

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 32217/29-2500 Priority Feb. 2, 1965 Amount 1.23 cfs

THIS IS TO CERTIFY, that Max Nielsen
of Downey, Idaho, has complied with the terms and conditions of Permit
No. 32217/29-2500 issued pursuant to Application for Permit dated February 2, 1965,
and has submitted proof to the Department of Water Administration on February 4, 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 1.23 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 1.23 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 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 216 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

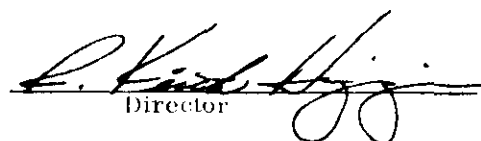
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 S	37 E	28		23.47	38														61.47

Total number of acres irrigated 61.47

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 2500

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

RECEIVED

NOTED 1-20-70

I, Richard H. Smith, hereby assign to May Nelson,
 of Donnelly Idaho,
 Name
 Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 9-32217
 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 15th day of January, 1970.

Richard H. Smith
 Permit Holder

 Wife of Permit Holder

State of ~~Idaho~~ Utah)
 County of Cache) ss.

On this 15th day of Jan, 1970, personally
 appeared before me the signer(s) of the above instrument, who duly acknowledged
 to me that he (~~she~~) (~~they~~) executed the same.

John Paul
 Notary Public residing at Smithfield Utah

My commission expires 2-10-70

29-2500
 32217

Pick-9273 in map
40518

AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 32217

RECEIVED
MAY 19 1965

Department of Reclamation

Comes now Richard L. Smith, and represents
to the State Reclamation Engineer of the State of Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. 32217, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

. W 1/4 of the NE 1/4 and the NW 1/4 of Section 28, T 33 N, R 37 E,
East P. M. County, Bannock Idaho.

221.47

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Down

Signed at this day of 1965
Richard L. Smith

Date of receipt at office of Department of Reclamation: May 19, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph E. Thomas, Deputy
I, ~~Superintendent~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. 32217 This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and as such
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Ralph E. Thomas
Deputy State Reclamation Engineer

Recorded: May 20, 1965

h32217

APPLICATION FOR PERMIT 29-2000
To Appropriate the Subterranean Waters of The State of Idaho

ASSIGNED TO:
Max Nielsen
Route 1, Downey, Idaho

Application No. G- 40362
Permit No. G- 32217
District No.

1. Name of Applicant: Richard H. Smith
Postoffice address: Box 69, Logan County: Cache State: Utah
2. Quantity of water claimed: 65 miners inches or 1.3 CFS
(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 well
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:
(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.

Assigned to Max Nielsen
Rt. 1, Downey, Idaho.

Remarks:

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/ Richard H. Smith Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. February 2, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32217
Recorded in Book 113 Page 32217 Approved February 5, 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 August 5, 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 February 5, 1970

Witness my hand this 5th day of February, 1965

s/ RALPH W. THOMAS, Deputy
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 5th day of February, 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	28			35	30													65

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, No. G-32217

Comes now Richard H. Smith, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-32217, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W 1/2 of the NE 1/4 and the NW 1/4 of Section 28, Twp. 11 South, Range 37 East B.M. of Bannock, Idaho, making a total of 221.47 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Downey, Idaho this 17th day of May, 1965.

/s/ Richard H. Smith

Date of receipt at office of Department of Reclamation: May 19, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

LICENSE ISSUED FOR 1.22 SEC. FT.
LICENSE P. 12

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-32217. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: May 20, 1965

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

January 26, 1972

C Re: Permit No. 32217/29-2500

O Mr. Max Nielsen
Route # 1
Downey, Idaho 83234

Dear Mr. Nielsen:

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

P Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y BDF:DR

Enc: License

bc: Eastern District Office

23 2500

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

Mr. Max Nielsen
Route # 1
Downey, Idaho 83234

Dear Mr. Nielsen:

A representative of this department has made an examination of the works covered by your Permit No. 32217/29-2500 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: 1.23 cfs

The maximum quantity diverted shall not exceed 216 acre feet per season.

Beneficial Use: Irrigation of 61.47 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (23.47).

SW $\frac{1}{4}$ NE $\frac{1}{4}$, 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 : February 2, 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

22 2500

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 2500

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

Permit No. G-32217/29-2500

This proof is for b.u. - 1.3 cfs In Water District No. _____

1. Name of applicant Max Nielson, Downey, Idaho

2. Source of water supply: ground-water (artesian well)

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28

T. 11 S R. 37 E County of Bannock

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

PROOF - mainline and diverting laterals, 75 HP motor, Depth 237', 16" casing.

US Motors 75HP High Thrust 220 Volts 1800 RPM

Ser #3778028 Berkeley pump Model 1203H

Ser #7445

6" discharge 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):

W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28 (65 acres) plus the NW $\frac{1}{4}$, Sec. 28, T. 11 S., R. 37 E, B. M.

on permit

The proof states only 65 ~~acres~~ acres in the

W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28.

There are 5 laterals running with 32

3 $\frac{1}{16}$ " rainbird 30 and 1 lateral with 31

3 $\frac{1}{16}$ " heads. Average pressure is 45 psi

$$Q = \frac{[(6 \times 32) + (31)](6.81)}{4.50} = 2.41 \text{ cfs}$$

3 $\frac{1}{16}$ @ 45 psi = 6.8 gpm

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

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

Remarks: The land is planted in grass and alfalfa. acreage was taken from last years county tax form - 61.47 acres
The remaining 18 acres are taken out by St. Highy 91. At the time of the exam most of the water was being put on the land covered in permit #G-32369

owner states license should be Max or Ann Nielson instead of just Max

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

(Signed) Jim Booker Examiner.

Permit No. G-32217/29-2500

Examination for b/u - ~~Max Nielson~~, Downey

MAX or Jo ANN Nielsen

County Bannock

Sec. 28 T. 11S R. 37E

Quantity: 1.3 cfs

Source: ground-water

P.D.: NW $\frac{1}{4}$ NE $\frac{1}{4}$

Use: irrigation

~~Extension:~~

~~Protest:~~

~~Completion of Work:~~

~~Other Rights:~~

Filed: 2-2-65 Made: 2-4-70
Due: 2-5-70 Priority: 2-2-65

Due:

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.

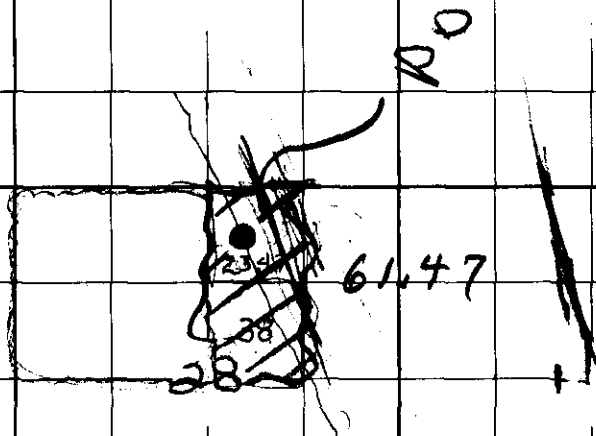
29 2500

E 37 E

T.

11

S



$A = 61.47 \text{ acres}$

$Q = 2.41$

$Q_{\text{allowable for } 61.47 \text{ acres}} = \underline{\underline{1.23 \text{ CFS}}}$

$V = 215.1 \text{ ac ft/sec}$

NO COUNTY MMP AVAILABLE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32217/29-2500

REPORT ON PROOF OF b/u - Max Nielson, Downey, Idaho

29 2500

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32217)
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,

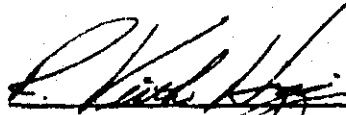
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32217 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 14TH day of August, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32217
292500

Identification No. _____
Permit No. 632217/29-2500

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
FEB 4 1970 gms

Department of Reclamation

1. a) Name of Permit Holder Mr. Nielsen
b) Post Office Address Downey Idaho
2. Permit Number 632217/29-2500
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Subterranean Well
b) Location of the point of diversion: NW - 1/4 NE - 1/4, Section 28
Township 4 S. Range 37 E. Boise Meridian, Other points of diversion: _____
Country 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. 30 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 Forest 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) 7.5 HP, 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 Forest Cagle, Downey Idaho

EXAM. TYPED
2-4-70 gms

32217
29-2500

wjg

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 65 acre 35 NW NE 30 acre SW NE

[illegible]

Total number of acres irrigated

10. Remarks:

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

2/3/70
(Date)

Mark Miller
(signature)

State of Idaho)
County of Bannock) ss.

On this 3rd day of February, 1970, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at

Residing at Downey, Idaho
My Commission Expires May 4, 1970

My commission expires

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

RECEIVED

SEP 11 1969

Department of Reclamation

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 4, 1969

September 11, 1969

....., 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.

Della L. Leadford

Subscribed and sworn to before me this 11th day of September, 1969

Roberta E. Spradlen

Notary Public, State of Idaho
Residence: Pocatello, Idaho

32217
29-2500

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 4, 1969

September 11, 1969

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 September, 1969

Robert E. Spradley

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF EXISTING WATER

PERMIT

Notice is hereby given that Richard M. Smith, Box 69, Logan, Utah, has received an approved permit No. G-32217 issued by the Idaho State Reclamation Department authorizing the diversion of 1.3 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is February 2, 1965, and the permit was approved February 5, 1965. Water is to be diverted by artesian well, main and diverting laterals from a point within the NW 1/4 NE 1/4, Sec. 28, T. 11S, R. 37E, B.M., Bannock County, to be used for irrigation in the W 1/2 NE 1/4, NW 1/4, Sec. 28, T. 11S, R. 37E, B. M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 5, 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.

No. 532 September 4, 11, 1969

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

gmc
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 4, 1969....., 19.....
.....September 11, 1969....., 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.

.....*Della L. Leadford*.....

Subscribed and sworn to before me this 11th
day of September 11, 1969.

.....*Roberta E. Spratlan*.....

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE
Notice is hereby given that
Richard E. Spratlan, a duly
licensed Professional Engineer
in the State of Idaho, has
been appointed as 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.
Witness my hand and
seal this 4th day of
September, 1969.
Notary Public, State of Idaho
No. 532 September 4, 11, 1969

33217
29-2500

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 4, 1969, 19
September 11, 1969, 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.

Della L. Leadford

Subscribed and sworn to before me this 11th

day of September 11, 1969

Roberta E. Spradlen

Notary Public, State of Idaho

Residence: Pocatello, Idaho

PERMIT

Notice is hereby given that Richard H. Smith, Box 69, Logan, Utah, has received an approved permit No. G-32217 issued by the Idaho State Reclamation Department authorizing the diversion of 1.3 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is February 2, 1965, and the permit was approved February 5, 1965. Water is to be diverted by artesian well, main and diverting laterals from a point within the NW 1/4 NE 1/4, Sec. 28, T. 11S, R. 37E, B.M., Bannock County, to be used for irrigation in the W 1/2 NE 1/4, NW 1/4, Sec. 28, T. 11S, R. 37E, B. M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 5, 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.

No. 532 September 4, 11, 1969

May 8, 1970

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

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

Dear Mr. and Mrs. Nielsen:

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

DWM/DG
Enclosures (2)

33217
29-2500

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

32217
29-2500

February 4, 1970

Re: Permit No. G-32217/29-2500

Max Nielson
Downey, Idaho 83234

Dear Mr. Nielson:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-32217/29-2500.

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 so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

32217
29-2500

January 26, 1970

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

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

32217
29-2500

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, Richard N Smith, hereby assign to Max B and JoAnne Nerboan
of Route No. 1, Henry, Idaho Name
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-32217
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 25th day of November, 19 67.

Richard N Smith
Permit Holder

Wife of Permit Holder

State of Idaho)
County of Cache) ss.

On this 28th day of December, 19 67, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Scott Williams
Notary Public residing at

My commission expires 11-5-72

invalid: see letter of 1-26-70 32217
see new 29-2500

Dear Mr. Mc Eldowney,

Department of Reclamation

We received your papers today. We have bought the Downey property from Mr. Smith. but we were never told that a proof of beneficial use was never filed. All we were told was that we had enough water to run 7 quarter mile lines -

We are running 5 now and hope to have 6 lines in all.

We bought 333 acres from Mr. Smith

We will work on these papers and get them in to you by the date set forth - Feb. 5 1970.

Max C. & Jo Ann Nielsen
Rt #1 - Downey, Idaho

P.S. what do we do if Mr. Smith has not filed on enough water to give us what he told us we had?

32217
29-2500

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 8, 1970

Re: Permit No. G-32217/29-2500

Farmers Home Administration
381 Yellowstone Avenue
Pocatello, Idaho

Gentlemen:

We have been advised by Mr. Richard H. Smith of Logan, Utah that the property described in the copy enclosed of the above referenced permit is under a loan from your organization. We have tried to get Mr. Smith to complete this permit and to obtain a water right, however, he advises us that the property has been sold and mortgaged to another party. Unless proof of beneficial use is received on or before February 5, 1970, the permit in question will lapse and be of no further force or effect.

In order for anyone to submit proof of beneficial use, he will have to have the permit in his name. We are enclosing an assignment form and a proof of beneficial use affidavit along with instructions. If you are not interested in this property, please advise us so that we may continue to try to contact someone in efforts to avoid the termination of the proposed water right under this water permit.

Please notify us as to any information within your records that might assist us in locating interested parties.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: assignment
beneficial use and
instructions
copy of permit

32217
29-2500



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

FEDERAL HOUSING ADMINISTRATION

P. O. Box 32
Boise, Idaho 83701

January 7, 1970

Department of Reclamation

OFFICE OF THE DIRECTOR

IN REPLY REFER TO:

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
614 State Street
Statehouse Annex II
Boise, Idaho 83707

Dear Sir:

Because we do not insure loans on farms I suggest you send these papers to the Farmers Home Administration. Perhaps they can be of some assistance to you.

Very truly yours,

E. H. Carpenter
Director

Enclosures

wrong agency - reformed
1-8-70

32217
29-2500

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

REC'D - BOISE
FHA

JAN 5 1970

December 30, 1969

() DIR. () CH. ENG.
() ASST. DIR. () CH. APPR.
() CH. CLK. () CH. ARCH.
() PROP. MGR. () CH. MTG. CR.

Re: Permit No. G-32217/29-2500

Federal Housing Administration
Federal Building
Pocatello, Idaho

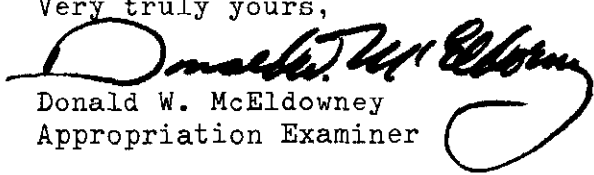
Gentlemen:

We have been advised by Mr. Richard H. Smith of Logan, Utah that the property described in the copy enclosed of the above referenced permit is under a loan from your organization. We have tried to get Mr. Smith to complete this permit and to obtain a water right, however, he advises us that the property has been sold and mortgaged to another party. Unless proof of beneficial use is received on or before February 5, 1970, the permit in question will lapse and be of no further force or effect.

In order for anyone to submit proof of beneficial use, he will have to have the permit in his name. We are enclosing an assignment form and a proof of beneficial use affidavit along with instructions. If you are not interested in this property, please advise us so that we may continue to try to contact someone in efforts to avoid the termination of the proposed right under this water permit.

Please notify us as to any information within your records that might assist use in locating interested parties.

Very truly yours,


Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: assignment
beneficial use and
instructions
copy of permit
CC: Mr. Max Nelson
Downey, Idaho
Enc: assignment,
beneficial use and
instructions
copy of permit

*wrong agency
reforwarded*

1-8-70

*32217
29-2500*

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 30, 1969

Re: Permit No. G-32217/29-2500

Federal Housing Administration
Federal Building
Pocatello, Idaho

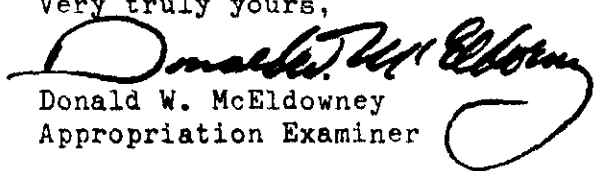
Gentlemen:

We have been advised by Mr. Richard H. Smith of Logan, Utah that the property described in the copy enclosed of the above referenced permit is under a loan from your organization. We have tried to get Mr. Smith to complete this permit and to obtain a water right, however, he advises us that the property has been sold and mortgaged to another party. Unless proof of beneficial use is received on or before February 5, 1970, the permit in question will lapse and be of no further force or effect.

In order for anyone to submit proof of beneficial use, he will have to have the permit in his name. We are enclosing an assignment form and a proof of beneficial use affidavit along with instructions. If you are not interested in this property, please advise us so that we may continue to try to contact someone in efforts to avoid the termination of the proposed right under this water permit.

Please notify us as to any information within your records that might assist use in locating interested parties.

Very truly yours,


Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: assignment
beneficial use and
instructions
copy of permit

CC: Mr. Max Nelson
Downey, Idaho

Enc: assignment,
beneficial use and
instructions
copy of permit

32217
29-2500

Cache Valley Seed and Produce Company

"MOUNTAIN KING SEEDS"
FIELD SEEDS AND POTATOES

143 EAST 3RD NORTH ST.
Phone: Logan 752-4624
P. O. BOX 69
LOGAN, UTAH

Department of Agriculture

State of Idaho Dec 9/69
Dep of Rec. Boise Idaho

Dear Mr Keith Higginson

32217
29-2500

Re: Regarding your
letter of Dec 1-69 regarding my
permit G-32217/29-2500, please be advised
that I deeded this property located
about 1 mile N. of Bowrey Idaho to R.H. Smith
Enterprises R.H. Smith Boston Bldg 5 Salt Lake City
Utah Trustee. May Nelson Bowrey Idaho
purchased this place about 2 years ago on
an escrow contract. May Nelson + wife paid
R.H. Smith Enterprises in full for the property
a small 30 days ago by a loan from F.H.A. Perotello
Please Notify all parties

We warrant to the extent of the purchase price, that the seeds sold are as described on the container, within recognized tolerances. We
give no other or further warranty, express or implied. Cache Valley Seed and Produce Company
concerned. I will await your further advise. Ricky Richard
R.H. Smith

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.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (<i>Must always be filled in</i>)
CERTIFIED NO. 21431		X <i>R. H. Smith</i>
INSURED NO.		
DATE DELIVERED		SHOW WHERE DELIVERED (<i>only if requested</i>)
		<i>29-2500</i>

December 1, 1969

Re: Permit No. G-32217/29-2500

Richard H. Smith
Box 69
Logan, Utah

Dear Mr. Smith:

One of the conditions of the approval of your permit G-32217/29-2500 was that proof of application of the water to beneficial use be submitted to this office on or before February 5, 19 70.

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, ICA.

Either the proof or a request for extension 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

Enclosure: Proof form

RKH:DWM:JMB

Form 5

32217
29-2500

Cache Valley Seed and Produce Company

"MOUNTAIN KING SEEDS"
FIELD SEEDS AND POTATOES

143 EAST 3RD NORTH ST.
Phone: Logan 752-4624
P. O. BOX 89
LOGAN, UTAH

Dept. of Reclamation
Statehouse Annex 2
Boise Idaho
Gentlemen

Sept 15-69

REC

Here is Receipt of
Publication of permit 32217
my well at Bonanza Idaho
mailed 10.08 to Idaho State Journal
for publication fees
according to your instructions

Respy

R. A. Smith

We warrant to the extent of the purchase price, that the seeds sold are as described on the container, within recognized tolerances. We
give no other or further warranty, express or implied. Cache Valley Seed and Produce Company

32217
29-2500

September 12, 1969

Re: Permit No. G-32217 (New No. 29-2500)

R. H. Smith
143 East 3rd North
Logan, Utah 83421

Dear Mr. Smith:

We are in receipt of your letter of September 10, 1969, and the affidavit of publication sent to us by the Idaho State Journal, Pocatello, Idaho.

The Idaho State Journal should mail you the bill for the cost of publication.

Since proof of beneficial use is not required until February 5, 1970, the department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

32217
29-2500

Dept of Reclamation
107 State House
Boise Idaho

RECEIVED

SEP 12 1938

Department of Reclamation

Gentlemen:-

Will you please
mail the name & address
of the newspaper that
is publishing the permit
no 9 32217 concerning my
well at Brownery Idaho

We have misplaced
your letter

Respy

W. H. Smith

149 2 32217

32217
29-3500

August 26, 1969

Re: Permit No. G-32217

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 Richard H.

Smith, Box 69, Logan, Utah
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

32217
29-2500

August 25, 1969

Re: Permit No. G-32217

Richard H. Smith
Box 69
Logan, Utah

Dear Mr. Smith:

The legal notice for the above referenced permit is being published in the Idaho State Journal, Pocatello, Idaho on September 4 and September 11, 1969.

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. McEldowney
Appropriation Examiner

DWM:JMB

29-2500
32217

RECEIVED

AUG 25 1969

NOTICE OF EXISTING WATER PERMIT

Department of Reclamation

Notice is hereby given that Richard H. Smith, Box 69, Logan, Utah

has received an approved permit No.

G-32217 issued by the Idaho State Reclamation Department authorizing the diversion ~~/storage~~ of 1.3 cubic feet per second ~~per foot per second~~ of water from a ground water source

subject to all prior rights. The priority to be established under this permit is February 2, 1965 and the permit was approved February 5, 1965

Water is to be diverted by artesian well, main and diverting laterals

from a point within the NW1/4, Sec. 28, T. 11S, R. 37E, B.M.,

Bannock County

to be used for irrigation

in the W1/2NE1/4, NW1/4, Sec. 28, T. 11S, R. 37E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 5, 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 September 4 and September 11, 1969

State Reclamation Engineer:

Permit No. G-32217

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.

Richard H. Smith
(Signature)

1435 3rd North Logan Utah
(Address)
Aug 19-69
(Date)

32217
29-2500

August 15, 1969

RE: Permit No. G-32217

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 ~~for the purpose of making 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,

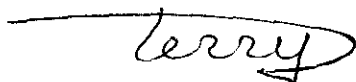
Donald W. McEldowney
Appropriation Examiner

sc
Enc. Order
Adv. Package

32217
29-2500

PLEASE DO NOT re-arrange any of the
correspondence in this folder. I have
gone through the folder and placed the
correspondence in the correct order.

Dated: 2 - 9 - 40

Terry


April 21, 1959

C
O
P
Y

RE: Permit G-32217

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

Dear Mr. Nielsen:

Our records indicate that Mr. Richard H. Smith did file a permit on the well (per your letter of April 18). This permit is still in his name and if you have purchased the property you should have Mr. Smith assign the well permit to you. We are enclosing a form for that purpose. Once its in your name you can make proof of use and receive a water license. The number of the permit is referenced above.

If there is any way we can be of further assistance please let us know.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

32217

428272 G 32217
~~428846~~ ~~(122269)~~

R

2/5/70 DOE -
Richard H. Smith

Department

Dear Mr. Haggard:

I'm writing to check with
you to find out if our well
water was ever filed on by the
former owner who had the
well drilled.

His name is Richard H. Smith
He drilled the well Spring of 1965
in Leming Idaho.

It is on the west side of the Highway
in the NW 1/4 NE 1/4 section 28 Township
11 North, Range 31, East of the Boise
meridian.

If it has not been filed on
please send in the forms to file
on it, or advise us what to do.

Mr. J. E. Nielsen
Jr.

Leming, Idaho

32217

May 20, 1965

RE: Permit No. G-32217

Richard H. Smith
Box 69
Logan, Utah

Dear Mr. Smith:

Enclosed is the amendment to the land list on the above
numbered permit.

Departmental receipt No. G-9273 covering the fee was given
to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Raulo
Chief Clerk

EPR:mr

Enc. amendment

G 32217

April 26, 1965

Re: Permit No. G-32217

R. H. Smith
P. O. Box 69
Logan, Utah

Dear Mr. Smith:

Enclosed is form to amend the land list under your permit to include the NW¹/₄, Sec. 29, T. 11 S., R. 37 E. There is a fee of \$1.00 for recording the amendment. That will not increase the amount of water claimed.

Also enclosed is form to apply for a permit to appropriate subterranean water. You can claim the additional water from your well to irrigate the extra land.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:sw

Enc. application form & instructions
amendment form

632217

RECEIVED

APR 26 1965

Department of Recreation

Box 69

Jagan Wt Apr 24 65

Mr. Carl E. Tappan State Engineer
Baise Salaho

Dear Sir: Re Permit

G-32217. We drilled a well

apx. 215 feet. However water

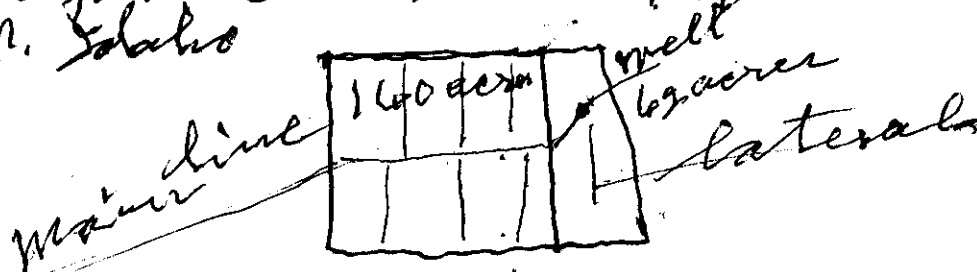
supply is apx. 75 ft.

The well according to test

produces 1200 gal per min

minute. The land we affect

to a sprinkle is ~~apx~~ $\frac{1}{2}$ NE $\frac{1}{4}$
(less hi way) of Sec 28, T₁₁ South R. 37 B
M. reported and NW $\frac{1}{4}$ of Sec 28, T₁₁ S R 37 E
B. M. Salaho



Please revise permit and
report additional fee required
Respect

B32217

RH Smith

February 11, 1965

Re: Permit No. G-32217

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

Dear Mr. Smith:

We enclose Permit No. G-32217 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-9093 which was issued covering payment in the amount of \$ 5.85 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

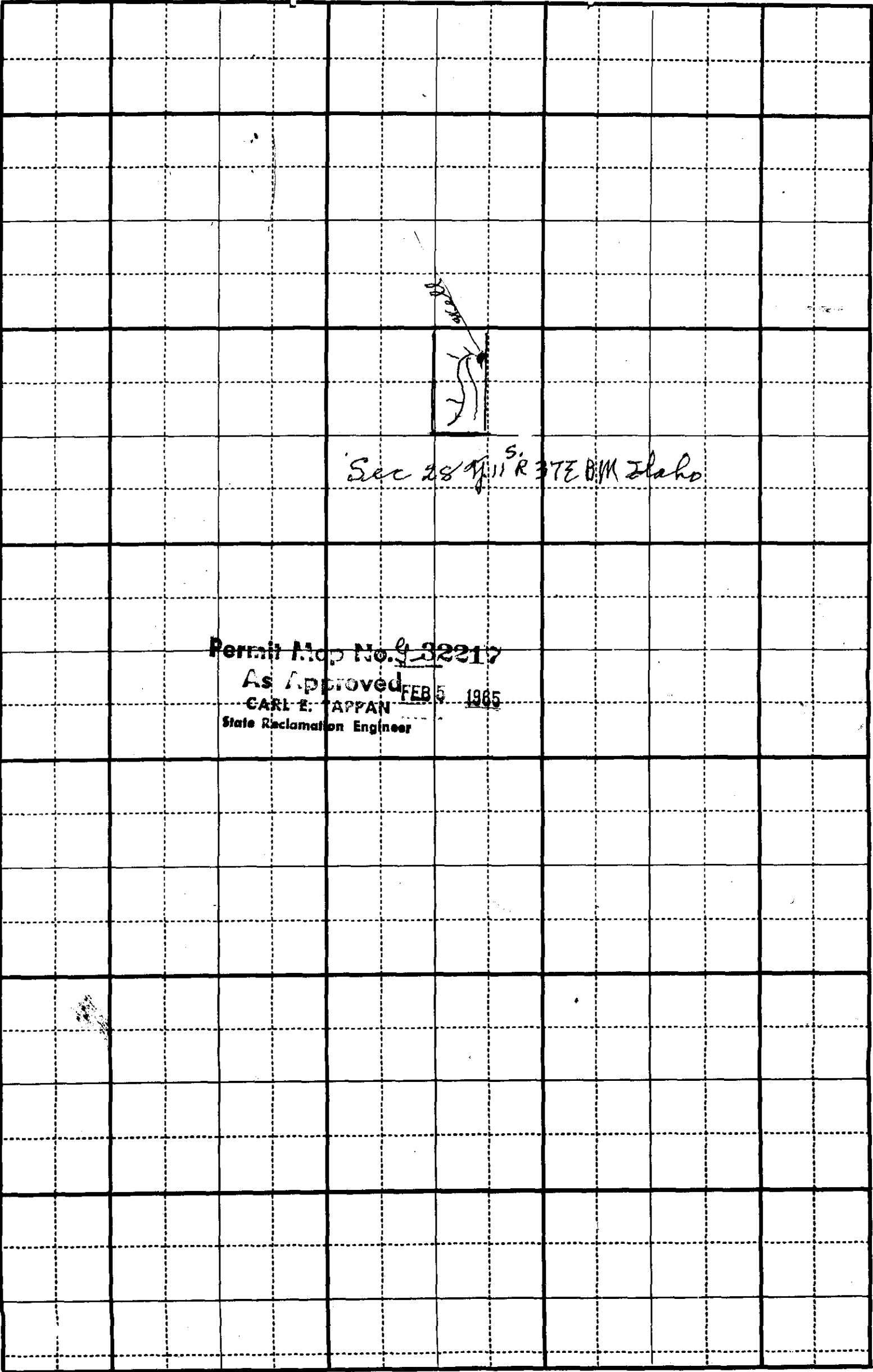
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

6 32217

NAME OF APPLICANT.....Richard H. Smith.....

Form No. 0



Permit Map No. 32217
As Approved FEB 5 1965
CARL E. TAPPAN
State Reclamation Engineer

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

b 32217

January 18, 1965

Richard H. Smith
1113 East 3rd North
Logan, Utah

Dear Mr. Smith:

Enclosed is a form to apply for a permit, with instructions.

Your old permit cannot be transferred to your new property;
also it is overdue.

The State of Idaho did not have anything to do with your
application for desert land. Your application for the land
through the U.S. Bureau of Land Management was not allowed
because you were not a resident of Idaho.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. Form 3
Instructions

632217

Lo. an Utah Jan. 15-65

Mr. Carl S. Tappan Idaho State Engineer
Boise Idaho.

Dear Sir:-

Re Permit No. G. 28272 for well near Bridge in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5 T $\frac{1}{2}$ P $\frac{1}{2}$ S R26 EBM. The state denied me the right to desert land after granting this permit so I cannot develop a well in the location; I have purchased W $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec 28 T $\frac{1}{2}$ P $\frac{1}{2}$ S R37 East B.M. I wish to develop a well on this property which is located on Hi-way about one mile North of Downey Idaho. Will you please transfer this above mentioned permit to the Downey land or issue me a new permit at once as I wish to drill a well on this property during winter or spring. I am buying this land so there will be no question of title to land.

I thank you for a prompt reply,

Yours truly

Richard H. Smith

RECEIVED
JAN 18 1965

Department of Conservation

632217

January 15, 1965

Re: Application for Permit

Richard H. Smith
P. O. Box 69
Logan, Utah

Dear Mr. Smith:

Returned herewith is your application for permit to divert 3.0 c.f.s. from well in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11 S., R. 37 E., with \$5.00 check.

You have not read instructions sent to you with the application form.

The maximum amount allowable is one c.f.s. for each 50 acres irrigated. You describe 65 acres only. If you want more land included, give the description on the application and the maps.

The filing fee is not adequate. See instructions on back page of the application form.

Return correct application and it will be processed.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application for permit
with \$5.00 check

832217