

WATER LICENSE

Water License No. G-32323/29-2503 Priority April 16, 1965 Amount 2.31 c.f.s.

THIS IS TO CERTIFY, that OTTO K. DEGN of Downey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 16, 1965; that Permit G-32323/29-2503 was issued pursuant to said application; that the proposed works were completed on or about June 1964, with a storage/or carrying capacity of 4.4 c.f.s., said works consisting of well, pump, motor, and sprinkler system; and that on November 3, 1967, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1340 when combined with all other rights appurtenant to the same land and shall not exceed acre feet per season, with a maximum rate of diversion of 2.31 cubic feet per second of the waters that amount of ground-water, tributary of , for the purpose of irrigation from April 1 to October 31; and for livestock from January 1 to December 31; and for from to ; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NW 1/4 SW 1/4, Sec. 8, T. 11 S, R. 37 E, B.M., and other additional points , in the County of Bannock; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1340 acre feet per year, when combined with all other rights appurtenant to the same land.

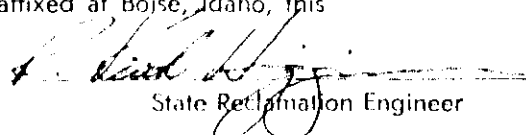
Description and location of place of use:

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	7	38	39.5	38.5										38	38			231.5
		8						36.8			37	38	39.5						151.3

Total number of acres irrigated 382.8 or 383

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

19th day of September, 19 69.

 State Reclamation Engineer

29 2503

 32323
 29-2503

gms

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40471
Permit No. G- 32323
District No.

1. Name of Applicant: Otto K. Degn
Postoffice address: Downey County: Bannock State: Idaho
2. Quantity of water claimed: 3.9 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 SW $\frac{1}{4}$ of Section 8
Twp. 11 S. , Rge. 37 E. , B.M., County of Bannock
5. Water is to be used for: Irrigation and livestock water
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: 16 inch well dug to a depth of 60 feet with a 125 hp motor
8. Estimated cost of works: \$ Complete sprinkler system \$27,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(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: 2.1 second feet from well Permit No. 21785 and 120 shares of water in the Portneuf Marsh Valley Canal Co.
 - (a) 3.9 (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.

I have drilled this well to a depth of 60' with a 16" casing and installed a 125 hp elec. motor and have now increased the flow from 2.1 second feet to 6 second feet and pumped this amount of water all during the 1964 irrigation season. I have installed over 3600' of steel underground main line plus 3500' of alum. main line and 10 quarter miles of laterals at a total cost of over \$27,000.00 to me.

The land on this farm is mostly of a porous nature and flood irrigation has not proven satisfactory and also it is very unlevel so sprinkler irrigation is the most practical method and the additional 3.9 which I have developed in this well makes it possible to water most of the land on my farm very efficient.

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

s/ Otto K. Degn Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 1:00 P.M. April 16, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32323

Recorded in Book 113 Page 32323 Approved April 23, 1965

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 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 October 23, 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 April 23, 1970

Witness my hand this 23rd day of April, 1965

s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 23rd day of April, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
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	
11 S	37 E	8																	160
11 S	37 E	7	40	40	40	40					40	40	40		40	40			240
																		TOTAL	400

LICENSE ISSUED FOR 2.31 SEC. FT.
LICENSE PAGE NO. _____

September 19, 1969

Re: Permit No. 29-2503

Mr. Otto K. Degn
Downey,
Idaho 83234

Dear Mr. Degn:

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

Also enclosed is departmental receipt No. 3618 in the amount
of \$25.00 covering the fees.

Very truly yours,

C. Stephen Allred, Acting Deputy
State Reclamation Engineer

CSA:kh

Enclosures

32323
29-250

August 11, 1969

Re: Permit No. G-32323/29-2503

Otto K. Dagn
Downey, Idaho 83234

Dear Mr. Dagn:

A representative of this department has made an examination of the works covered by your Permit G-32323 and has found the following:

Quantity of water diverted: 4.4 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.31 c.f.s.

The maximum quantity diverted shall not exceed 1340 acre feet per season, when combined with all other rights appurtenant to the same land and shall not exceed that amount.

Purpose of use: livestock & irrigation of 383 acres in NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7, T. 11S, R. 37E; SW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 8, T. 11S, R. 37E.

The priority date established is: April 16, 1965

A fee totaling \$ 25.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

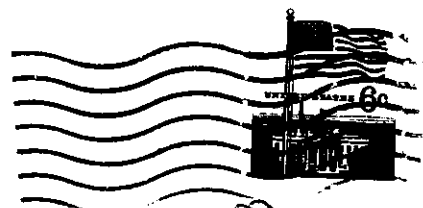
Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA/mh

32323
29-2503

Otto K. Degen
Downey, Idaho
1 83234



Dept of Reclamation
statehouse - Annex 2
Boise, Idaho 83707

83234

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 11, 1968

Re: Permit No. G-32323/29-2503

Otto K. Degn
Downey, Idaho 83234

Dear Mr. Degn:

A representative of this department has made an examination of the works covered by your Permit G-32323 and has found the following:

Quantity of water diverted: 4.4 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.31 c.f.s.

The maximum quantity diverted shall not exceed 1340 acre feet per season, when combined with all other rights appurtenant to the same land and shall not exceed that amount.

Purpose of use: livestock & irrigation of 383 acres in NE¹/₄, S¹/₂SE¹/₄, Sec. 7, T. 11S, R. 37E; SW¹/₄NW¹/₄, NW¹/₄SW¹/₄, S¹/₂SW¹/₄, Sec. 8, T. 11S, R. 37E.

The priority date established is: April 16, 1965

A fee totaling \$ 25.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "C. Stephen Allred".
C. Stephen Allred, Assistant
State Reclamation Engineer

CSA/mh

32323
29-2503

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

Permit No. G-32323

Completion of Works and
This proof is for Beneficial Use

In Water District No.

1. Name of applicant Otto K. Degen
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8
T. 11 S R. 37 E County of Bannock

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

General Electric motor 125 H.P. Ser. # 047207185
Berkeley pump mod. # 403-3 Ser. # 7-87
Two Discharges 1-12" 1-8" into Sprinkler system
8 Laterals 264 NOZ. $\frac{3}{4}$ "

5. Water is used for: irrigation and livestock watering purposes

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

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):

NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 11 S, R. 37 E, B.M.

License # 21785 for 2.09 cfs. out of same well
for LAND 11S. 37E. Sec. 7 SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8 SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

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

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

Remarks: Pres. Ave. 9pm

LAT #1	34
LAT #2	38
LAT #3	40
LAT #4	43
" 5	42
" 6	41
" 7	33
" 8	37

Ave. 9pm.
7.49

$$\frac{(264)(7.49)}{448.8} = 4.4 \text{ cfs.}$$

Allow -2.31 cfs.

This examination was made on the

18

day of

June

1969

(Signed)

Examiner.

32323

PLAT

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.
-
-

Otto K. Degn
Downey, Idaho

Permit No. G-32323

Examination for Completion of Works and
Beneficial Use

County Bannock

Sec. 8 T. 11 S. R. 37 E

Quantity:

3.9 c.f.s.

Source: subterranean

P.D.: N $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 11 S, R. 37 E, B.M.

Use: Irrigation and livestock water

Extension:

Protest:

Completion of Works:

Other Rights: 2.1 c.f.s. - Permit 21735
120 shares from Portneuf Marsh Valley Canal Co.

Filed: April 16, 1965

Due: April 23, 1970

Made: October 25, 1967

Priority: April 16, 1965

125 HP. electric motor, 3600' of steel
main line, 3500' alum main
line & 10 1/4 mi of laterals

60' x 16"
1-42'
6-2700 gpm
320-13/64-60#

11/15

39.5	38.1	
32.5 ✓ 10	36.9 10	36.8 30
38.1 ✓ 40	38.1 ✓ 40	36.1 ✓ 20
		38
		38.5

77.5		77.5
114.8		
113		
<u>77.5</u>		77.5
392.8 Acres		<u>55</u>

for Lic. ^{DR}
 Area — 383 Acres
 Sub — 4
 Q — 2.31 cfs.
 VOL. — 1 MAX DIVERTED NOT TO EXCEED ¹³⁴⁰ ~~10~~ AC-FT / DAY
 WHEN COMBINED WITH OTHER RIGHTS.
 Priority ? ^{DR}

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

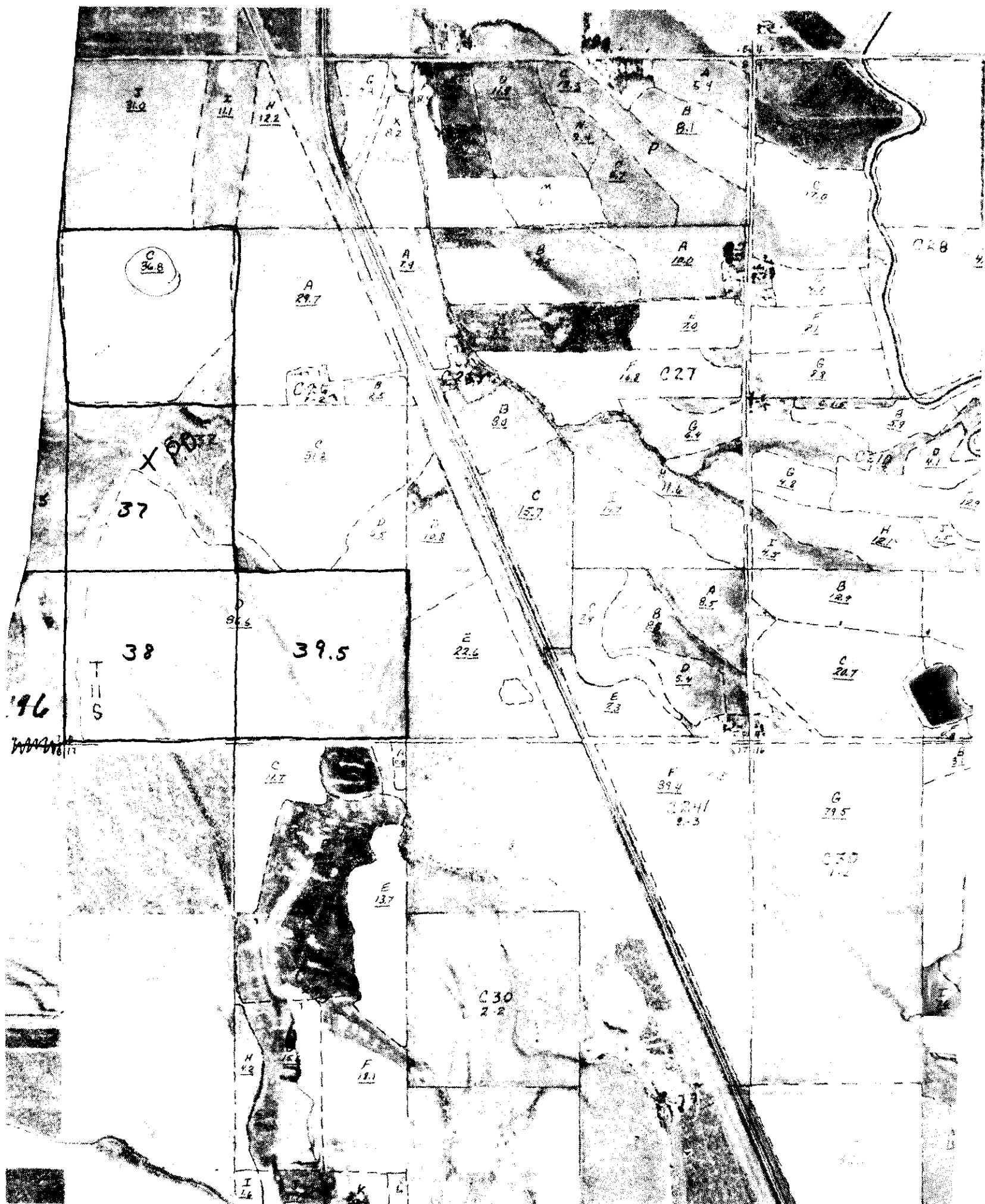
REPORT OF EXAMINER

PERMIT NO. G-32323

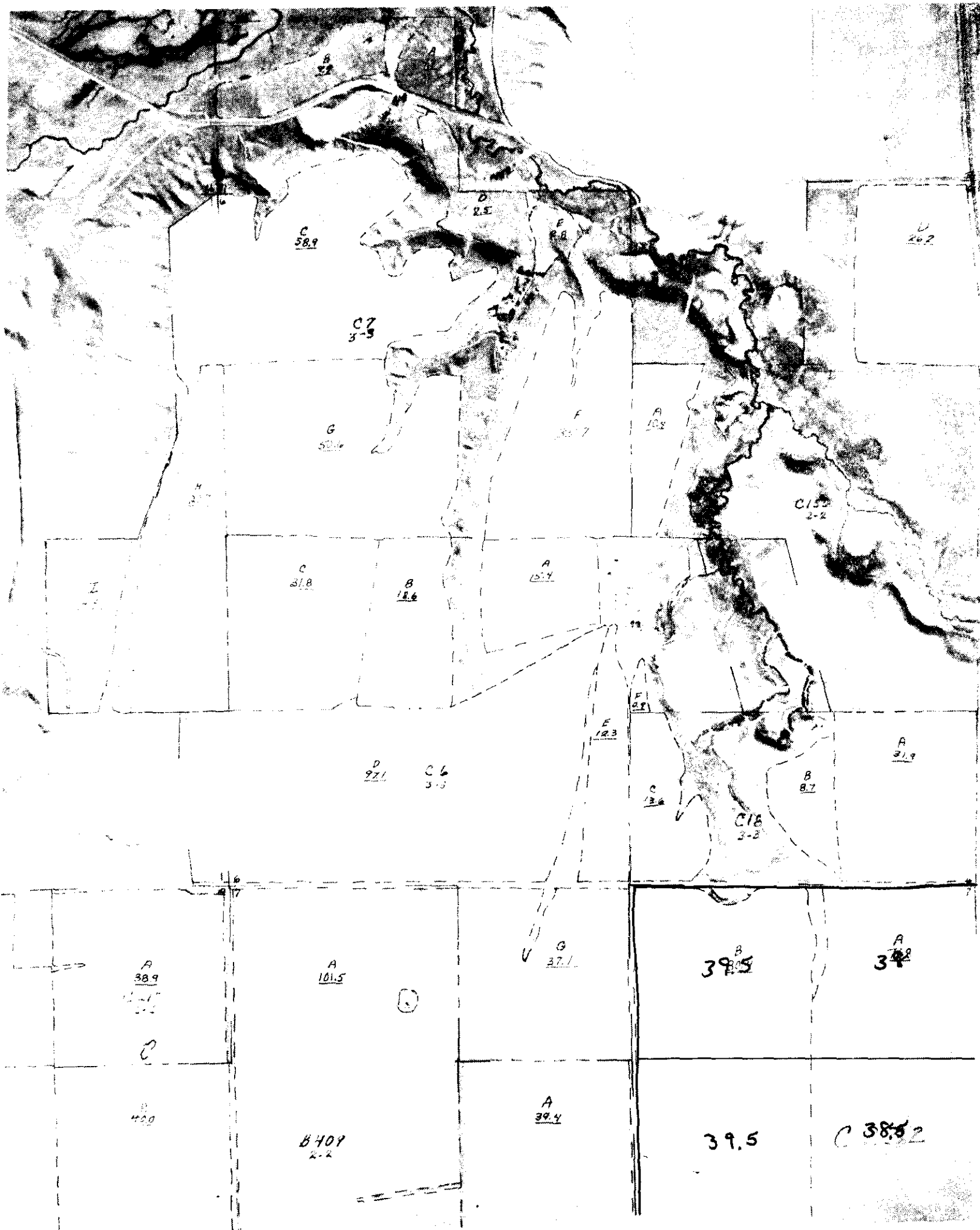
REPORT ON PROOF OF Completion of Works and Beneficial Use

29-2503

3333



88386



December 11, 1968

Re: Permit No. G-32323

Otto K. Degn
Downey, Idaho

Dear Mr. Degn:

It has been brought to the attention of the Department of Reclamation that a change in the land irrigated by water under the above referenced permit is anticipated within the near future.

Be advised that before a license of water right can be issued, a field examination must be made by a representative of this Department. However, because the examiner will not be able to complete this inspection before the beginning of the 1969 irrigation season, this requirement can be waived if the following information can be submitted:

1) We will need a land measurement of the ground beneficially irrigated, to within the nearest acre, listed by 40-acre subdivision, section, township, and range. This information could be supplied by the Agricultural Stabilization Conservation County Committee office (If possible, a photo copy of the ground should be submitted.). Or, the land irrigated could be determined from records of the county assessor's office.

2) We need a measurement of the quantity of water produced from the well as it presently is equipped and as water is being distributed. According to the intention of the permit, it appears that distribution is by sprinklers. A measurement could be determined by the use of (a) an in-line flow meter of which there are a number of different manufacturers. The most common is the Hersey-Sparling; (b) the pressure taken in pounds per square inch from each end of each lateral noting number of nozzles, size of orifice, and the manufacturer's type of sprinkler head. The measurement submitted by means of either of the two methods

32323

Otto K. Degn

2

December 11, 1968

above listed must be submitted by an Idaho registered Professional Engineer. In addition, the horsepower rating, the model number and the serial number of the motor with the type, model and serial number of the pump must be included.

Please feel free to contact the Department if you need additional information.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

32323

Margaret

November 27, 1967

Re: Permit No. G-32323

Otto K. Degn
Downey, Idaho 83234

Dear Mr. Degn:

We acknowledge receipt of the depositions and affidavit of publication in the
Idaho State Journal submitted as proof of com-
pletion of works and beneficial use on Permit G-32323.

Before a certificate and license of water right can be issued, a field
examination must be made by a representative from this department. We
cannot tell just when this examination will be made, but our field examiner
will try to contact you at the time he makes the examination so that you
may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

32323

ACKNOWLEDGMENT (INDIVIDUAL)

State of Idaho)
County of Bannock) ss.

On the 24th day of November, in the year 1967, before me Samuel J. Hyde
a Notary Public, in and for said State, personally appeared Sam Robinson

known to me to be the person whose name SR subscribed to the within instrument, and acknowledged
to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate above written.

My comission expires May 4, 1970.

Samuel J. Hyde
Notary Public.
Residence Durham, Idaho

RECEIVED

1 27 1967

Downey, Idaho.
November 21, 1967

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Donald W. McEldowney
Boise, Idaho.

RE: Permit No. G-32323
Your letter dated 11/17/67
To Otto Degn

Dear Mr. McEldowney:

This will constitute an affidavit from the undersigned stating that the October 25, 1967 dating of said proofs was in error. The correct dating was October 24, 1967. My office was open for business on October 24, 1967 and no protests were presented or offered and none were received.

Sincerely yours,

Sam Robinson

Sam Robinson, Notary Public
Downey, Idaho.

SR:gb

32323

November 17, 1967

Re: Permit No. G-32323

Otto K. Degn
Downey, Idaho 83234

Dear Mr. Degn:

On November 3, 1967, we received the depositions and affidavit of publication for the above referenced permit. You were also required to submit an affidavit from the notary, Sam Robinson, stating why the proofs were made on October 25, 1967, and not on October 24, 1967, the advertised date.

The affidavit must also state if Mr. Robinson's office was open on October 24, 1967, and whether or not any protests were offered or received. The affidavit must be notarized by a second notary.

Please submit this affidavit promptly so that we may proceed with the licensing of this permit.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

32323

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Della L. Leadford

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:

September 22, 19 67 _____, 19____
September 29, 19 67 _____, 19____
October 6, 19 67 _____, 19____
October 13, 19 67 _____, 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.

Della L. Leadford

Subscribed and sworn to before me this 13 th

day of October, 1967

Roberta E. Spratt

Notary Public, State of Idaho

Residence: Pocatello, Idaho

32323

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

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

Notice is hereby given that on October 24, 1967, at Downey, County of Bannock, State of Idaho, before notary public Sam Robinson, Downey, Idaho, proof will be submitted of the completion of works for the diversion of 3.9 c.f.s. of the waters of a well, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-32323, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Otto K. Degn, Downey, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.9 cubic feet per second.

3. The use to which said water has been applied is irrigation and livestock watering purposes, and the amount applied to beneficial use is 3.9 c.f.s.

4. The point of diversion of said water is NW1/4SW1/4, Sec. 8, T. 11 S, R. 37 E, B.M.

5. The place where said water is used is NE1/4, N1/2SE1/4, Sec. 7; SW1/4NW1/4, W1/2SW1/4, SE1/4SW1/4, Sec. 8, T. 11 S, R. 37 E, B.M.

6. The date of priority which said user is prepared to establish is April 16, 1965.

R. KEITH HIGGINSON
State Reclamation Engineer
Sept. 22, 29, Oct. 6, 13, 1967.

Della L. Leadford

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:

September 22, 19 67
September 29, 19 67
October 6, 19 67
October 13, 19 67
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.

Della L. Leadford

Subscribed and sworn to before me this 13th

day of October, 1967.

Roberta E. Spratt

Notary Public, State of Idaho
Residence: Pocatello, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

* * * * *

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: Otto K. Degen
Farmer, Downey, Idaho 83234

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

Ques. 3. State number, approval date of permit, and date of priority: A 32323
23rd April, 1965, 23rd April, 1965

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

NW 1/4 of the SW 1/4 Section 8, Township 11 South Range 37 EBM

Ques. 5. Describe your works of diversion: 125 Hp Elec. Motor, 3600' of Steel Main Line
3500' Alum. Main Line and 10 quarter miles of laterals; state amount of water they are capable of conveying from point of diversion to place of use: 6 sec. ft; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____; if a well, state depth of well 60; depth and size of casing 60 of 16" casing; depth to water 42'; if pump is used, state discharge of pump: 2700 G.P.M.; tell how it was measured or determined by the size number & pressure of nozzles; if sprinkler irrigation, give number and size of nozzles and operating pressure: 320 - 13/16" nozzles at 60# pressure

Ques. 6. State for what purpose water is used: irrigation and livestock water
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NE 1/4 and the NW 1/4 of the SE 1/4 of Section 7, NW 1/4 of the SW 1/4 and the SW 1/4 of the NW 1/4 and the SE 1/4 of the SW 1/4 of Section 8 All in Township 11 South Range 37 EBM - 400 acres total

32323

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

We have brought under irrigation an additional 250 acres of land

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Forrest Cagle Downey Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Livestock Water. NE 1/4 and the N 1/2 of the SE 1/4 of Section 7, W 1/2 of the SW 1/4 and the SW 1/4 of the NW 1/4 and the SE 1/4 of the SW 1/4 of Section 8 all in Township 11 South Range 37 E B 1 M

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: June 1964 - 3.9 sec. 5th Time used since first use:

Total irrigation seasons of 1964, 1965, 1966, 1967

Ques. 10. Describe all other water rights appurtenant to same place of use: 2.1 second sec from well permit no 21785 and 120 shares of water in the Portneue Marsh Valley Canal Co.

(sign)

Otto K. Dign

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

Downey, County of Bannock
State of Idaho, on this 25 day of Oct., A. D. 1967.

My commission expires: 5-10-70

Sam Johnson
Downey, Idaho.

32322

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

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:

Allen Archibald - Downey, Idaho, Farmer,
Downey Idaho 83234

Ques. 2 Are you acquainted with Olto H. Dean, the holder of
Permit No. 632323? How long have you known him and where does he reside?

Aug. 1963, Downey, Idaho 83234
632323

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

Ques. 4. State source of water supply: Well

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

NW 1/4 of the SW 1/4 Section 8, Township 11 South Range 37 EBM

Describe works for conveying water to place of use: 125 HP Elec. Motor, 3600' of Steel
Mainline 3500' Alum. main line and 10 quarter miles of laterals

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6 second feet How much water have you seen being so
conveyed? 6 second feet

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

NE 1/4 and the N 1/2 of the SE 1/4 of Section 7, W 1/2 of the SW 1/4 and
SW 1/4 of the NW 1/4 and the SE 1/4 of the SW 1/4 of Section 8 all in
Township 11 South Range 37 EBM - 400 acres total

32323

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

We have brought under irrigation and addition 250 acres of land

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Forrest Cagle Downey Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Livestock Water. NE 1/4 and the N 1/2 of the SE 1/4 of Section 7, W 1/2 of the SW 1/4 and the SW 1/4 of the NW 1/4 and the SE 1/4 of the SW 1/4 of Section 8 all in Township 11 South Range 37 E B1M

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: June 1964 - 3.9 sec. 5th Time used since first use:

Total irrigation seasons of 1964, 1965, 1966, 1967

Ques. 10. Describe all other water rights appurtenant to same place of use: 2.1 second sect from well permit no 21785 and 120 shares of water in the Portneus Marsh Valley Canal Co.

(sign)

Otto H. Dign

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

Downey, County of Bannock
State of Idaho, on this 25 day of Oct., A. D. 1967.

My commission expires: 5-10-70

Sam Johnson

Downey, Idaho

32322

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

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:

Fred Harrison Downey, employed at the Downey
Grain Growers, Downey, Idaho 83234

Ques. 2 Are you acquainted with Otto K. Degen, the holder of
Permit No. 632323? How long have you known him and where does he reside?

Since 1964, Downey Idaho

Ques. 3. Have you read or heard said Permit No. 632323 read, and are you familiar
with its provisions and conditions: Yes yes No. _____

Ques. 4. State source of water supply: Well

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

NW 1/4 of the SW 1/4 Section 8, Township 11 South Range 37 EBM

Describe works for conveying water to place of use: 125 HP Elec. Motor 3600' steep

Main Line 3500' Alum. MAIN Line and 10 quarter miles of laterals

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 6 second feet How much water have you seen being so

conveyed? 6 second feet

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

NE 1/4 and the N 1/2 of the SE 1/4 of the Section 7, W 1/2 of the SW 1/4 and
the SW 1/4 of the NW 1/4 and the SE 1/4 of the SW 1/4 of Section 8
all in township 11 South Range 37 EBM

32323

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Livestock Water on the NE 1/4 and the N 1/2 of the SE 1/4 of Section 7, W 1/2 of the SW 1/4 and the SW 1/4 of the NW 1/4 and the SE 1/4 of the SW 1/4 of Section 8 all in Township 11, South Range 9 STEBM

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.

Good clay loam but quite unlevel and shallow, about 9 second feet

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

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? June 1964

Other times you have seen such use: All of irrigation seasons since 1964, 1965, 1966, 1967

(Signed):

Fred Harrison

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 Downey

Bannock, County of Bannock, State of Idaho, on this 25 day of Sept. Oct., A. D. 1967

Sam Johnson

Notary Public for the State of Idaho

Residing Downey, Idaho

My commission expires 5-10-70

32523

September 13, 1967

Re: Permit No. G-32323
Otto K. Degn

Idaho State Journal
Pocatello, Idaho 83201

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to October 24, 1967. The expense of the publication is to paid by Otto K. Degn, Downey, Idaho

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

3 2323

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

Notice is hereby given that on October 24, 1967, at Downey, County of Bannock, State of Idaho, before notary public Sam Robinson, Downey, Idaho, proof will be submitted of the completion of works for the diversion of 3.9 c.f.s. of the waters of a well, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-32323, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Otto K. Deem, Downey, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.9 cubic feet per second.

3. The use to which said water has been applied is irrigation and livestock watering purposes, and the amount applied to beneficial use is 3.9 c.f.s.

4. The point of diversion of said water is NW1/4SW1/4, Sec. 8, T. 11 S., R. 37 E., B.M.

5. The place where said water is used is NE1/4, N1/2SE1/4, Sec. 7, SW1/4NW1/4, W1/2SW1/4, SE1/4SW1/4, Sec. 8, T. 11 S., R. 37 E., B.M.

6. The date of priority which said user is prepared to establish is April 16, 1965.

R. KEITH HIGGINSON
State Reclamation Engineer
Sept. 22, 29, Oct. 6, 13, 1967.

SEP 20 1967
Department of Reclamation

32323

SEP 13 1967
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 12, 1967

(P. O.) Downey, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Otto K. Legg

(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

32323

SEP 13 1967

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

Department of Reclamation

Notice is hereby given that ~~at 10 A.M.~~, on the 24th day of October
1967, at Downey, County of Bannock, State of Idaho
before Sam Robinson, Notary Public, at (address) _____
Downey, Idaho, proof will be submitted of the completion
of works for the diversion of 3.9 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 32323, 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 Otto K. Degn Downey, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3.9 cubic feet per second.

3. The use to which said water has been applied is livestock watering &
Irrigation, purposes and the amount applied to beneficial use is
3.9 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 8, Township
11 South, Range 37 EBM

5. The place where said water is used is NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section
7, W $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section
8 all in township 11 South, Range 37 EBM

6. The date of priority which said user is prepared to establish is _____
16th
23rd day of April, 1965

State Reclamation Engineer

32323 DS

Checked with affidavit 11-6-67 DJ

Form 36

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

Notice is hereby given that on October 24, 1967, at Downey,
County of Bannock, State of Idaho, before notary public (name & address) Sam Robinson, Downey, Idaho, proof will be
submitted of the completion of works for the diversion of 3.9 c.f.s. of the waters
of a well, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-32323, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Otto K. Degn, Downey, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
3.9 cubic feet per second.
3. The use to which said water has been applied is irrigation and
livestock watering purposes, and the amount applied to beneficial
use is 3.9 c.f.s.
4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 11 S.
R. 37 E, B.M.
5. The place where said water is used is NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7; SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 11 S. R. 37 E, B.M.
6. The date of priority which said user is prepared to establish is April 16, 1965.

R. KEITH HIGGINSON
State Reclamation Engineer

32323
DJ

September 13, 1967

Re: Permit No. G-32323

Otto K. Dagn
Dewey, Idaho 83234

Dear Mr. Dagn:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-32323.

We have mailed the notice to the Idaho State Journal to be published once a week for four consecutive weeks prior to October 24, 1967, which is the hearing date when the permit holder

Otto K. Dagn and two disinterested witnesses must appear before Sam Robinson, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Otto K. Dagn.

Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldevery
Water Rights Clerk

DWM:dj

Enc: Depositions

CC: Notary

32323

Law
Office
Dell W. Smith
Preston
Idaho

RECEIVED
APR 26 1967
Department of Reclamation

April 25, 1967

32323

Dept. of Reclamation
107 State House
Boise, Idaho

Gentlemen:

Mr. Otto K. Degn of Downey, Idaho, has
perfected his permit #G-32323.

He asks now that you send to him the
necessary forms to be filled so he may
publish notice and perfect his permit.

Very truly yours,


Dell W. Smith
Attorney at Law

Send forms
36 & 11
4-26-67
JMC
Sent 4-26-67
JMC

32323

Affidavit will be
submitted by holder.

11-3-67

Δ 32323

March 10, 1967

RE: Permit No. G-32323
Otto K. Dega

Dell W. Smith
Attorney
Preston, Idaho 83263

Dear Mr. Smith:

Enclosed are the forms which you requested in your letter
of March 9, 1967.

Please note that the law requires that the legal notice
be published in a newspaper within the county in which
the well and the land are located.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:MR

Enc. Forms 36, 11
Instructions

3-23-2-

RECEIVED
MAR 10 1967

Department of Reclamation

Law
Office
Dell W. Smith
Preston
Idaho

March 9, 1967

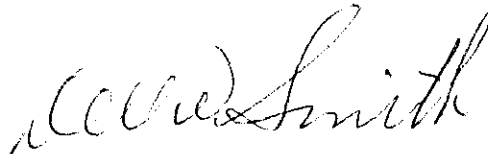
State Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

Mr. Otto K. Degn of Downey, Idaho, has completed the works on his permit #G-32323. Would you kindly send to this office the necessary forms for him to fill out so that the same could be published and proof submitted on this permit?

Would it be possible to publish notice of completion in the Preston Citizen, a newspaper of Franklin County, wherein his property is located in Bannock County? There is no newspaper at Downey.

Very truly yours,



Dell W. Smith
Attorney at Law

32323

May 4, 1965

Re: Permit No. G-32323

Mr. Otto K. Dega,
Downey, Idaho.

Dear Mr. Dega:

We enclose Permit No. G-32323 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-9714 which was issued covering payment in the amount of \$ 5.75 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

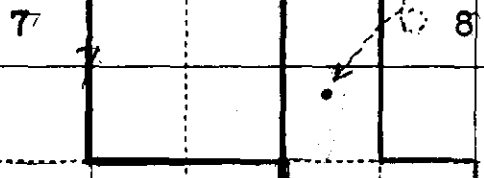
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32323

Township 11 South, Range 37 East, B.M.

Point of Diversion, Well



Permit No. 32323
J.S. J. LOVCA
APR 23 1965
CHIEF ENGINEER
State Reclamation Engineer

April 12, 1965

Re: Application for Permit

Otto K. Degn
Downey, Idaho

Dear Mr. Degn:

Returned herewith application for permit with
a blank form.

Omit material crossed with red lines and return
with \$5.75 filing fee. See back of application form.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application for permit
and blank form

32323