

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32369/29-2506 Priority May 19, 1965 Amount 1.3 cfs

THIS IS TO CERTIFY, that Max & JoAnn Nielsen
of Downey, Idaho, have ~~not~~ complied with the terms and conditions of Permit
No. 32369/29-2506 issued pursuant to Application for Permit dated May 19, 1965,
and has submitted proof to the Department of Water Administration on May 18, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.41 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.3 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.3 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW¹/₄ NE¹/₄ Sec. 28, Twp. 11 S, Rge. 37 E, B.M.

in the county of Bannock; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 559.2 * acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

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	
11 S	37 E	28		23. 47	38		40	40	40	40									221.47

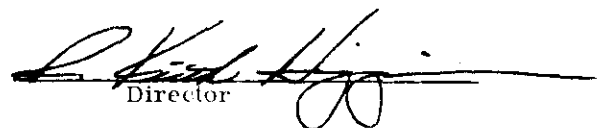
Total number of acres irrigated 221.47

* This license is issued subject to the condition that the maximum rate of diversion
and volume per season when combined with License No. 29-2500 shall not exceed
2.41 cfs and 775.2 acre feet per year.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of

January, 19 72.


Director

29 2506

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

29-2506

Application No. G- 40518
 Permit No. G- 32369
 District No.

Assigned to Max & Ann Nielsen
H. L. Downey, Sr.

1. Name of Applicant: Richard H. Smith
 Postoffice address: Box 69, Logan County: Cache State: Utah
2. Quantity of water claimed: 1 & 3 tenths cubic feet per second
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28
 Twp. 11 S., Rge. 37 E., B.M., County of Bannock
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: Artesian well, main and diverting laterals
8. Estimated cost of works: \$9000.00
9. (a) Is reservoir to be used?
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: G-32217
 (a) 1.3 (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.

By

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 32369

Recorded in Book 113 Page 32369 Approved May 24, 1965

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

One-fifth of the work above specified to be completed on or before November 24, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 24, 1970

Witness my hand this 24th day of May, 1965

s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, 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 24th
day of May, 19 65.

Countersigned:

STATE OF IDAHO

(SEAL) _____

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

s/ By: Paula L. Fleenor
12. Deputy Secretary of State

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	
11 S.	37 E.	28		35	30			40	40	40	40								225

LICENSE ISSUED FOR 1-3 SEC. FT.
LICENSE PAGE NO. 1

Identification No. _____

Permit No. G-32369/29-2506

RECEIVED

MAY 18 1970

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Max B. and Helen Nielsen
b) Post Office Address Downey Idaho
2. Permit Number G-32369/29-2506
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 28
Township 14-S, Range 37-E Boise Meridian, Other points of diversion: _____
County of Bannock
5. a) The amount of water and use to which the water has been applied:
amount 1.3 cfs for irrigation purposes from Apr. 20 to Nov. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 1250 gal/min. 1 ft. draw down
made by Forrest Cagle Driller
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Main line and diverting laterals
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 75 H.P. Motor -
Depth 237 ft. 16 in. Casing
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Forrest Cagle, Downey Ida.

Exam typed
June 6, 1970
Christine McMillan

32369
29-2506

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 160 acres NW 1/4 Twp 11.5-37E - SEC 28
RANGE

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	
11.5	37E	28		3530			40	40 ²⁰	40	40									

Total number of acres irrigated 221.47

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date) May 15 1974 John A. Spickard
(Signature)

State of Idaho ss.
County of Bannock

On this 15th day of May, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

James E. Hyde
Notary Public residing at Idaho Falls, Idaho

My commission expires May 4, 1974

RECEIVED

MAY 5 1970

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

Department of Reclamation

I, Richard Helmuth, hereby assign to May & Joan Nielsen
of Donney Idaho Address _____
Name

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 33369/29-2506
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 29th day of April, 1970.

Richard Helmuth
Permit Holder

Wife of Permit Holder

State of Idaho Utah)
County of Cache) ss.

On this 29th day of April, 1970, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Ol. Paul
Notary Public residing at _____
Smithfield, Utah

My commission expires 2-10-74

33369
29-2506

PROOF OF PUBLICATION RECEIVED

STATE OF IDAHO
County of Bannock

ss.

JUN 24 1970

Sheila Department of Reclamation

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

June 4	, 1970	_____	, 19_____
June 11	, 1970	_____	, 19_____
_____	, 19_____	_____	, 19_____
_____	, 19_____	_____	, 19_____
_____	, 19_____	_____	, 19_____

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Sheila E. Sutton

Subscribed and sworn to before me this 11th
day of June, 1970

Robert E. Spratlen

Notary Public, State of Idaho

Residence: Pocatello, Idaho

29-2506
32369

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sheila R. Burton

NOTICE

OF EXISTING WATER PERMIT

Notice is hereby given that Max and Jo Ann Nielsen, Rt. 1, Downey, Idaho have received an approved permit No. G-32369-29-2506 issued by the Idaho State Reclamation Department authorizing the diversion of 1.3 cubic feet per second of water from a groundwater source subject to all prior rights. The priority to be established under this permit is May 19, 1965 and the permit was approved May 24, 1965. Water is to be diverted by artesian well and laterals from a point within the NW 1/4-NE 1/4, Sec. 28, T. 11 S, R. 37 E, B. M., Bannock County to be used for irrigation in the W 1/2 NE 1/4, NW 1/4, Sec. 28, T. 11 S, R. 37 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before May 24, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

June 4, 11, 1970
No. 299

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

June 4	1970	19
June 11	1970	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Subscribed and sworn to before me this 11th day of June, 1970

Robert E. Spentlow

Notary Public, State of Idaho

Residence: Pocatello, Idaho

January 26, 1972

C
Re: Permit No. 32369/29-2506

C
Max & JoAnn Nielsen
Route # 1
Downey, Idaho 83234

C
Dear Mr. & Mrs. Nielsen:

Enclosed herewith is your Water License issued on the above referenced permit.

P
Sincerely,

P
BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enc: License

bc: Eastern District Office

29 2506

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 14, 1972

FILE COPY

Max & JoAnn Nielsen
Route # 1
Downey, Idaho 83234

Dear Mr. & Mrs. Nielsen:

A representative of this department has made an examination of the works covered by your Permit No. 32369/29-2506 and has found the following:

Quantity of water diverted: 2.41 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.3 cfs

The maximum quantity diverted shall not exceed 559.2 acre feet per season.

Beneficial Use: Irrigation of 221.47 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (23.47),

SW $\frac{1}{4}$ NE $\frac{1}{4}$ (38), NW $\frac{1}{4}$ (160), Sec. 28, Twp. 11S, Rge. 37E, B.M.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, Twp. 11S, Rge. 37E, B.M.

The priority date established is : May 19, 1965

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

29-2506

April 22, 1971

Re: Permit No. 29-2500 - Max and JoAnn Nielsen
29-2506 - " " " "

Max G. Nielsen
Route #1
Downey, Idaho 83234

Dear Mr. Nielsen:

Pursuant to your letter of April 16, 1971; we wish to advise you that the field examiners have made their recommendations for licensing the two above referenced permits. We have several huddred similar recommendations to review, and we will have your license issued as soon as possible. The license will be issued in your names.

If you should have any further questions, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cr

29-2506

REC-111
APR 24 1971
Department of Water

April 16/71

Dear Mrs. Higginson

I'm writing concerning our
water license. on permit no. G-32217 ~~29-2500~~
and permit no. G-32369 29-2506

The field examination was made
last summer of 1970 - but we have
not heard a thing since he was
here.

Would you please write us and
let us know about it.

Thank you.

Max C. or John Nielsen

OR #1

Downey, Idaho

P.S.

I hope the field ^{man} told you the
permit and license ~~was~~ to be put
in Max or John Nielsen

Thank you.

29-2506

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

Permit No. G-32369/29-2506

This proof is for B/U In Water District No.

1. Name of applicant Max & Jo Ann Nielsen/Downey

2. Source of water supply: ground water

3. Location of point of diversion: Is in the NW 1/4 of Section 28.

T. 11 S. R. 37 E. County of Bannock

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

artesian well, main and diverting laterals Not Artesian.
75 HP US Motors High Thrust 220 Volts 1800 RPM
Ser # 3778028 Berkeley pump Model 12034
Ser # 7145
6' discharge into 10" mainline running East & West

5. Water is used for: irrigation some 8" mainline

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

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

Sec. 28, T. 11 S., R. 37 E. W 1/2 NE 1/4, NW 1/4 225 acres

The W 1/2 NE 1/4 contains 61.47 acres and 225 TOTAL

is covered by permit G-32217 for 1.23 CFS

An amendment may be required that

permit has an earlier priority date.

The well runs 5 laterals with 32, 3/16" rainbird

30, and 1 with 31 heads Average pressure is 45 psi

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

8. What large stream would the water here appropriated finally reach? 3/16 @ 45 psi = 6.81 gpm

Remarks: $Q = [(5)(32) + 31][6.81] / 450$

SEE OTHER RIGHT

The land is planted in hay and grass. Average
now taken from county tax form - 160. This land
is actually about 160 acres but has county roads
running on 3 sides

This examination was made on the 16 day of July, 1970

(Signed) Jim Booker Examiner.

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.
-

ASCS: Pocatello

SCS: Pocatello

Permit No. G-32369/29-2506

Examination for B/U Max ^{or} Jo Ann Nielsen

County Bannock

Quantity: Sec. 28 T11S R. 37E

(permit) 1.3cfs (proof) same

Source: ground water

P.D.: NW 1/4 NE 1/4

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: SEE G-32217

Filed: May 19, 1965

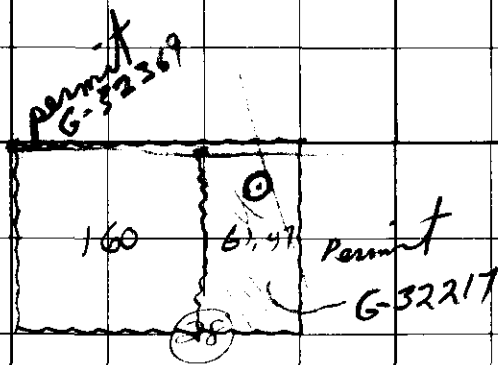
Made: May 18, 1970

Due: May 24, 1970

Priority: May 19, 1965

22-2076

R. 37'E



$$\begin{aligned} A &= 160 \\ Q &= 2.41 - 1.23 \\ Q &= 1.18 \text{ CFS} \\ V &= (1.18)(2)(210) \\ V &= 495.6 \text{ ac ft/sec} \end{aligned}$$

June 24, 1970

Re: Permit No. G-32369/29-2506

**Mr. and Mrs. Max Nielsen
Route #1
Downey, Idaho**

Dear Mr. and Mrs. Nielsen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

**Donald W. McKelowney
Appropriation Supervisor**

DWM/DS

*32369
29-2506*

May 22, 1970

Re: Permit No. G-32369/29-2506

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Max and Jo
Ann Nielsen, Rt. 1, Downey, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

29-2506
32369

May 22, 1970

Re: Permit No. G-32369/29-2506

Mr. and Mrs. Max Nielsen
Route 1
Downey, Idaho 83234

Dear Mr. and Mrs. Nielsen:

The legal notice for the above referenced permit is being published in the Idaho State Journal, Pocatello, Idaho on June 4 and June 11, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DMH/DC

29-2506
32369

RECEIVED

MAY 20 1970

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Max and Jo Ann Nielsen, Rt. 1, Downey, Idaho Department of Reclamation

have ~~had~~ received an approved permit No.

G-32369/29-2506 issued by the Idaho State Reclamation Department authorizing the diversion ~~at a rate~~ of 1.3 cubic feet per second ~~from a surface water source~~ of water from a groundwater source

subject to all prior rights. The priority to be established under this permit is May 19, 1965 and the permit was approved May 24, 1965.

Water is to be diverted by artesian well and laterals from a point within the Wink, Sec. 28, T. 11 S, R. 37 E, B. M., Bannock County

to be used for irrigation in the Wink, Wk, Sec. 28, T. 11 S, R. 37 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before May 24, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho State Journal, Pocatello, Idaho on June 4 and June 11, 1970.

State Reclamation Engineer: Permit No. 29-2506

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

Max Nielsen (Signature) Bth Downey, Idaho (Address)
Jo Ann Nielsen (Signature) May 20 1970 (Date)

32369
29-2506

May 18, 1970

Re: Permit No. G-32369/29-2506

Mr. and Mrs. Max Nielsen
Route 1
Downey, Idaho 83234

Dear Mr. and Mrs. Nielsen:

We acknowledge receipt of the affidavit of beneficial use submitted in connection with the above referenced permit.

Before a license can be issued, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit.

If you will complete the enclosed forms and send them to the Department, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

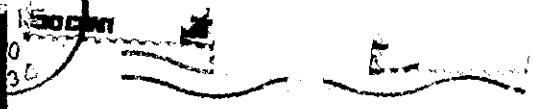
DWM/DG

Enc: notice to publish

29-2506
32369

pay
1

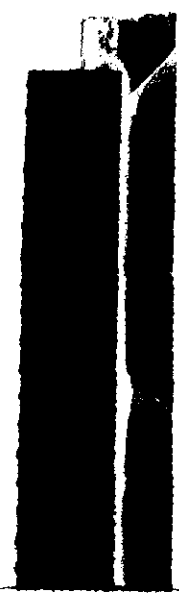
Boise, Idaho
83234



Mr. Donald W. McEldowney
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho

69 FEB 6
405 P.M.

83707



May 8, 1970

C
Re: Permit Nos. G-32369/29-2506
G-32217/39-2500

O
Mr. and Mrs. Max Nielsen
Route 1
Downey, Idaho 83234

Dear Mr. and Mrs. Nielsen:

P
Please find enclosed a beneficial use form and instructions for your use in connection with permit no. G-32369/29-2506. Also find enclosed a copy of the affidavit of beneficial use for permit no. G-32217/29-2500 per your request of May 8, 1970.

We hope you have not been inconvenienced by this matter.

If we may be of further assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Y
DWM/DG
Enclosures (2)

32369
29-2506

May 5, 1970

Re: Permit Nos. G-32369/29-2506
G-32217/29-2500

Mr. Max Nielsen
Route 1
Downey, Idaho 83234

Dear Mr. Nielsen:

We acknowledge receipt of the assignment form submitted in connection with permit no. G-32369/29-2506. Please find enclosed a copy of the permit and a beneficial use form and instructions that you requested in your letter of May 5, 1970. Please fill out the beneficial use form and return it to the Department of Reclamation on or before May 24, 1970.

Also find enclosed a copy of the well log for permit no. G-32217/29-2500.

If we may be of further assistance, please contact this office.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: beneficial use form and instructions
copy of permit no. G-32369/29-2506
copy of well log

32369
29-2506

Dear Mr. McEldowney,

We acknowledge receipt of your letter
May 5 - with only part of the things
I wanted -

RECEIVED
MAY 8 1970
Department of Reclamation

We did not receive a beneficial
use form. So would you please
send one - also please send a copy
of the beneficial use form we sent
in on permit C-32217/29-2500

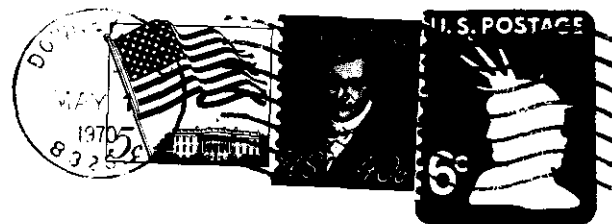
Thank you.

May 8 To Hon. Nielsen
29-2506
32369
R#1
Down
Id

may fifteen
P.M.
Gorvney, Idaho

RETURN RECEIPT REQUESTED

CERTIFIED
No 155992
MAIL



Mr. Donald W. McEldowney
Department of Reclamation
Statehouse - annex 2
Boise Idaho 83707

29-2506
29309

RECEIVED

Dear Mr. McElbourne,

please send us a form to fill
out on Proof of Beneficial use for this
permit. that is inclosed.

It is due by May 15th

please also send us the well information
on our other permit D. 32217-29-2500 because
it would go also on this new form. and
the well driller is out of town now
so we cant get it from him in time.

Thank you.

Max & John Spelsen

Rt / Downey Idaho

32369
29-2500

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

216-234N

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

MAR 1976

29-2506

055-16-71648-10 GPO

February 27, 1970

Re: Permit No. G-32369/29-2506

Richard H. Smith
Box 69
Logan, Utah

Dear Mr. Smith:

One of the conditions of the approval of your permit no. G-32369/29-2506 was that proof of application of the water to beneficial use be submitted to this office on or before May 24, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for extension of time must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



State Reclamation Engineer

Enc: Proof form
RKH:tg
CERTIFIED MAIL 421624
cc: Max G. Nielsen
Route 1
Downey, Idaho 83234

29-2506
32369

January 26, 1970

Re: Permit No. G-32217/29-2500 and G-32369/29-2506

C
O
P
Y

Mr. Max G. Nielsen:
Route 1
Downey, Idaho 83234

Dear Mr. Nielsen:

Please be advised that we have received and processed an assignment from Richard H. Smith, dated January 15, 1970, in connection with Permit No. 29-2500 conveying the permit to you. We are enclosing a copy of the assignment for your records.

In a telephone conversation with your wife during the past week, it was discovered that an additional permit for Richard H. Smith for an additional quantity of water from the same point of diversion existed. Therefore, we are enclosing an assignment form for your use in getting this permit assigned to you also.

We are returning the assignment dated November 28, 1969, as the signature does not appear to be valid. For your convenience, we are also enclosing copies of both the above referenced permits.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enclosures

29-2506
32369

January 12, 1970

Re: Permit No. G-32369/29-2506

Richard H. Smith
143 East 3rd North
Logan, Utah

Dear Mr. Smith:

We are in receipt of your response to our letter of January 2, 1970. Before we can place this permit into Mr. Nielson's name, you must sign and return the enclosed assignment form.

Upon receipt of this form, we shall be able to correspond with Mr. Nielson. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Assignment form

cc. Max Nielson
McEldowney, Idaho

29-3506
32369

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 2, 1970

Re: Permit No. G-32369 (New No. 29-2506)

Richard H. Smith
Box 69 143 8 S A.
Logan, Utah

Dear Mr. Smith:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit ~~and are now submitting proof of beneficial use~~. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".
Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order

Advertising package

*Mr. May Nickerson
Donner Idaho
owns the land and this permit.
I gave him this notice. He will
make the project complete for additional water.
Please contact me again if necessary.*

*29-2506
32369*

January 2, 1970

Re: Permit No. G-32369 (New No. 29-2506)

Richard H. Smith
Box 69
Logan, Utah

Dear Mr. Smith:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit ~~and are now submitting proof of beneficial use~~. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

29-2506
32369

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Richard H. Smith, Box 69, Logan, Utah,
 has received an approved permit No.
G-32369/29-2506 issued by the Idaho State Reclamation Department authorizing the
diversion ~~storage~~ of 1.3 cubic feet per second ~~acre /feet /per /annum~~
of water from a ground-water source.

subject to all prior rights. The priority to be established under this permit is May 19, 1965 and the permit was approved May 24, 1965.

Water is to be diverted by /well, and laterals
from a point within the NW¹NE¹, Sec. 28, T. 11 S, R. 37 E, B. M.,
Bannock County

to be used for irrigation

in the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 28, T. 11 S, R. 37 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before May 24, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho State Journal, Pocatello, Idaho, on _____
and _____.

2000

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32369/29-2506)

in the name of Richard H. Smith,)

Box 69, Logan, Utah)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32369 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 29th day of December, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32369
29-2506

June 3, 1965

Re: Permit No. G-32369

Mr. Richard H. Smith,
Box 69,
Logan, Utah.

Dear Mr. Smith:

We enclose Permit No. G-32369 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9273 which was issued covering payment in the amount of \$ 6.25 for the filing fee of the above mentioned permit, and for an amendment in connection with Permit No. G-32217.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32369

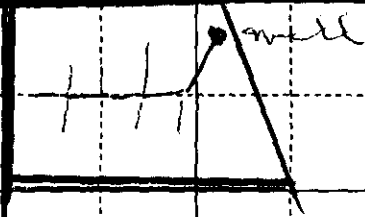
NAME OF APPLICANT.....

Richard H. Smith

Form No. 0

West 1/2 of NE 1/4 +
NW 1/4 of

Sec 28 T113 R37E B.M. Foldho



Permit Map No.

As Approved 24 1965

CARL E. TAPPAN

State Reclamation Engineer