this office.

Please disregard the Pre-Cancellation Notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/pmk

G26174

May 21, 1959

Re: Permit No. G-26174

Albert Anderson & Sons Company,
Oakley, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26174. The proofs are to be made at 10:00 A.M., on the 30th day of June, 1959, before A. H. Nielson, Notary Public.

As of this date we have mailed the Notice to the Oakley Herald 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 you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. 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, the 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,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Enc. (3)

cc: Mr. A. H. Nielson

EPR/pak

G26174

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: **May 21, 1959**

Re: **Permit No. G-26174**
Albert Anderson & Sons Company

Oakley Herald,
Oakley, Idaho.
Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **June 30, 1959** the date set for proof; the expense of the publication is to be paid by the applicant

of **Oakley, Idaho**
Albert Anderson & Sons Company
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 or tear-sheet of the first publication.**

Very truly yours,

State Reclamation Engineer
By

Chief Clerk
** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

J 26174

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

Notice is hereby given that at 10:00 ^{A.M.} ~~M.~~, on the 30th day of June,
1959, at Burley, County of Cassia, State of Idaho,
before A. H. Nielson, Notary Public, at (address) Burley
Idaho, proof will be submitted of the completion of
works for the diversion of 2.4 cubic feet per second of underground water
from a well, and of the application to beneficial use of said water, in accord-
ance with the terms and conditions of Permit No. 0-26174 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 Albert Anderson and Sons Company, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of con-
veying to the place of use is 2.4 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
2.4 cubic feet per second.

4. The point of diversion of said water is ~~SW 1/4~~ SW 1/4, Sec. 5, T. 13 S,
R. 22 E.B.M.

5. The place where said water is used is
N 1/2 and SW 1/4, Sec. 5, T. 13 S. R. 22 E.B.M.

6. The date of priority which said user is prepared to establish is
March 1, 1956.

B26174

State Reclamation Engineer

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

Notice is hereby given that at 10:00 A. M. on the _____ day of June, 19 59,
 at Burley, County of Cassia, State of Idaho, before
A. H. Nielson, a Notary Public, proof will be submitted of the
 application to beneficial use of 2.4 cubic feet per second of the waters of one certain well
 in accordance with the terms and conditions of Permit No. G-26174
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

Albert Anderson and Sons, Company, an Idaho corp; Oakley, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 2.4 cubic feet per second

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

N $\frac{1}{2}$ and of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 13

South, Range 22, E.B.M. in Cassia County, Idaho

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

All ditches conveying said water being located on the land of the applicant

The right to take water from such works is based upon Permit No. G-26174

The source of supply from which such water is diverted is Well, located in the SW $\frac{1}{4}$ of the
NE $\frac{1}{4}$ Section 5, Township 13 S Range 22, E.B.M. in Cassia County, Idaho

The date of priority which said user is prepared to establish is March 1, 1956.

J 26174

 State Reclamation Engineer.

RECEIVED
MAY 20 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Oakley Herald of Oakley, Idaho published in
the county in which the works are situated.

Alburt Anderson & Sons Co.
By Alburt Anderson

(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.

826174

RECEIVED
MAY 20 1959

Department of Reclamation

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

Notice is hereby given that at **10:00** A. M. on the **30** day of **June**, 19**59**,
at **Burley**, County of **Cassia**, State of Idaho, before
A. H. Nielson, a Notary Public, proof will be submitted of the
application to beneficial use of **2.4** cubic feet per second of the waters of ~~the~~ **well**
in accordance with the terms and conditions of Permit No. **G-26174**
heretofore issued by the **State Reclamation Engineer** of the State of Idaho.

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

Albert Anderson and Sons, Company, Oakley, Idaho

The use to which said water has been applied is **Irrigation**

The amount applied to beneficial use is **2.4 cubic feet per second**

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

N¹/₂ of SW¹/₄ and NE¹/₄ Section 5, Township 13

South, Range 22, E.B.M.

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

The right to take water from such works is based upon Permit No. **G-26174**

The source of supply from which such water is diverted is **Well,**

The date of priority which said user is prepared to establish is **March 1, 1956.**

G-26174

State Reclamation Engineer.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

- 1

Albert Anderson + Sons Co

(Signature or name of addressee)
- 2

Charles Larkin

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 3-28-59, 19

26174

Post Office Department
OFFICIAL BUSINESS

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

POSTMARK OF DELIVERING
OFFICE

4-26174
albert anderson

Return to State Department of Reclamation

(NAME OF SENDER)

Street and Number, }
or Post Office Box, } Room 107 Statehouse

~~REGISTERED~~ ARTICLE

No. CERTIFIED Post Office Boise, Idaho

~~REGISTERED~~ PARCEL

No. 19888 State

16-12421

826174

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

May 19, 1959

RECEIVED
MAY 20 1959
Department of Reclamation

State of Idaho
State Reclamation Engineer
Boise, Idaho

Re: Permit G-26174

Dear Sir:-

In the matter above, we are sending Form #10 and Form #11 in duplicate.

You can set the hearing at your convenience before A. H. Nielson, a Notary Public at Burley, Cassia County, Idaho.

We are also sending an application for permit by Anderson Brothers, together with their check for \$6.25. If there is any information regarding this application would you be kind enough to let us know.

In regard to Permit #20563 in the name of Albert Anderson and Sons Company, Oakley, Idaho. We have received the certificate of completion of works dated the 27th day of July, 1953. We had been under the impression that proof was made of beneficial use.

In your letter of May 1, 1959, you mentioned that you were sending a Form #10 and #11. For some reason the company has lost these forms. Would you please send us the necessary forms so that we can make the showing you require.

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:zm
encls.

826174

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RE: Permit No. G- 26174

March 20, 1959

TO: Albert Anderson & Sons Company

Oakley, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G 26174 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works & Beneficial Use Proofs which were due February 7, 1959

YOU ARE HEREBY Notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G 26174 is hereby held for cancellation.

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

Said PERMIT No. G 26174 claims the use of 2.4 cubic feet per second of the Subterranean Waters of a well with point of diversion located SW 1/4 of Sec. 5., Twp. 13 S., Rge. 22 E. B. M., was approved February 7, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 20th day of March, 1959.

State Reclamation Engineer

26174

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

DEPARTMENT OF RECLAMATION

BOISE

RE: Permit No. C-26174

Date December 10, 1958

Albert Anderson & Sons Company
Oakley
Idaho

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. C-26174 are due not later than February 7, 1959.

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 that 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 above 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 Form 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,

GEO. N. CARTER

State Reclamation Engineer

Enclosures

826174

February 15, 1956

RE: Permit No. G-26174

Messrs. Nielson & Nielson
P. O. Box 367
Burley, Idaho

ATTENTION: Mr. A. H. Nielson

Dear Mr. Nielson:

We enclose Permit No. G-26174 in the name of
Albert Anderson & Sons Company, and direct their 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-1653
for the \$5.50 filing fee.

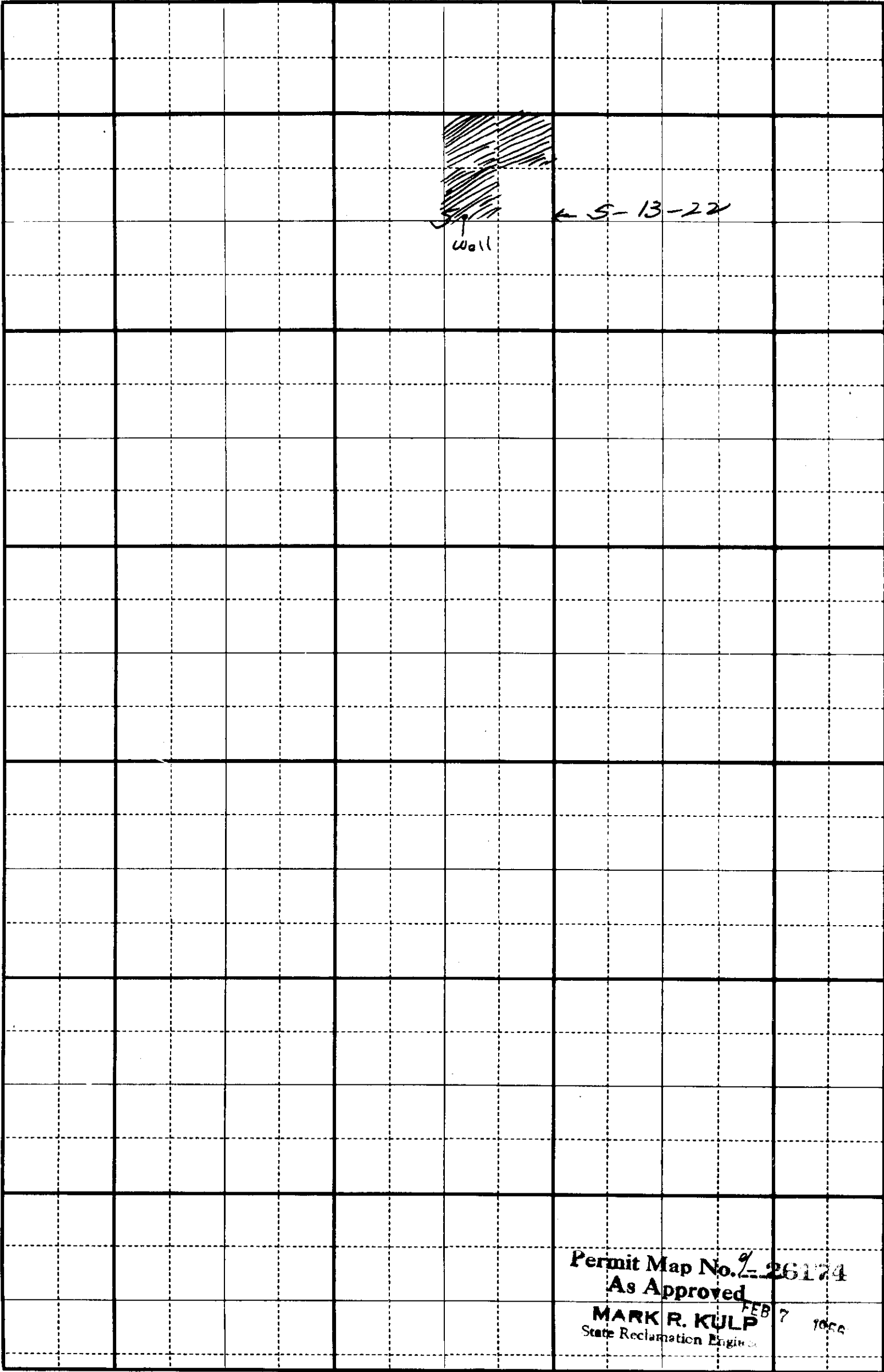
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

G26174



Permit Map No. 9-26174
As Approved
MARK R. KULP
State Reclamation Engineer
FEB 7 1966

926174

January 19, 1956

Messrs. Nielson & Nielson
P. O. Box 367
Burley, Idaho

ATTENTION: Mr. A. H. Nielson

Dear Mr. Nielson:

We wish to acknowledge receipt of Application for Permit in the name of Albert Anderson & Sons Company for 2.5 cubic feet per second.

You also enclosed a check signed by Mr. Albert Anderson to the amount of \$5.25 as filing fees for the above named Application. We wish to state that the filing fee for this Application is \$5.50.

We are returning said Check for which please substitute a new check to the amount of \$5.50.

It will also be necessary to reduce your amount of filing to 2.4 cubic feet per second based on one inch per acre for 120 acres of land.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

2 Cks Enc. 5725-
25-



ROBERT E. SMYLLIE
GOVERNOR

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

BOISE

January 19, 1956

RECEIVED
JAN 24 1956
Department of Reclamation

Messrs. Nielson & Nielson
P. O. Box 367
Burley, Idaho

ATTENTION: Mr. A. H. Nielson

Dear Mr. Nielson:

We wish to acknowledge receipt of Application for Permit in the name of Albert Anderson & Sons Company for 2.5 cubic feet per second.

You also enclosed a check signed by Mr. Albert Anderson to the amount of \$5.25 as filing fees for the above named Application. We wish to state that the filing fee for this Application is \$5.50.

We are returning said Check for which please substitute a new check to the amount of \$5.50.

It will also be necessary to reduce your amount of filing to 2.4 cubic feet per second based on one inch per acre for 120 acres of land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

826174

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

January 13, 1956

A. H. NIELSON
N. H. NIELSON

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

At the request of Albert Anderson & Sons Company, we are sending Application for Permit. We believe you will find it in order.

There is also being sent \$5.25 for the filing of this application. If there is any additional information needed, would you let us know. Thank you.

Very truly yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN:dj

Enclosure 2

826174

64-237
LEGAL NOTICES
NOTICE OF PROOF OF
COMPLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 21st day of September, 1964, at Fouts Bldg., Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at Fouts Bldg., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 2.4 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-26174, 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 Albert Anderson & Sons Co., an Idaho Corporation of Oakley, Cassia County, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 2.4 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 2.4 cubic feet per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13 S., Range 22, EBM, Cassia County, Idaho.
5. The place where said water is used is N $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 13 S., Rge. 22, EBM, Cassia County, Idaho.
6. The date of priority which said user is prepared to establish is January 16, 1956.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin August 31, September 7, 14, 21, 1964.

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

Notice is hereby given that at 10:00 A.M. on the 30th day of June, 1959, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 2.4 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-26174 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 Albert Anderson and Sons Company, Oakley, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.4 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 2.4 cubic feet per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 13 S., R. 22 E.B.M.
5. The place where said water is used is N $\frac{1}{2}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 13 S. R. 22 E.B.M.
6. The date of priority which said user is prepared to establish is March 1, 1956.

GEO. N. CARTER,
State Reclamation Engineer
By EDNA P. RUDLEDGE,
Chief Clerk

First publication May 28, 1959,
Fourth publication June 18, 1959