

Receipt # 14434

APPLICATION FOR AMENDMENT

RECEIVED
MAY 9

MAY 9 1974

1974
Department of Water Administration

Comes now Arthur W. West & June Gay West -and-
Grant Elmer Neibaur & Barbara Eileen Neibaur of (address)

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31229/29-2477, and requests that the permit and permit map be changed as follows:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

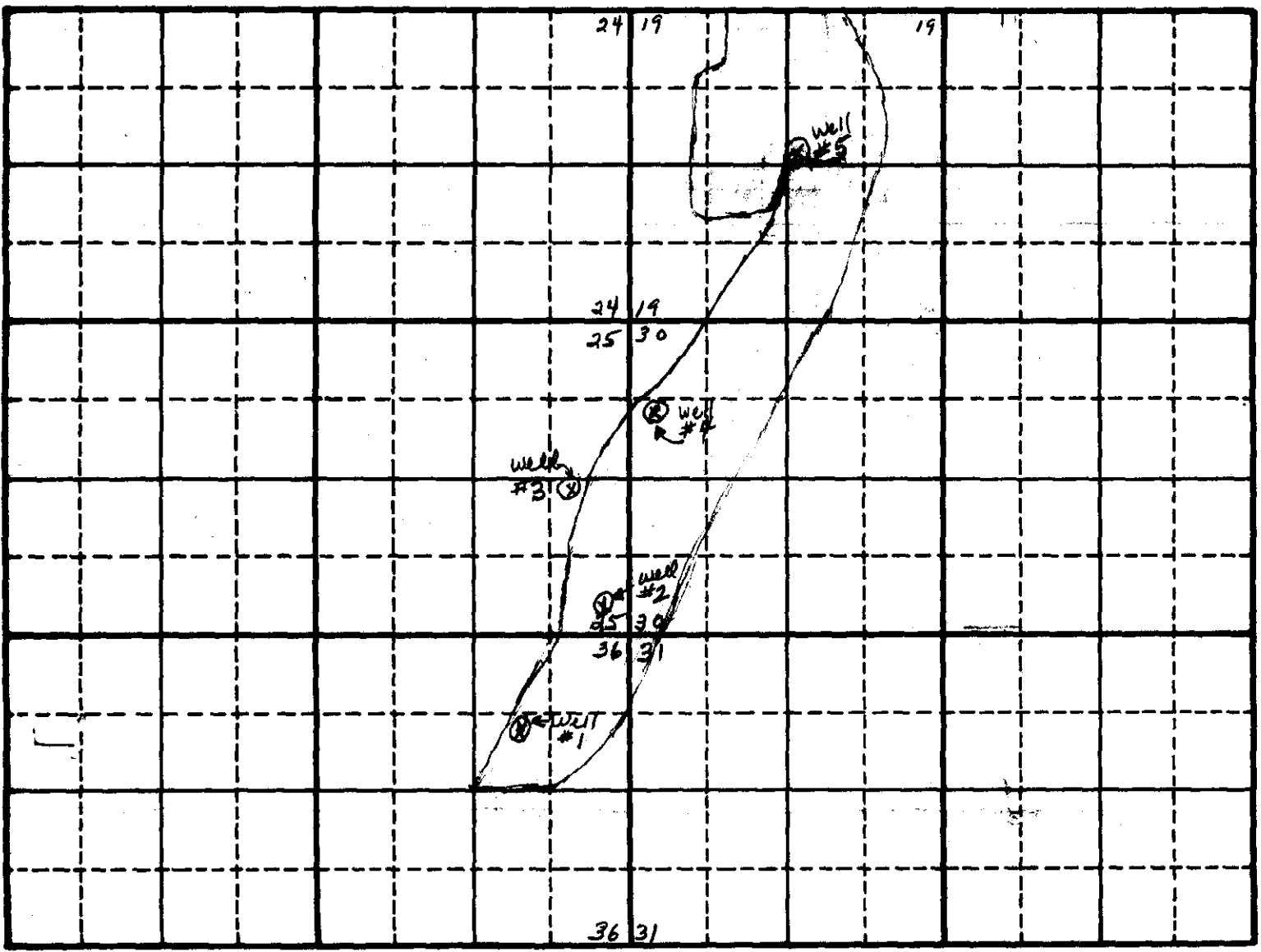
3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

29-2477

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Am Falls, Id., this 8 day of May, 19 74.
Grant E. Newbauer
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 31229/29-2477.

Witness my hand this 20 day of May, 19 74.

R. Keith Higginson
Director

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 31229/29-2477 Priority July 8, 1963 Amount 9.69 cfs

THIS IS TO CERTIFY, that Arthur W. West & June Gay West -and- Grant Elmer Neibaur & Barbara Eileen Neibaur of American Falls, Idaho, have ~~not~~ complied with the terms and conditions of Permit No. 31229/29-2477 issued pursuant to Application for Permit dated July 8, 1963, and has submitted proof to the Department of Water Administration on July 6, 1968, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 10.34 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>9.69</u> cfs and	<u>1,511 acre feet or 3.5 af per acre</u>
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 9.69 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,511 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30; Twp. 7 S, Rge. 32 E, B.M. and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25; SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36; Twp. 7 S, Rge. 31 E, B.M. in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
See Land List Attachment																			

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 20 day of May, 19 74.

Director

29-2477

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 431.55

29-2477

RECEIVED

OCT 17 1968

ASSIGNMENT

For value received, I hereby assign all of my right, ^{Department of Reclamation} title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, Permit No. 31229 to Arthur W. West and June Gay West, husband and wife and Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, respectively,
Address: American Falls, Idaho

*

Darwin P. Neibaur
Darwin P. Neibaur
Permit Holder

June G. Neibaur
June G. Neibaur
Wife of Permit Holder

STATE OF IDAHO)
County of CASSIA) ss

On this 25th day of September, 19 68, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared DARWIN P. NEIBAUR and JUNE G. NEIBAUR, husband and wife, known to me to be the person s whose names s ~~are~~ subscribed to the within instrument and duly acknowledged to me that t hey executed the same.

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

[Signature]
Notary Public
Residing at BURLEY, Idaho

My commission expires: 7-22-72

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

31229

RECEIVED

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, Permit No. 31229 to Arthur W. West and June Gay West, husband and wife and Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, respectively,
Address: American Falls, Idaho

Mack W. Neibaur
Mack W. Neibaur
Permit Holder

Edna H. Neibaur
Edna H. Neibaur
Wife of Permit Holder

STATE OF IDAHO)
County of Minidoka) ss

On this 20th day of September, 1968, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared MACK W. NEIBAUR and EDNA H. NEIBAUR, husband and wife known to me to be the person s whose name s ~~are~~ are subscribed to the within instrument and duly acknowledged to me that t he y executed the same.

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

Robert J. Bald
Notary Public
Residing at Boise, Idaho

My commission expires: 7-1-69

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

31229

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

Application No. G- 39328
Permit No. G- 31229
District No.

and June G. Neibaur

1. Name of Applicant: Arthur W. West and June Gay West, husband and wife, Darwin P. Neibaur, husband and wife, and Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, and Mack W. Neibaur and Edna H. Neibaur, husband and wife
Postoffice address: American Falls County: Power State: Idaho

2. Quantity of water claimed: 9.69 cu.ft. per second (see remarks)

(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 SEE REMARKS
Twp. , Rge. , B.M., County of Power

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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: Ditches, pumps and electric motor

8. Estimated cost of works: \$ 43,130.00

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 five years. See Remarks

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: None, other than the water derived from the wells mentioned in this application

(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) 9.69 (cubic feet per second, inches or gallons per minute) is for new lands.

Date Used

2.44 CFS 4-18-53
2.14 CFS 4-18-53
2.67 CFS 4-18-53
2.44 CFS 4-18-55

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.

Applicant.

Agent.

Corrected application received:

12.

LICENSE ISSUED FOR 269 SEC. FT.
LICENSE PAG. NO.

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 31229 to Arthur W. West and June Gay West, husband and wife; Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, respectively, address: American Falls, Idaho

/s/ DARWIN P. NEIBAUR, Permit Holder

/s/ JUNE G. NEIBAUR, Wife of Permit Holder

State of Idaho)
 : ss
County of Cassia)

On this 25th day of September, 1968, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared Darwin P. Neibaur and June G. Neibaur, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and duly scknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ PETER K. CHURCH, Notary Public residing
at Burley, Idaho

(S E A L)

My commission expires: 7-10-72

A S S I G N M E N T

For value received, I hereby assign all of my right title and interest in and to permit to appropriate the public waters of the State of Idaho, Permit No. 31229 to Arthur W. West and June Gay West, husband and wife; and Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, respectively, address: American Falls, Idaho.

/s/ MACK W. NEIBAUR, Permit Holder

/s/ EDNA H. NEIBAUR, Wife of Permit Holder

State of Idaho)
 : ss
County of Minidoka)

On this 20th day of September, 1968, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared MACK W. NEIBAUR AND EDNA H. NEIBAUR, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ ROBERT L. BALCH, Notary Public
residing at Rupert, Idaho

(S E A L)

My commission expires: 7-1-69

May 22, 1974

Re: Permit No. 31229/29-2477

Mr. Grant E. Neibaur
Neibaur & West Farms
Box 4
American Falls, Idaho 83211

Dear Mr. Neibaur:

Enclosed herewith is a copy of the Water License issued on the above referenced permit. Also enclosed is a copy of the approved application for amendment along with receipt No. 14434 for \$10.00.

You mentioned in your letter of May 8th that you are actually irrigating approximately 540 acres. However, this license can only be issued for 431.55 acres as that is the number of acres shown on your original filing for permit.

You should be aware that any ground water development after March 25, 1963, must be by means of a valid permit. Therefore, if you do not have another permit to cover the additional acreage, you should file an application for permit. We have enclosed an application form for your consideration.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of license
Copy of amendment w/receipt
App for permit w/ins.

bc: Eastern District Office

29-2477

INTER-DEPARTMENT MEMO — 1

FROM John

TO Darlene

SUBJECT Permit No. 29-2477

DATE

RECEIVED
MAY 14 1974

Department of Water Administration

Norm & I reviewed microfilm. It appears from correspondence of 7/5/1963 and Department letter of 7/8/1963, that the permit was issued for 9.69 c.f.s. We recommend that the license be issued for 9.69 c.f.s. and the 1511 acre feet per annum.

In reference to the field examination, I have reviewed recent G. S. maps of the area, and it appears location of p.d. in Sec. 36, T. 7S, R. 31E, is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$. I have made changes to field exam but not amendment. As for the acreage, it looks like the only way to determine the expansion location is on the photo with the original field examination done in 1971.

John / MB
SIGNATURE

29-2477

INTER-DEPARTMENT MEMO — 1

DATE

May 10, 1964

RECEIVED

MAY 10 1964

Department of Water Administration

FROM Norm

TO Darlene

SUBJECT Permit No. 31229/29-2477

In reviewing the License Rough Draft of the above subject, it appears that the amount exceeds the 1 inch per acre limitation. We may have mislead you on our rough draft, unless the Q excessive has been justified previously.

NCY/MB

SIGNATURE

29-2477

INTER-DEPARTMENT MEMO — 1

FROM **Darlene**

TO **John**

SUBJECT **Permit 29-2477 - West & Neibaur**

DATE **5/9/74**

To make a long story short: Pursuant to your field examination, we requested an amendment to the p.d.'s before licensing. Received the amendment app today, however, there appears to be a discrepancy as to the exact location of the well in Sec. 36. They indicate the SW $\frac{1}{4}$ NE $\frac{1}{4}$, we say the NE $\frac{1}{4}$ NE $\frac{1}{4}$. Therefore, I am sending all the data to you in hopes you can verify the actual location. We should also ~~must~~ advise them that this license can only be issued for 431.55 acres and not 540 (perhaps a new filing will be ~~must~~ needed on the additional acreage). You'll never know how much I appreciate your help with these matters!

SIGNATURE

29-2477

Box 4
American Fork, Idaho
May 8, 1973

Mr. Bobby D. Fleenor
Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED

MAY 8 1974

Department of Water Administration

Dear Mr. Fleenor:

Please excuse the delay in complying with your request for amending permit #29-12477. Enclosed please find the necessary information and a check in the amount of \$67.00.

Note the land in red on the map is now irrigated by the 4 wells presently in use. ~~60~~ Total acreage is about 540 instead of the 431 shown on the permit. From the map you may be able to determine where the increase in acreage has occurred.

The well locations are as follows:

- Well #1 - SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 36, Twp. 7S, Rge. 31E
- Well #2 - (abandoned) SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 25, Twp. 7S, Rge. 31E
- Well #3 - NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 25, Twp. 7S, Rge. 31E
- Well #4 - SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 30, Twp. 7S, Rge. 32E
- Well #5 (Replaces #2) SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 19, Twp. 7S, Rge. 32E

Sincerely,

Grant E. Merbau

Merbau & West Farms

29-2477

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

PS Form 3811 Nov. 1970 655-16-81277-1

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO. SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

25372

INSURED NO.

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

DATE DELIVERED

5-6-74

3

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

29-2477

29-2477

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

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

Certified mail # 85372

May 3, 1974 *je*

Re: Permit No. 29-2477

Mr. & Mrs. Grant Neibaur -and-
Mr. & Mrs. Arthur West
American Falls, Idaho 83211

Box A

Gentlemen:

On April 24, 1974 the Department requested that you amend the above referenced permit to change the point of diversion as listed under your permit to that location actually found by the field examiner. You were advised that when such amendment was approved, the Department could issue a water license. You should also be aware that a \$57.00 licensing fee and a \$10.00 filing fee must also be submitted before a water license can be issued.

The Department has failed to receive said amendment or fees and, as a result, is unable to issue a water license. Therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation for failure to complete the permit as required, and you are required to show cause before the Director of the Department of Water Administration on or before June 10, 1974 why said permit should not be cancelled.

Permit No. 29-2477 claims the use of 9.69 cubic feet per second of water from a subterranean source and the permit was approved July 10, 1963.

R. KEITH HIGGINSON
Director

29-2477

May 2, 1974

Re: Permit No. 29-2477

Mr. & Mrs. Arthur West -and-
Mr. & Mrs. Grant Neibaur
American Falls, Idaho 83211

Gentlemen:

On April 24, 1974 the Department requested that you amend the above referenced permit to change the point of diversion as listed under your permit to that location actually found by the field examiner. There is also a \$57.00 licensing fee and a \$10.00 filing fee due. You were advised that when the amendment was approved, the Department could issue a water license. The licensing fee and the filing fee must be submitted before a water license can be issued.

The Department has failed to receive said amendment or fees and, as a result, is unable to issue a water license. Therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation for failure to complete the permit as required, and you are required to show cause before the Director of the Department of Water Administration on or before June 10, 1974 why said permit should not be cancelled.

Permit No. 29-2477 claims the use of 9.69 cubic feet per second of water from a subterranean source and the permit was approved July 10, 1963.

R. KEITH HIGGINSON
Director

29-2477

April 24, 1974

Re: Permit No. 29-2477

Arthur W. West & June Gay West -and-
Grant Elmer & Barbara Eileen Neibaur
American Falls, Idaho 83211

Gentlemen:

On March 19, 1974 we forwarded an application for amendment to you and requested that you amend your permit prior to issuance of a license. As of this date, we have not heard from you regarding this matter.

Please submit the application for amendment along with the \$10.00 filing fee within 10 days, so that we may issue a water license on the above referenced permit.

If you do not concur with these findings or have any questions, please contact this office within the 10 day period in order to keep the permit in good standing.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jfr

29-2477

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

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

March 19, 1974

Arthur W. West & June Gay West -and-
Grant Elmer & Barbara Eileen Neibaur
American Falls, Idaho 83211

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 31229/29-2477 and has found the following:

Quantity of water diverted: 10.34 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 9.69 cfs

The maximum quantity diverted shall not exceed 1,511 acre feet per year.

Beneficial use: For irrigation of 431.55 acres (See land list attachment)

Point of diversion: SW 1/4 NE 1/4, Sec. 19; SW 1/4 NW 1/4, Sec. 30, Twp. 7 S, Rge. 32 E, B.M. and NE 1/4 SE 1/4, Sec. 25; NE 1/4 NE 1/4, Sec. 36, Twp. 7 S, Rge. 31 E, B.M.

Priority date established: July 8, 1963

The point of diversions found by our examiner differs from that listed under your permit, therefore, it will be necessary for you to amend the permit before a water license can be issued. We have enclosed a partially completed application for amendment for your use. Please sign and return the application along with a \$10.00 filing fee.

Please be advised that there is also a \$57.00 licensing fee due. Therefore, we must receive the completed application and a fee totaling \$67.00 within 30 days of the date of this letter in order to be able to issue your water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 30 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr
Encl.

29-2477

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

FIELD REPORT

1. Name of permit holder Arthur W. & June Gay West -and- Grant Elmer & Barbara Eileen Neibaur

Post office address American Falls, Idaho Phone

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____ (name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 9.69 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 31229/29-2477

Examination for QUANTITY ONLY

4. Total amount to be appropriated:

Max Rate of Diversion 9.69 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7S N/S, Range 32E E/W, B.M., Section 30, Subdivision SW, $\frac{1}{4}$ NW $\frac{1}{4}$, Power

Township 7 S N/S, Range 31 E E/W, B.M., Section 36, Subdivision NE $\frac{1}{4}$ NE $\frac{1}{4}$, _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Other Points of Diversions: NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 7 S, Rge. 31 E, B.M.

Description of diverting works: _____

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

29-2477

TOTAL ACREAGE _____

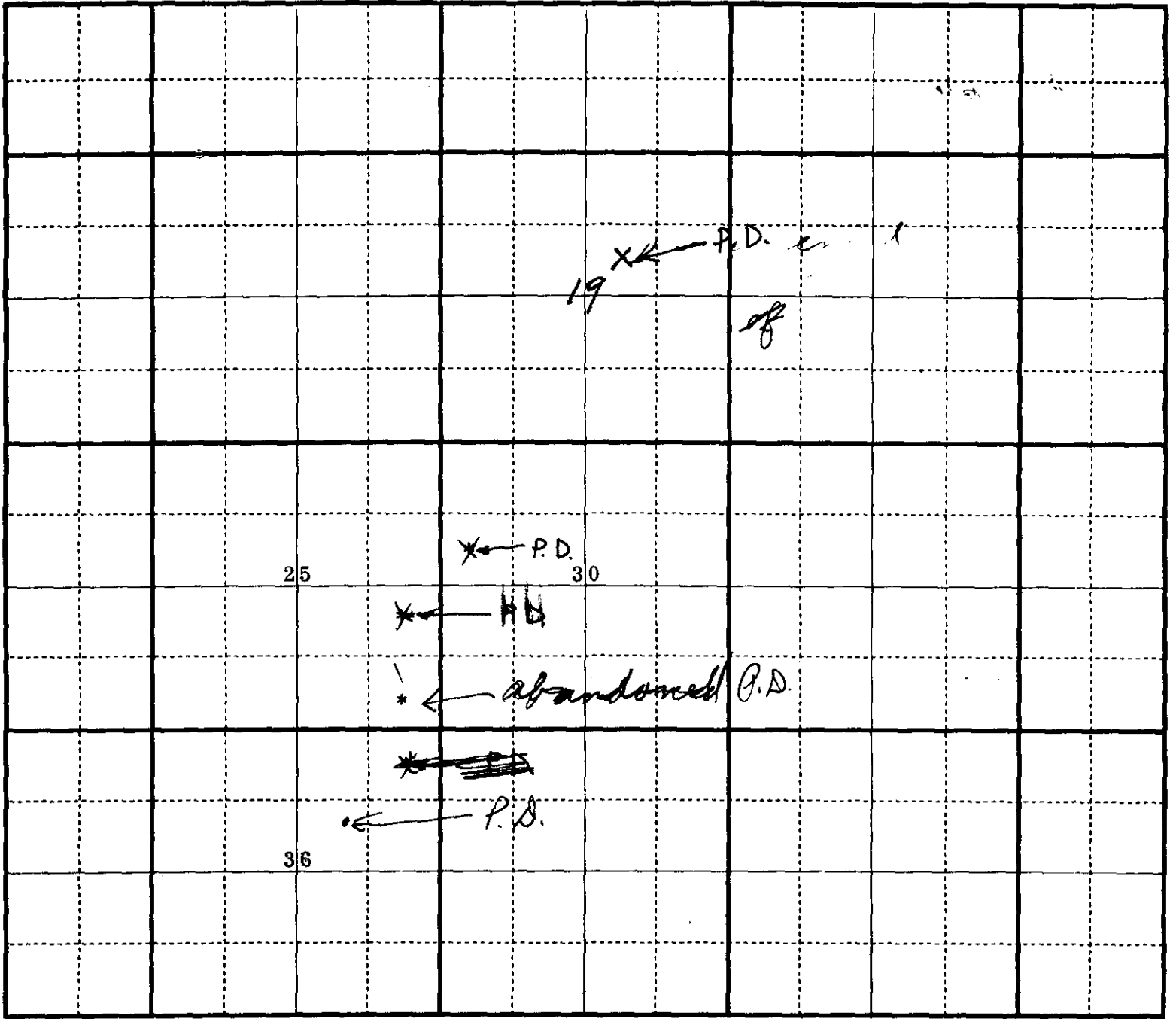
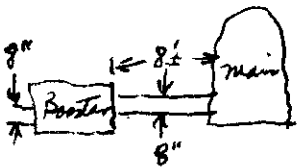


Diagram of System

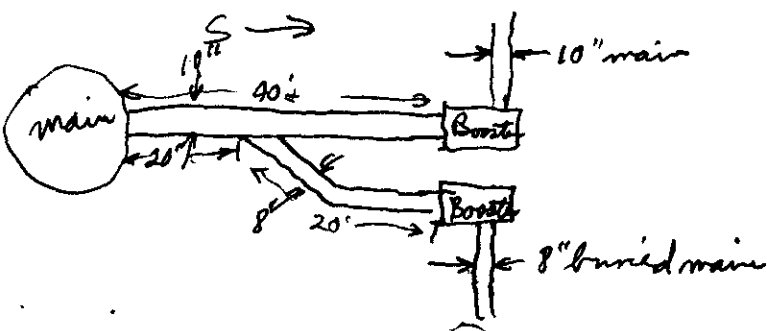
SW
NE S. 36

← S

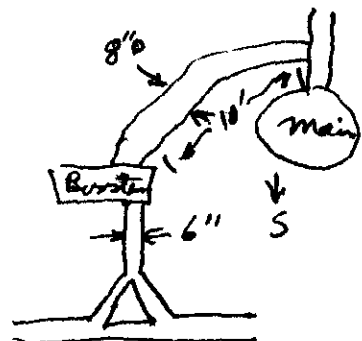


NE

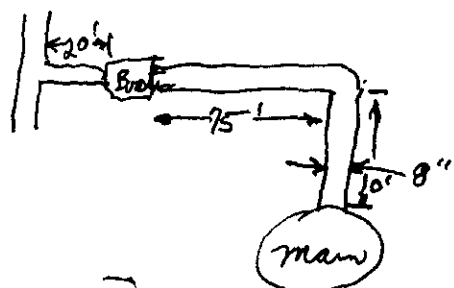
amended well - SWNE S. 19



SW, NW S. 30
E →



NESE S. 25
← E



DATE OF EXAM July 12, 1973

ACREAGE
Found _____
Recommended N/A

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q = 9.69 c.f.s. V = _____ AF/Ann. from March 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 10.34 CFS Method of measurement Pitot tube

Total Q recommended 9.69 CFS Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments: Well in SW 1/4 NE 1/4 S. 36 T. 75 S. R. 31 E of 5/14/74
P.D. ☒ Well in SW 1/4 NE 1/4 S. 19 Twp 75 Rge 32 E
Place of Use has replaced well in SE 1/4 SE 1/4 S. 25 Twp 75
Other Rge 31 E, However there is no change
None in place of use according to owner Mr. Neibaur

MEASUREMENT CALCULATION:
Combined flow of interconnected wells SW NE S. 36 & NE SE S. 25:
345 5/32 Model 30W sprinkler nozzles at 64# air, 5.62 gal/min / nozzle
x 345 nozzles = 1939 gal/min + 20% leak 389 gal/min = 1977 ÷ 448.8 = 4.40 CFS
Well in SW 1/4 S. 30: 179 - 5/32 Model 30 sprinkler nozzles at 45 psi air.
179 x 4.72 gal/min / nozzle = 845 gal/min + excessive 8% leak 68 gal/min
912 gal/min ÷ 448.8 = 2.03 CFS meas. continued on back

SYSTEM DESCRIPTION:
SW NE S. 36 75 HP 4.5 Motor w/ Berkeley pump #560766 8" discharge to
booster which is 50 HP 12.6 Motor #ET6263020 w/ Cornell pump #12049 then
8" discharge west 75' to buried main north & south - connected with
well in NE SE S. 25 -> Continued on back

REMARKS:
System shown by Grant Neibaur
well in SE SE S. 25 is abandoned - it should be amended to SW NE S. 36
Motor was moved as HP has not increased i.e. same
motor as formerly on well in S. 25

Examiner's Signature John Forebauer Date July 12, 1973

Checked by W. R. Rhoads Date Jan 10, 74

Approved by _____ Date _____

NESE 1/32
72° 11.30

1 line 36
1 - 25
1 - 27
1 - 35
2 0000
1 - 36
1 - 39
1 - 45

80 77
60 57
60 57
64 61
65 62
66 59

fine new

Bo

Light 1000 ft home para at 5.30 50
then 400 ft 2 lines @ 49 = 40
then 200 ft 2 lines @ 27 = 45
then 200 ft 2 lines @ 27 = 45
800 ft 2 lines @ 27 = 45

4 Amended well - SWNE S.19

100 HP D.E. Motor PKJ303023 w/ Johnston pump # 514305
8" discharge to booster then 10" discharge west to main line

Booster:
west 40 HP D.E. Motor # 35BC02 w/ Cornell pump # 14040
east 50 HP M.E. Motor # DJ6173023 w/ Cornell pump # 14040

2 NESE 25 100 HP D.E. Motor 75 HP U.S. Motor # 954785 w/ L-B pump # 17636

Booster 40 HP D.E. Motor # J315331 w/ Cornell pump # 14040
6" discharge east

3 SWNW S.30

75 HP U.S. Motor # 954781 w/ L-B pump # 9637
10 HP D.E. Booster # 0VJ71925 w/ Cornell pump # 7465
6" discharge south 9" to main

Measurement - well in SWNE S.19:

6 lines 1/8" D Model 30EF sprinkler nozzles at 33 nozzles/line
= 198 nozzles at 49 #si - 198 nozzles x 3.19 gal/min/nozzle = 631.62
+ 228 - 5/32" D model 30W nozzles 49 #ad. - 228 nozzles x 4.93 gal/min/nozzle = 1124.04

1756
498.0 = 391 CFS

Total flow:

NESE S.36 & NESE S.25 = 4.40 CFS
SWNW S.30 = 2.03 CFS
SWNE S.19 = 3.91 CFS

10.34 combined total

29-2477

Memo

226-2738

7/13/72

Grant Neibaur called in answer to our 5/15 letter.

He doesn't agree with our Q and will request a new exam.

He thinks well 2 & 3 pump more water and perhaps examiner overlooked open discharge on #3.

Bob Elmer

typed new exam for Q only on 10-25-72
Repaired license is in drawer - ds

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

31719

INSURED NO.

DATE DELIVERED

9/1/72

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

29 2477

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PS Form 3811 Nov. 1970 655-16-81277-1



Postmark of Delivering Office



SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.



20 23 01

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

August 31, 1972 CERTIFIED MAIL # 31214

Arthur W. & June Gay West -and-
Grant Elmer & Barbara Eileen Neibaur
American Falls, Idaho 83211

Gentlemen:

It appearing to the Department of Water Administration that the terms and conditions of Permit 31229/29-2477 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of \$57.00,

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before October 10, 1972, why said permit should not be cancelled.

Permit 31229/29-2477 claims the use of 9.69 cubic feet per second of water from a ground water source, the point of diversion SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 7S, R. 32E, B.M. and NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36; T. 7S, Rge. 31E, B.M. was to be located within the Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36; T. 7S, Rge. 31E, B.M. and the permit was approved July 10, 1963.


R. KEITH HIGGINSON
Director

May 15, 1972

Arthur W. & June Gay West -and-
Grant Elmer & Barbara Eileen Neibaur
American Falls, Idaho 83211

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 31229/29-2477 and has found the following:

Quantity of water diverted: 7.94 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 7.94 cfs

The maximum quantity of water diverted shall not exceed 1,510.4 acre feet per year.

Beneficial use: Irrigation of 431.55 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (6.3), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (31.95), S $\frac{1}{2}$ SE $\frac{1}{4}$ (37.38), Sec. 25; NE $\frac{1}{4}$ (71.60), Sec. 36; Twp. 7 S, Rge. 31 E, B.M. and W $\frac{1}{2}$ NE $\frac{1}{4}$ (55.44), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (4.76), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (13.82), E $\frac{1}{2}$ SW $\frac{1}{4}$ (26.49), N $\frac{1}{2}$ SE $\frac{1}{4}$ (29.05), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (14), Sec. 19; NW $\frac{1}{4}$ NE $\frac{1}{4}$ (2.45), NW $\frac{1}{4}$ (94.16), N $\frac{1}{2}$ SW $\frac{1}{4}$ (34.34) SW $\frac{1}{4}$ SW $\frac{1}{4}$ (9.35), Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (.46), Sec. 31; Twp. 7 S, Rge. 32 E, B.M.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Twp. 7 S, Rge. 32 E, B.M. and NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36; Twp. 7 S, Rge. 31 E, B.M.

The priority date established is: July 8, 1963

A fee totaling \$57.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth above.

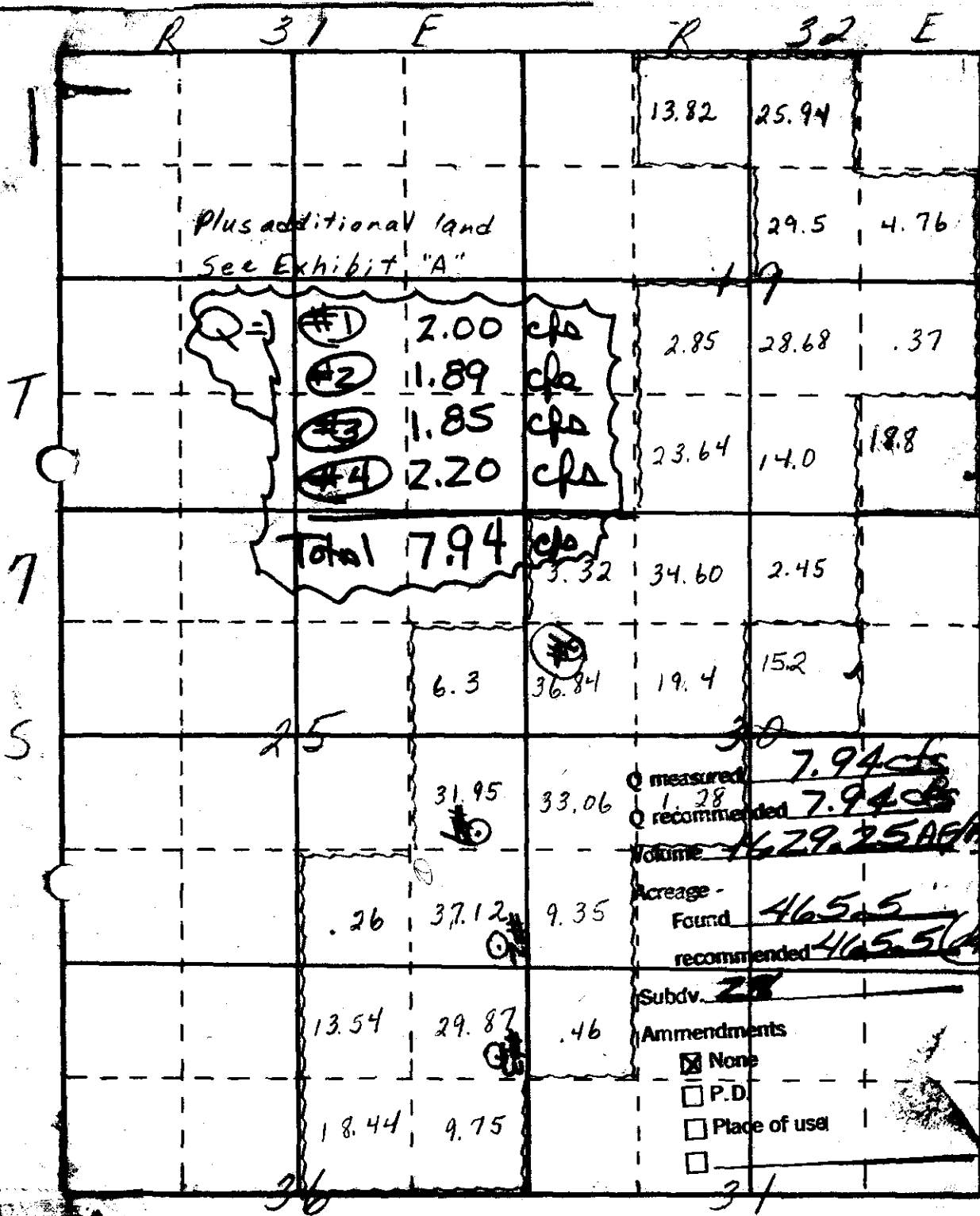
If you do not concur with these findings or have any questions, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

29 2477



NOT OPERATING 29- SNIBER
 10-8-69 Permit No. G-31229/29-2477 Jones, Pomeroy & Jones, Pocatello
 Name of Applicant Arthur W. West, et al, American Falls, Idaho All assignment
 Source of Water Subterranean 224-2755
 a tributary of Power
 Location of P.D. No. well - SW 1/4, Sec. 30, T. 7 S, R. 32 E, (2.44 c.f.s.);
 Home well - NE 1/4, Sec. 25, T. 7 S, R. 31 E, (2.14 c.f.s.); Center well -
 SE 1/4, Sec. 25, T. 7 S, R. 31 E, (2.67 c.f.s.); So. well - NE 1/4, Sec. 36,
 T. 7 S, R. 31 E, B.M. (2.44 c.f.s.).
 Water is used for Irrigation
 Quantity of water claimed: Permit 9.69 c.f.s. Depositions 9.69 c.f.s.
 Type of measuring device installed or method of measurement and general description
 of diversion works four wells, pumps, and electric motors and
 ditches. No. well - 650'; Center well - 400'; Home well - 600';
 South well - 650'; No. well - H - 110'; Center well - H - 130';
 Home well - H - 130'; So. well - H - 151'.
 Q - 9.69 c.f.s. (measured by weir)

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
7 S	31 E	25	SE 1/4, NE 1/4, S 1/4
		36	NE 1/4
7 S	32 E	19	W 1/4, SE 1/4, NE 1/4, E 1/4, NW 1/4, SW 1/4
		30	NW 1/4, NW 1/4, N 1/4, SW 1/4
		31	NW 1/4

Date filed: July 8, 1963
 Proof due: July 10, 1968
 Proof made: July 6, 1968
 Priority: July 8, 1963

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
 acreage covered by subdivision; also show land covered on the map.)

None, ~~XXXXXXXXXX~~

29 2477

Source of supply GROUND
a tributary of _____
Location of P.D.(s) NO CHANGE IN RD

Water is used for IRRIGATION

Quantity of water found #1 2.0 cfs

How was the measurement made? McMaster pump

Measurement calculations #1 2.0 cfs #2 Attached #3 pilot

30WS 32 Nozzles - 167 heads - 50 PSI - 4.98 gpm/p head (167 x 4.98 = 450) 1.85 cfs
#4 2.2 cfs



#2 GE - 100 hp - 60 cy. 3 ph. 1765 RPM. # PKJ303023 - 440 Volts
Layne/Bowler VERT pump #19361 - 8" discharge south for 30
then into conc. cylinder - 12" conc discharge from cylinder
west for 8' then north to open east-west ditch

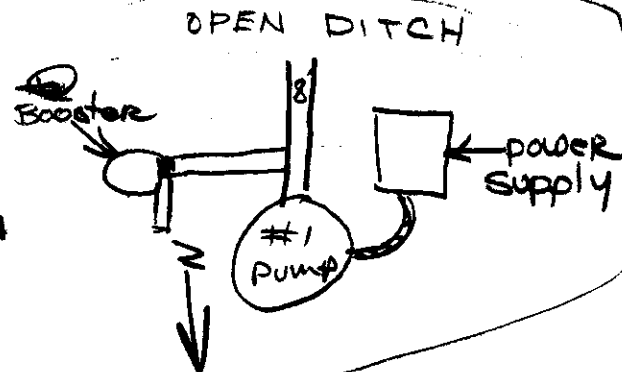
Diversion works description and diagram

#3 US Motors - 75 hp. 3 ph. 60 cy.
220/440 Volts - 1800 RPM #954781
Vert pump NO PLATE - Booster
GE pump motor 20 hp - 60 cy. 3 ph
3540 RPM - 220/440 Volts - GVJ7A254
8" discharge south for 7' to
East West open ditch another

8" discharge from #1 discharge
2' from #1 pump and runs East 4' to

Indicate area irrigated in each subdivision on the map.
booster which is used sometimes
ON POTATOS.

Total acreage irrigated



If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.



#3 US Motors pump motor - 75 hp - 60 cy. 3 ph. 440 Volts - 1800 RPM
#1025355 - Babbly pump model 1004H-7 - 1750 RPM #510X666
#3 booster GE - 40 hp - 60 cy. 3 ph. 230/460 Volts 3530 RPM
DEJ402478 - Rain O Flow centrifugal pump #13233
8" discharge south from #3 for 4' then enlarges
to 12" and onto laterals another 8" pipe runs out of
#3 discharge 3' from #3 pump to booster 5' to the
East - 6' discharge north from booster to laterals

Who represented the permit holder at the examination?

Mr. West

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

#4 US Motors pump motor - 75 hp. 220/440 Volts
60 cy. 3 ph. 1800 RPM. #954785 - Layne/Bowler
Vertical pump 8" discharge to the south for
10' then East under road to open N-S ditch



Report checked? _____

Examination date _____

Signature Red Chapman

1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date Aug 3, 1971 **DISCHARGE MEASUREMENT NOTES**

OPEN DITCH RD

[illegible]

No. _____ of _____ Sheets. Comp. by _____

Chk. by

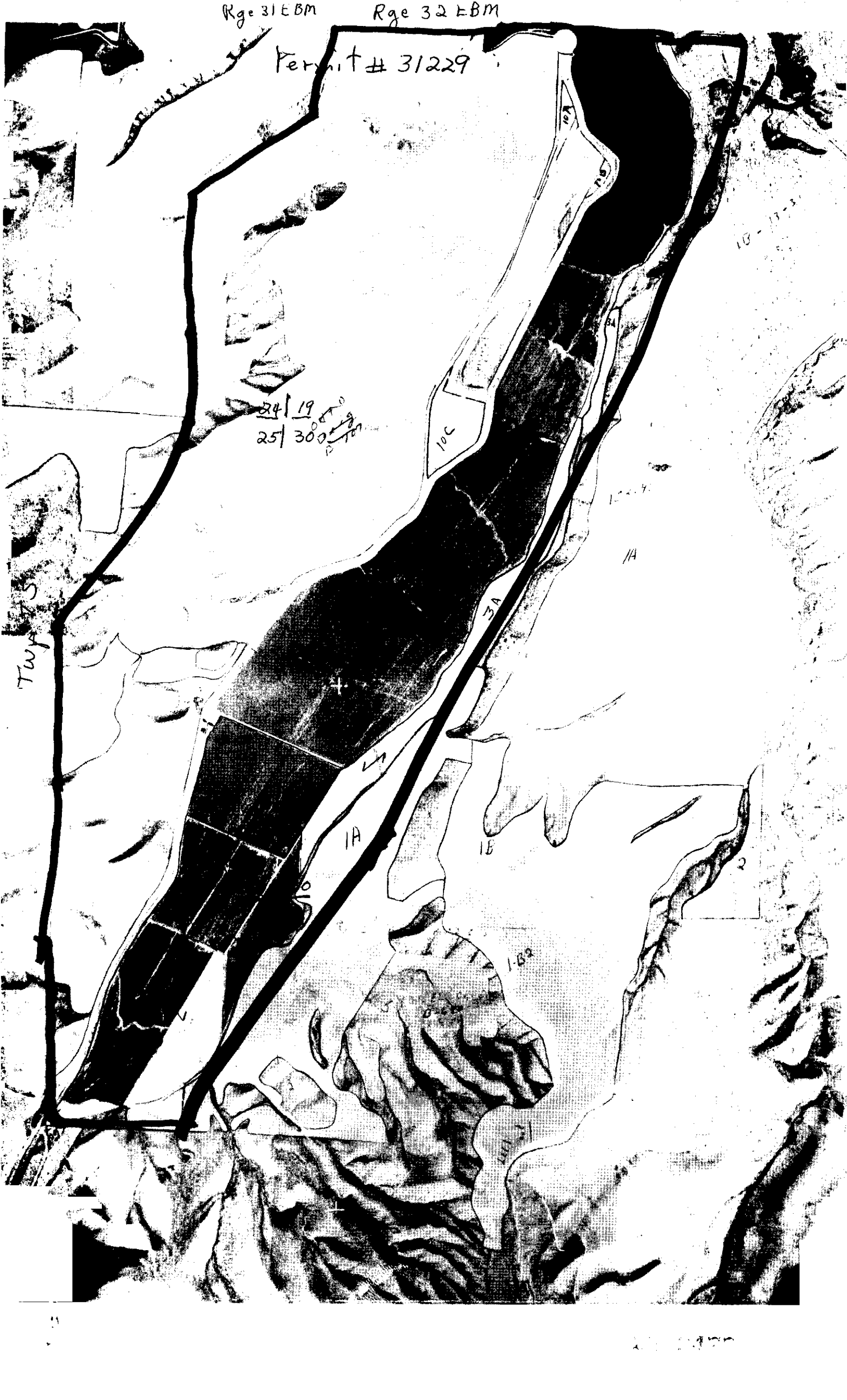
Rge 31 EBM

Rge 32 EBM

Permit # 31229

24 | 19
25 | 300

Twps 7 S



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-31229

RECEIVED
JUL 10 1963
Department of Reclamation

* * * * *

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: _____

Arthur W. West, American Falls, Farmer, American Falls, Idaho

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: _____

G-31229, July 10, 1963, July 8, 1963

Ques. 4. State source of water supply: Subterranean - utilized by four wells

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

No. Well - SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T7S., R. 32E.

Home Well - NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T7S., R. 31E.

Center Well - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T7S., R. 31E.

So. Well - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T7S., R. 31E.

Ques. 5. Describe your works of diversion: pumps and electric motors and
ditches; state amount of water they are capable of con-

veying from point of diversion to place of use: 9.69; Give name of canal or ditch
or other works by which water is conducted to such place of use: does not apply

_____; if a well, state depth of well No. 650 ft. and size of
casing see remarks; depth to water Home 600' +, Center Well 400' +, So. Well 650', No. Well 110', Home 130', Center 151' 30'; if pump is used,
state discharge of pumps 9.69 cfs; tell how it was measured or determined

Weir; if sprinkler irrigation, give number and size
of nozzles and operating pressure: does not apply

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

31229

RECEIVED

JUL 15 1956

Department of Reclamation

SCHEDULE "A"

Section 25, Twp. 7 South, Range 31, E.B.M.:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 6.30 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 31.95 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - .26 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 37.12 acres

Section 36, Twp. 7 South, Range 31, E.B.M.:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 29.87 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 13.54 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 18.44 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 9.75 acres

Section 31, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - .46 acres

Section 30, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 2.45 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34.60 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 3.32 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 36.84 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 19.4 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.28 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 33.06 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9.35 acres

Section 19, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 25.94 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 29.50 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 4.76 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 13.82 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 2.85 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23.64 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - .37 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 28.68 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14.00 acres

Plus thirty-four additional acres located in Sections 19 and 30, a particular description of the acreage is attached hereto as Exhibit "A".

EXHIBIT "A"

Beginning at the Northwest corner of Section 19, T. 7 S., R. 32 E., B.M.; thence S 89°48' E. on the north line of said section 19, 2633.53 feet; thence South 936.73 feet, to the TRUE POINT OF BEGINNING; thence South 1058.40 feet; thence on curve to the right, having a radius of 600.0 feet and a central angle of 18°16', 191.29 feet; thence S. 18°16' W, 1193.29 feet; thence on curve to the right, having a radius of 3000.0 feet and a central angle of 12°06'30", 633.99 feet; thence S. 30°22'30" W 981.69 feet; thence on a curve to the left, having a radius of 800.0 feet and a central angle of 30°00', 418.88 feet; thence S. 0°22'30" W. 627.17 feet; thence N. 36°12'30" E. 68.40 feet; thence N. 72°46' E. 167.24; thence on curve to left, having a radius of 50.0 feet and a central angle of 27°02', 23.59 feet; thence N. 45°44' E. 32.54 feet; thence on curve to right, having a radius of 1500.0 feet and a central angle of 10°24', 272.26 feet; thence N. 56°08' E. 48.35 feet; thence on curve to left, having a radius of 135.0 feet and a central angle of 42°43', 100.65 feet; thence N. 13°25' E. 122.11 feet; thence N. 8°13'30" E. 329.01 feet; thence on curve to the left, having a radius of 85.0 feet and a central angle of 90°20', 134.01 feet; thence N. 86°06'30" W. 156.09 feet; thence on curve to the right, having a radius of 120.00 feet and a central angle of 82°23', 172.54 feet; thence N. 0°16'30" E. 86.09 feet; thence on curve to the right, having a radius of 75.0 feet and a central angle of 26°33', 34.75 feet; thence No. 26°49' 30" E. 459.10 feet; thence on curve to the right, having a radius of 600.0 feet and a central angle of 12°08'30", 127.15 feet; thence N. 38°58' E. 10.97 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle 42°38', 44.65 feet; thence No. 81°36' E. 94.27 feet; thence on curve to the left, having a radius of 300.0 feet and a central angle of 13°03', 68.33 feet; thence N. 68°33' E. 170.08 feet; thence on curve to the left, having a radius of 180.0 feet and a central angle of 47°31', 149.28 feet; thence N. 21°02' E. 337.28 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 23°16', 101.52 feet; thence N. 2°14' W. 280.63 feet; thence on curve to the right, having a radius of 100.0 feet and a central angle of 32°24', 56.55 feet; thence N. 30°10' E. 338.24 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle of 56°50', 59.60 feet; thence N. 87°00' E. 97.02 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 41°56'30", 183.01 feet; thence N.

45°03'30" E. 57.83 feet; thence on a curve to the left,
 having a radius of 200.0 feet and a central angle of
 16°40', 58.18 feet; thence N. 28°23'30" E. 97.39 feet;
 thence on a curve to the left, having a radius of 40.0
 feet and a central angle of 37°20', 26.06 feet; thence
 N. 8°56'30", 62.87 feet; thence on a curve to the left,
 having a radius of 165.0 feet and a central angle of
 48°19'30", 139.77 feet; thence N. 57°16' W. 34.75 feet;
 thence on a curve to the right, having a radius of 750.0
 feet and a central angle 41°55', 155.99 feet; thence N.
 45°21' W. 166.78 feet; thence on a curve to the right,
 having a radius of 100.0 feet and a central angle 31°13',
 54.48 feet; thence N. 14°08' W. 284.34 feet; thence on a
 curve to the left, having a radius of 400.0 feet and a
 central angle 30°28', 212.70 feet; thence N. 44°36' W.
 62.75 feet; thence No. 13°33' W. 46.00 feet; thence No.
 4°52' E. 75.00 feet; thence No. 15°45' E. 194.00 feet;
 thence N. 2°07' W. 54.00 feet; thence No. 40°40' W.
 102.00 feet; to the TRUE POINT OF BEGINNING, same being
 in Section 19 and 30, T. 7 S., R 32 E., B.M. and con-
 taining 34.0 acres, more or less.

b31229

November 27, 1968

C
O
P
Y

Re: Permit No. G-31229
Arthur W. West, et al

Ralph H. Jones
Attorney At Law
Central Building
Pocatello, Idaho 83201

Dear Mr. Jones:

Enclosed herewith are copies of two assignments you submitted for recording. The originals have been placed in our files.

If we can be of further assistance, please do not hesitate to contact us.

Very truly yours,

M. Russell Bosch
Administrative Assistant

MRB:dj
Enclosures

31229

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
PHONE 232-3461
Pocatello, Idaho 83201

RECEIVED

OCT 17 1968

Department of Reclamation

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

October 16, 1968

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Attention: Mr. Donald W. McEldowney
Appropriation Examiner

Re: Permit No. G-31229
Arthur W. West, et al

Dear Mr. McEldowney:

Enclosed is an assignment from Darwin P. Neibaur and June G. Neibaur, husband and wife, and an assignment from Mack W. Neibaur and Edna H. Neibaur, husband and wife, to Arthur W. West and June Gay West, husband and wife, and Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, which you sent to this office in order that the assignment of all right, title, and interest to the Wests and the Neibaurs can be completed, for the above described permit.

Yours truly,

JONES, POMEROY & JONES

By

Ralph H. Jones

RHJ rb

31229

August 8, 1968

Re: Permit No. G-31229
Arthur W. West, et al

Ralph H. Jones
Jones, Pomeroy, & Jones
203 Central Bldg, Box 610
Pocatello, Idaho 83201

Dear Mr. Jones:

Thank you for your letter of July 10, 1968 concerning the above referenced permit. We have reviewed the completion of works and application of the watertbe beneficial use proof forms which you submitted and they appear to be in order.

The permit will now be scheduled for a field examination which we hope to complete either in the 1968 or 1969 irrigation season.

As to the change in ownership of the permit in question, the present owners of the permit should complete an assignment to show the assignment of all right, title, and interest to the new owners. We are enclosing an assignment form for your use in this matter.

Please contact us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Original permit
Assignment form

31229

July 23, 1968

Re: Permit No. G-31229
Arthur W. West, et al

Ralph H. Jones
Jones, Pomeroy & Jones
203 Central Bldg; Box 610
Pocatello, Idaho 83201

Dear Mr. Jones:

We acknowledge receipt of the depositions and affidavit of publication in the
Power County Press submitted as proof of completion of works and beneficial use on Permit G-31229.

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
Appropriation Examiner

DWM:dj

B 31229

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ringe being first duly sworn
on oath, states:

That she is the principal clerk of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 4
successive weekly issues thereof, the date of the first publica-

tion being the 6th day of June, 1968.
the date of last publication being the

27th day of June, 1968.

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

2 day of June, 1968
Ruth Bilton

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

My Commission Expires
August 20, 1969

(SEAL)

19

B 31 229

NOTICE OF PROGRESS OF COM- PLETION OF WORKS AND AP- PLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that on
July 6, 1968, at Pocatello, Co-
unty of Bannock, State of Idaho,
before notary public Ruth Bilton,
in the office of Jones, Pomeroy
& Jones, at 203 Central Building,
Pocatello, Idaho, proof will be
submitted of the completion of
works for the diversion of 9.88
c.f.s. of the waters of subterr-
anean source, and the application
to beneficial use of said water,
in accordance with the terms
and conditions of permit G-31289,
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

1. The name and address of
permit holder is Arthur W. West
& June Gay West, Husband &
wife, Darwin P. and June G.
Neibaur, husband & wife; Grant
Elmer and Barbara Elleen Nei-
baur, husband & wife; Mace W.
& Edna H. Neibaur, husband &
wife, American Falls, Idaho.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said wo-
rks are capable of conveying to
the place of use is 9.88 cubic
feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is

9.88 c.f.s.

4. The point of diversion
of water is NE 1/4 SE 1/4
Sec. 25, NE 1/4 NE
1/4, T. 7 N, R. 31 E, B.M.
1/4 NW 1/4, Sec. 30, T.
32 N, R. 31 E, B.M., Power Co.
The place where said water
is used is SE 1/4 NE 1/4, NE
1/4, S1/2 NE 1/4 Sec. 25, NE
1/4, T. 7 N, R. 31 E, B.M.
W 1/4 NE 1/4, SE 1/4 NE
1/4 NW 1/4, E 1/4 SW
1/4 SE 1/4, SW 1/4 SE
1/4, NW 1/4 NE 1/4, NW
1/4 SW 1/4, SW 1/4 SW 1/4,
Sec. 30, NW 1/4 NW 1/4, Sec.
31, T. 7 N, R. 31 E, B.M.

5. The date of priority which
said user is prepared to es-
tablish is July 3, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ginge being first duly sworn
on oath, states:

That she is the principal clerk of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 4
successive weekly issues thereof, the date of the first publica-

tion being the 6th day of June 1968.
the date of last publication being the

27th day of June 1968.

(Signed)

Subscribed and sworn to before me this

day of June 1968

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of , 19

LEGAL NOTICE

Published in The Power County
Press June 6, 13, 20 and 27, 1968.

NOTICE OF PROOF OF COM- PLETION OF WORKS AND AP- PLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that on
July 6, 1968, at Pocatello, Co-
ounty of Bannock, State of Idaho,
before notary public Ruth Bitton,
in the office of Jones, Pomeroy
& Jones, at 203 Central Building,
Pocatello, Idaho, proof will be
submitted of the completion of
works for the diversion of 9.69
c.f.s. of the waters of subterr-
anean source, and the application
to beneficial use of said water,
in accordance with the terms
and conditions of permit G-31229,
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

1. The name and address of
permit holder is Arthur W. West
& June Gay West, Husband &
wife; Darwin P. and June G.
Neibaur, husband & wife; Grant
Elmer and Barbara Eileen Nei-
baur, husband & wife; Mack W.
& Edna H. Neibaur, husband &
wife, American Falls, Idaho.

2 Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said wo-
rks are capable of conveying to
the place of use is 9.69 cubic
feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is 9.69
c.f.s.

4. The point of diversion of
said water is NE1/4SE1/4, SE
1/4SE1/4, Sec. 25; NE1/4 NE1/4,
Sec. 36, T. 7 S, R. 31 E, B.M. and
SW1/4NW1/4, Sec. 30, T. 7 S,
R. 32 E, B.M., Power County.

5. The place where said water
is used is SE1/4NE1/4, NE1/4
SE1/4, S1/2SE1/4 Sec. 25; NE1/4,
Sec. 36; T. 7 S, R. 31 E, B.M.
and W 1/2NE 1/4, SE 1/4NE 1/4,
NE 1/4NW 1/4, E 1/2SW 1/4,
N 1/2 SE 1/4, SW 1/4 SE 1/4,
Sec. 19; NW 1/4NE 1/4, NW 1/4,
N 1/2SW 1/4, SW 1/4SW 1/4,
Sec. 30; NW 1/4NW 1/4, Sec.
31, T. 7 S, R. 32 E, B.M.

6 The date of priority which
said user is prepared to es-
tablish is July 8, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
PHONE 232-3461
Pocatello, Idaho 83201

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

RECEIVED
DEPARTMENT OF RECLAMATION
JUL 11 1968

July 10, 1968

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

Attention: Mr. Donald W. McEldowney

Re: Permit No. G-31229
Arthur W. West, et al

Dear Mr. McEldowney:

We are enclosing herewith affidavit of publication of notice of proof of completion of works and application of water to beneficial use, application for permit to appropriate subterranean waters of the State of Idaho No. G-39328, Permit No. G-31229, depositions of the two witnesses and the deposition of the holder. If you do not need the application please return to us.

At the time of the hearing we learned that Darwin P. Neibaur and June G. Neibaur, husband and wife, and Mack W. Neibaur and Edna H. Neibaur, husband and wife, four of the original applicants, no longer have an interest in the farm and we would appreciate your advising us what will be necessary to satisfy your department of the change in the ownership of the permit.

At this time, we are also making a part of the original application, filed in this case, an additional description of thirty-four acres in Sections 19 and 30, which was filed with your department a considerable time ago. In your letter to us you stated there would be no necessity of filing an amended application if the thirty-four acres came within the subdivisions covered by the application. This matter has been delayed for the reason

31229

State of Idaho
Department of Reclamation

-2-

July , 1968

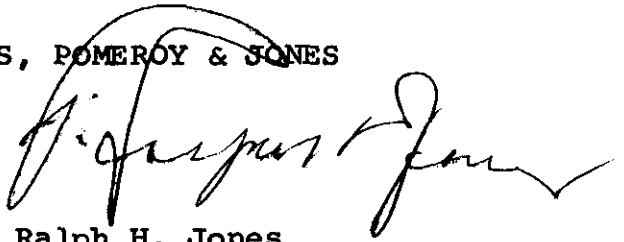
we did not have the proper facilities to get a map attached to the application, we are however sending you a photo-static copy of the map so that the same can be added to all of the records and files in this cause and if anything else is required we will be glad to comply with the same.

When your department examines the property in question no doubt you will have somebody able to determine the exact amount of the thirty-four acres in Section 19 and the exact amount of acreage in Section 30, if it is absolutely required.

Yours truly,

JONES, POMEROY & JONES

By


Ralph H. Jones

RHJ rb

enc

B31229

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G-31229

* * * * *

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:

Wallace K. Maupin, 55 years, American Falls, Idaho, Farmer,

American Falls, Idaho

Ques. 2 Are you acquainted with Arthur W. West and June Gay West, husband and wife
Darwin P. Neibaur and June G. Neibaur, husband and wife,
Barbara Eileen Neibaur, husband and wife, and Grant Elmer Neibaur and the holder of
Permit No. G-31229? Neibaur, husband and wife, and Mack W. Neibaur and Edna H.
How long have you known them and where does they reside?

8 years, American Falls, Power County, Idaho

Ques. 3. Have you read or heard said Permit No. G-31229 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean - utilized by four wells

Give location of place of diversion, showing subdivision, section, township and range
No. Well - SW 1/4 NW 1/4 Sec. 36, T7S., R. 32E.
Home well - NE 1/4 SE 1/4 Sec. 25, T7S., R. 31E.
Center Well - SE 1/4 SE 1/4 Sec. 25, T7S., R. 31E.
So. Well - NE 1/4 NE 1/4 Sec. 36, T7S., R. 31E.

Describe works for conveying water to place of use: ditches, pumps and electric
motor

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 9.69 How much water have you seen being so
conveyed? 9.69

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

See Schedule "A" hereto, attached and by reference made a part
hereof

B31229

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

NONE

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.

Arrid land -

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? Before application for permit was applied for in 1963.
Other times you have seen such use: The water has been in constant use for the irrigation season for the last ten years.

(Signed):

Wahsee J. Morgan

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

Pocatello, County of Bannock, State of Idaho, on this 6th day of July, A. D. 19 68.

Ruth Button

Notary Public for the State of Idaho

Residing Pocatello, Idaho

My commission expires 7/28/71

631229

SCHEDULE "A"

Section 25, Twp. 7 South, Range 31, E.B.M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 6.30 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 31.95 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - .26 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 37.12 acres

Section 36, Twp. 7 South, Range 31, E.B.M.:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 29.87 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 13.54 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 18.44 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 9.75 acres

Section 31, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - .46 acres

Section 30, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 2.45 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34.60 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 3.32 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 36.84 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 19.4 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.28 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 33.06 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9.35 acres

Section 19, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 25.94 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 29.50 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 4.76 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 13.82 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 2.85 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23.64 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - .37 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 28.68 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14.00 acres

Plus thirty-four additional acres located in Sections 19 and 30, a particular description of the acreage is attached hereto as Exhibit "A".

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EXHIBIT "A"

Beginning at the Northwest corner of Section 19, T. 7 S., R. 32 E., B.M.; thence S 89°48' E. on the north line of said section 19, 2633.53 feet; thence South 936.73 feet, to the TRUE POINT OF BEGINNING; thence South 1058.40 feet; thence on curve to the right, having a radius of 600.0 feet and a central angle of 18°16', 191.29 feet; thence S. 18°16' W, 1193.29 feet; thence on curve to the right, having a radius of 3000.0 feet and a central angle of 12°06'30", 633.99 feet; thence S. 30°22'30" W 981.69 feet; thence on a curve to the left, having a radius of 800.0 feet and a central angle of 30°00', 418.88 feet; thence S. 0°22'30" W. 627.17 feet; thence N. 36°12'30" E. 68.40 feet; thence N. 72°46' E. 167.24; thence on curve to left, having a radius of 90.0 feet and a central angle of 27°02', 23.59 feet; thence N. 45°44' E. 32.54 feet; thence on curve to right, having a radius of 1500.0 feet and a central angle of 10°24', 272.26 feet; thence N. 56°08' E. 48.35 feet; thence on curve to left, having a radius of 135.0 feet and a central angle of 43°43', 100.65 feet; thence N. 13°25' E. 122.11 feet; thence N. 8°13'30" E. 329.01 feet; thence on curve to the left, having a radius of 85.0 feet and a central angle of 90°20', 134.01 feet; thence N. 86°06'30" W. 156.09 feet; thence on curve to the right, having a radius of 120.00 feet and a central angle of 82°23', 172.54 feet; thence N. 0°16'30" E. 86.09 feet; thence on curve to the right, having a radius of 75.0 feet and a central angle of 26°33', 34.75 feet; thence No. 26°49' 30" E. 459.10 feet; thence on curve to the right, having a radius of 600.00 feet and a central angle of 12°08'30", 127.15 feet; thence N. 38°58' E. 10.97 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle 42°38', 44.65 feet; thence No. 81°36' E. 94.27 feet; thence on curve to the left, having a radius of 300.0 feet and a central angle of 13°03', 68.33 feet; thence N. 68°33' E. 170.08 feet; thence on curve to the left, having a radius of 180.0 feet and a central angle of 47°31', 149.28 feet; thence N. 21°02' E. 337.28 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 23°16', 101.52 feet; thence N. 2°14' W. 280.63 feet; thence on curve to the right, having a radius of 100.0 feet and a central angle of 32°24', 56.55 feet; thence N. 30°10' E. 338.24 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle of 56°50', 59.60 feet; thence N. 87°00' E. 97.02 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 41°56'30", 183.01 feet; thence N.

B 31229

45°03'30" E. 57.83 feet; thence on a curve to the left, having a radius of 200.0 feet and a central angle of 16°40', 58.18 feet; thence N. 28°23'30" E. 97.39 feet; thence on a curve to the left, having a radius of 40.0 feet and a central angle of 37°20', 25.06 feet; thence N. 8°56'30", 62.87 feet; thence on a curve to the left, having a radius of 165.0 feet and a central angle of 48°19'30", 139.77 feet; thence N. 57°16' W. 34.75 feet; thence on a curve to the right, having a radius of 750.0 feet and a central angle of 1°55', 155.99 feet; thence N. 45°21' W. 166.78 feet; thence on a curve to the right, having a radius of 100.0 feet and a central angle of 31°13', 54.48 feet; thence N. 14°08' W. 284.34 feet; thence on a curve to the left, having a radius of 400.0 feet and a central angle of 30°28', 212.70 feet; thence N. 44°36' W. 62.75 feet; thence No. 13°33' W. 46.00 feet; thence No. 4°52' E. 75.00 feet; thence No. 15°45' E. 194.00 feet; thence N. 2°07' W. 34.00 feet; thence No. 40°40' W. 102.00 feet; to the TRUE POINT OF BEGINNING, same being in Section 19 and 30, T. 7 S., R. 32 E., B.M. and containing 34.0 acres, more or less.

31229

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
Permit No. G-31229

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:

Ira A. Neibaur, 64 years, Michaud, Idaho, Farmer, Star Route,

Pocatello, Idaho

Ques. 2 Are you acquainted with Arthur W. West and June Gay West, husband and wife
Darwin P. Neibaur and June G. Neibaur, husband and wife
Barbara Eileen Neibaur, husband and wife
Grant Elmer Neibaur and the holder of
Permit No. G-31229? How long have you known them and where do they reside?

at least ten years; American Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-31229 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean - utilized by four wells

Give location of place of diversion, showing subdivision, section, township and range
No. Well - SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T7S., R.32E.
Home Well - NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T7S., R.31E.
Center Well - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T7S., R.31E.
So. Well - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 T7S., R.31E.

Describe works for conveying water to place of use: ditches, pumps and electric
motor

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 9.69 How much water have you seen being so conveyed? 9.69

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

See Schedule "A" hereto attached and

by reference made a part hereof

631229

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

NONE

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.

Arrid Land - 9.69 CFS

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? Before application for permit was applied for in 1963.
Other times you have seen such use: The water has been in constant use for the irrigation season for the last ten years.

(Signed):

Geo. A. Neibauer

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

Pocatello, County of Bannock, State of Idaho, on this 6th day of July, A. D. 19 68

Ruth Button

Notary Public for the State of Idaho
Residing Pocatello, Idaho

My commission expires 7/28/71

631229

SCHEDULE "A"

Section 25, Twp. 7 South, Range 31, E.B.M.:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 6.30 acres
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SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 37.12 acres

Section 36, Twp. 7 South, Range 31, E.B.M.:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 29.87 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 13.54 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 18.44 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 9.75 acres

Section 31, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ - .46 acres

Section 30, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 2.45 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34.60 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 3.32 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 36.84 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 19.4 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.28 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 33.06 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9.35 acres

Section 19, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 25.94 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 29.50 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 4.76 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 13.82 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 2.85 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23.64 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - .37 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 28.68 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14.00 acres

Plus thirty-four additional acres located in Sections 19 and 30, a particular description of the acreage is attached hereto as Exhibit "A".

EXHIBIT "A"

Beginning at the Northwest corner of Section 19, T. 7 S., R. 32 E., S.M.; thence S 89°48' E. on the north line of said section 19, 2633.53 feet; thence South 936.73 feet, to the TRUE POINT OF BEGINNING; thence South 1058.40 feet; thence on curve to the right, having a radius of 600.0 feet and a central angle of 18°16', 191.29 feet; thence S. 18°16' W, 1193.29 feet; thence on curve to the right, having a radius of 3000.0 feet and a central angle of 12°06'30", 633.99 feet; thence S. 30°22'30" W 981.69 feet; thence on a curve to the left, having a radius of 800.0 feet and a central angle of 30°40', 418.88 feet; thence S. 0°22'30" W. 627.17 feet; thence N. 36°12'30" E. 68.40 feet; thence N. 72°46' E. 167.24; thence on curve to left, having a radius of 30.0 feet and a central angle of 27°02', 23.59 feet; thence N. 45°44' E. 32.54 feet; thence on curve to right, having a radius of 1500.0 feet and a central angle of 10°24', 272.26 feet; thence N. 56°08' E. 48.35 feet; thence on curve to left, having a radius of 135.0 feet and a central angle of 42°42', 100.65 feet; thence N. 13°25' E. 122.11 feet; thence N. 8°13'30" E. 329.01 feet; thence on curve to the left, having a radius of 85.0 feet and a central angle of 90°20', 134.01 feet; thence N. 86°06'30" W. 156.09 feet; thence on curve to the right, having a radius of 120.00 feet and a central angle of 82°23', 172.54 feet; thence N. 0°16'30" E. 86.09 feet; thence on curve to the right, having a radius of 75.0 feet and a central angle of 26°33', 34.75 feet; thence No. 26°49' 30" E. 459.10 feet; thence on curve to the right, having a radius of 600.00 feet and a central angle of 12°08'30", 127.15 feet; thence N. 38°58' E. 10.97 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle 42°38', 44.65 feet; thence No. 81°36' E. 94.27 feet; thence on curve to the left, having a radius of 300.0 feet and a central angle of 13°03', 68.33 feet; thence N. 68°33' E. 170.08 feet; thence on curve to the left, having a radius of 180.0 feet and a central angle of 47°31', 149.28 feet; thence N. 21°02' E. 337.28 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 23°16', 101.52 feet; thence N. 2°14' W. 280.63 feet; thence on curve to the right, having a radius of 100.0 feet and a central angle of 32°24', 56.55 feet; thence N. 30°10' E. 338.24 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle of 56°50', 59.60 feet; thence N. 87°00' E. 97.02 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 41°56'30", 183.01 feet; thence N.

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45°03'30" E. 57.83 feet; thence on a curve to the left, having a radius of 200.0 feet and a central angle of 16°40', 58.18 feet; thence N. 28°23'30" E. 97.39 feet; thence on a curve to the left, having a radius of 40.0 feet and a central angle of 37°20', 26.06 feet; thence N. 8°56'30", 62.87 feet; thence on a curve to the left, having a radius of 165.0 feet and a central angle of 48°19'30", 139.77 feet; thence N. 57°16' W. 34.75 feet; thence on a curve to the right, having a radius of 750.0 feet and a central angle of 1°55', 155.99 feet; thence N. 45°21' W. 166.78 feet; thence on a curve to the right, having a radius of 100.0 feet and a central angle of 31°13', 54.48 feet; thence N. 14°08' W. 284.34 feet; thence on a curve to the left, having a radius of 400.0 feet and a central angle of 30°28', 212.70 feet; thence N. 44°36' W. 62.75 feet; thence No. 13°33' W. 46.00 feet; thence No. 4°52' E. 75.00 feet; thence No. 15°45' E. 194.00 feet; thence N. 2°07' W. 54.00 feet; thence No. 40°40' W. 102.00 feet; to the TRUE POINT OF BEGINNING, same being in Section 19 and 30, T. 7 S., R 32 E., B.M. and containing 34.0 acres, more or less.

§ 31227

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
PHONE 232-3461
Pocatello, Idaho 83201

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

July 8, 1968

RECEIVED
JUL 10 1968
Department of Reclamation

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

Attention: Mr. Donald W. McEldowney

Re: Permit No. G-31229
Arthur W. West, et al

Dear Mr. McEldowney:

Please be advised that the depositions of the two witnesses and the deposition of holder were taken on July 6, 1968. We have not received the proof of publication on the notice of hearing and for this reason we are keeping all of the depositions in the office until we have received the same.

Yours truly,

JONES, POMEROY & JONES

By

Ralph H. Jones

RHJ rb

631229

Re: Permit No G-31229
Arthur W. West, et al

June 3, 1968

Ralph E. Jones
Jones, Pomeroy & Jones
203 Central Building, Box 610
Pocatello, Idaho 83201

Dear Mr. Jones:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. G-31229.

We have mailed the notice to the Pewer County Press to be published once a week for four consecutive weeks prior to July 6, 1968, which is the hearing date when the permit holder Arthur W. West, et al

and two disinterested witnesses must appear before Ruth Bitten, 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 Jones, Pomeroy & Jones. 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. McKelowney
Appropriation Examiner

DWN:dj

Enc: Depositions

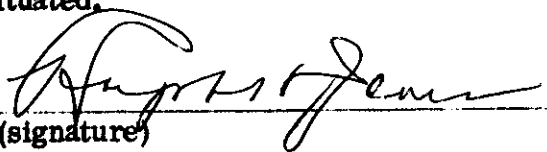
cc: Notary
Applicant

b 31227

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Power County Press of American Falls, Idaho 83211; published in the county in which the works are situated.


(signature)

Attorneys for Applicants

203 Central Building, P.O. Box 610
Pocatello, Idaho 83201
(address)

May 14, 1968
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

31229

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

~~XXXXXXXXXXXX~~

Notice is hereby given that on July 6, 1968, at Pocatello,

County of Bannock, State of Idaho, before notary public (name & address) Ruth Bitton, in the office of Jones, Pomeroy & Jones, at 203 Central Building, Pocatello, Idaho, proof will be

submitted of the completion of works for the diversion of 9.69 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-31229, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Arthur W. West & June Gay West, Husband & wife; Darwin P. and June G. Neibaur, husband & wife; Grant Elmer and Barbara Eileen Neibaur, husband & wife; Mack W. & Edna H. Neibaur, husband & wife, American Falls, 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 9.69 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 9.69 c.f.s.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 7 S, R. 31 E, B.M. and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 7 S, R. 32 E, B.M., Power County.

5. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, Sec. 36, T. 7 S, R. 31 E, B.M. and W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 7 S, R. 32 E, B.M.

6. The date of priority which said user is prepared to establish is July 8, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

G 31229

June 3, 1968

Re: Permit No. G-31229
Arthur W. West, et al

Power County Press
American Falls, Idaho 83211

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to July 6, 1968. The expense of the publication is to paid by Ralph H. Jones, Jones, Pomeroy & Jones, 203 Central Building, P. O. Box 610, Pocatello, Idaho 83201

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
Appropriation Examiner

DWM:dj

Enc: legal notice

6 31229

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
PHONE 232-3461
Pocatello, Idaho 83201

T. O. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

RECEIVED

MAY 15 1968

May 14, 1968

Department of Reclamation

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

Attention: Keith Higginson

Re: Permit No. G-31229
Arthur W. West, et al

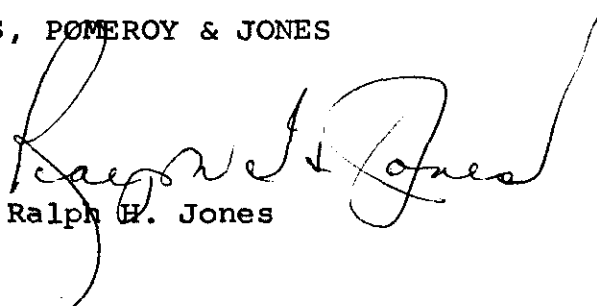
Dear Mr. Higginson:

In compliance with your request, dated May 1, 1968, enclosed is the notice to be published in the Power County Press together with the authorization to publish the notice at our expense in respect to the above entitled matter.

Yours truly,

JONES, POMEROY & JONES

By


Ralph H. Jones

RHJ rb

B 31229

Re: Permit No. G-31229
Arthur W. West, et al

May 1, 1968

Jones, Pomeroy & Jones
P. O. Box 610
Pocatello, Idaho 83201

Gentlemen:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than July 10, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces on both forms, sign the form authorizing us to publish the notice at your expense, and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

State Reclamation Engineer

RE LINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____

Permit Holder

631229

August 19, 1963

Re: Permit No. G-31229
Arthur W. West, Et al

Jones Pomeroy & Jones
Lawyers
Central Bldg, Pocatello, Ida.

Attn: Ralph H. Jones

Dear Mr. Jones:

Returned herewith is the Schedule "A" we received as amendment to the place of use under the noted permit. Also enclosed is a supply of forms to amend the place of use.

Kindly complete one form for this office showing the subdivisions to be irrigated. The description can be for extra lands to be included or to show all lands to be irrigated. The largest subdivision of each section should be used such as half, quarter or half of quarter. The number of acres in each subdivision is not necessary at this time, and should be omitted. No amendment is necessary if the additional land does not include new subdivisions not shown in the permit. Include map on a scale of 2 inches equals one mile.

There is a fee of \$1.00 for recording an amendment

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Schedule "A"
amendment forms
Form O

5 31229

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho
83201

T. D. JONES, DECEASED
O. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

August 16, 1963

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

Attention: Edna P. Rule, Chief Clerk

In re: Permit No. G-31229
Arthur W. West, et al

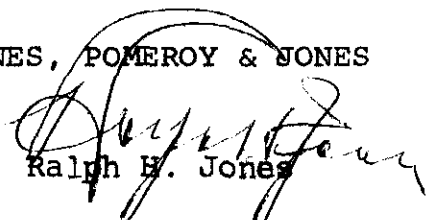
Dear Mrs. Rule:

Arthur W. West and June Gay West, husband and wife, Darwin P. Neibaur and June G. Neibaur, husband and wife, and Grant Elmer Neibaur and Barbara Eileen Neibaur, husband and wife, and Mack W. Neibaur and Edna H. Neibaur, husband and wife, hereby request permission to amend their Application for Permit No. G 39328, Permit No. G 31229, by adding to Paragraph 12 thereof the additional land to be irrigated. The land described is Schedule "A" hereto attached, and by reference made a part of this application to amend.

Yours truly,

JONES, POMEROY & JONES

By


Ralph H. Jones

RHJ pb

631229

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-31229

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: _____

Arthur W. West, American Falls, Farmer, American Falls, Idaho

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: _____

G-31229, July 10, 1963, July 8, 1963

Ques. 4. State source of water supply: Subterranean - utilized by four wells

Give location of point of diversion, showing subdivision, section, township and range
No. Well - SW 1/4 Sec. 30 T7S, R. 32E
Home Well - NE 1/4 Sec. 25, T7S., R. 31E.
Center Well - SE 1/4 Sec. 25, T7S., R. 31E.
So. Well - NE 1/4 Sec. 36. T.7S., R.31E.

Ques. 5. Describe your works of diversion: pumps and electric motors and

ditches; state amount of water they are capable of con-

veying from point of diversion to place of use: 9.69; Give name of canal or ditch

or other works by which water is conducted to such place of use: does not apply

_____; if a well, state depth of well Home 600' + depth and size of

casing see remarks; depth to water Center Well 400' +

state discharge of pumps 9.69 cfs; tell how it was measured or determined So. Well 110' 650'

Weir; if sprinkler irrigation, give number and size

of nozzles and operating pressure: does not apply

Ques. 6. State for what purpose water is used: irrigation See Schedule "A" attached
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: _____)

631229

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

land has become more productive

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Chris Vollmer - deceased

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

does not apply

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:

does not apply

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: see remarks - Time used since first use:

see remarks

Ques. 10. Describe all other water rights appurtenant to same place of use:

NONE

(sign) Arthur W. West.

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

Pocatello, Bannock

County of Bannock

State of Idaho, on this 6th day of July, A. D. 1968.

My commission expires: 7/28/71

Ruth Bilton
Notary Public for Idaho
Residing at Pocatello, Idaho

Remarks: Questions 5 (casing) and 9:

Unable to give exact information because the records of the well driller who drilled the wells were destroyed by fire. All that applicant can say is that the casing is large enough to carry the amount of water heretofore pumped out of each well.

631229

SCHEDULE "A"

Section 25, Twp. 7 South, Range 31, E.B.M.:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 6.30 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 31.95 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - .26 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 37.12 acres

Section 36, Twp. 7 South, Range 31, E.B.M.:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 29.87 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 13.54 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 18.44 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 9.75 acres

Section 31, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - .46 acres

Section 30, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 2.45 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34.60 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 3.32 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 36.84 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 19.4 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.28 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 33.06 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9.35 acres

Section 19, Twp. 7 South, Range 32, E.B.M.:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 25.94 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 29.50 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 4.76 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 13.82 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 2.85 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23.64 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - .37 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 28.68 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14.00 acres

Plus thirty-four additional acres located in Sections 19 and 30, a particular description of the acreage is attached hereto as Exhibit "A".

31229

EXHIBIT "A"

Beginning at the Northwest corner of Section 19, T. 7 S., R. 32 E., B.M.; thence S 89°48' E. on the north line of said section 19, 2633.53 feet; thence South 936.73 feet, to the TRUE POINT OF BEGINNING; thence South 1058.40 feet; thence on curve to the right, having a radius of 600.0 feet and a central angle of 18°16', 191.29 feet; thence S. 18°16' W, 1193.29 feet; thence on curve to the right, having a radius of 3000.0 feet and a central angle of 12°06'30", 633.99 feet; thence S. 30°22'30" W 981.69 feet; thence on a curve to the left, having a radius of 800.0 feet and a central angle of 30°00', 418.88 feet; thence S. 0°22'30" W. 627.17 feet; thence N. 36°12'30" E. 68.40 feet; thence N. 72°46' E. 167.24; thence on curve to left, having a radius of 50.0 feet and a central angle of 27°02', 23.59 feet; thence N. 45°44' E. 32.54 feet; thence on curve to right, having a radius of 1500.0 feet and a central angle of 10°24', 272.26 feet; thence N. 56°08' E. 48.35 feet; thence on curve to left, having a radius of 135.0 feet and a central angle of 42°43', 100.65 feet; thence N. 13°25' E. 122.11 feet; thence N. 8°13'30" E. 329.01 feet; thence on curve to the left, having a radius of 85.0 feet and a central angle of 90°20', 134.01 feet; thence N. 86°06'30" W. 156.09 feet; thence on curve to the right, having a radius of 120.00 feet and a central angle of 82°23', 172.54 feet; thence N. 0°16'30" E. 86.09 feet; thence on curve to the right, having a radius of 75.0 feet and a central angle of 26°33', 34.75 feet; thence No. 26°49' 30" E. 459.10 feet; thence on curve to the right, having a radius of 600.0 feet and a central angle of 12°08'30", 127.15 feet; thence N. 38°58' E. 10.97 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle 42°38', 44.63 feet; thence No. 81°36' E. 94.27 feet; thence on curve to the left, having a radius of 300.0 feet and a central angle of 13°03', 68.33 feet; thence N. 68°33' E. 170.08 feet; thence on curve to the left, having a radius of 180.0 feet and a central angle of 47°31', 149.28 feet; thence N. 21°02' E. 337.28 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 23°16', 101.52 feet; thence N. 2°14' W. 280.63 feet; thence on curve to the right, having a radius of 100.0 feet and a central angle of 32°24', 56.55 feet; thence N. 30°10' E. 338.24 feet; thence on curve to the right, having a radius of 60.0 feet and a central angle of 56°50', 59.60 feet; thence N. 87°00' E. 97.02 feet; thence on curve to the left, having a radius of 250.0 feet and a central angle of 41°56'30", 183.01 feet; thence N.

45°03'30" E. 57.83 feet; thence on a curve to the left, having a radius of 200.0 feet and a central angle of 16°40', 58.18 feet; thence N. 28°23'30" E. 97.39 feet; thence on a curve to the left, having a radius of 40.0 feet and a central angle of 37°20', 26.06 feet; thence N. 8°56'30", 62.87 feet; thence on a curve to the left, having a radius of 165.0 feet and a central angle of 48°19'30", 139.77 feet; thence N. 57°16' W. 34.75 feet; thence on a curve to the right, having a radius of 750.0 feet and a central angle 31°55', 155.99 feet; thence N. 45°21' W. 166.78 feet; thence on a curve to the right, having a radius of 100.0 feet and a central angle 31°13', 54.48 feet; thence N. 14°08' W. 284.34 feet; thence on a curve to the left, having a radius of 400.0 feet and a central angle 30°28', 212.70 feet; thence N. 44°36' W. 62.75 feet; thence No. 13°33' W. 46.00 feet; thence No. 4°52' E. 75.00 feet; thence No. 15°45' E. 194.00 feet; thence N. 2°07' W. 54.00 feet; thence No. 40°40' W. 102.00 feet; to the TRUE POINT OF BEGINNING, same being in Section 19 and 30, T. 7 S., R 32 E., B.M. and containing 34.0 acres, more or less.

531229

July 16, 1963

Re: Permit No. G-31229
Arthur W. West, et al

Jones, Pomeroy & Jones,
Lawyers,
P. O. Box 610,
Pocatello, Idaho.

Gentlemen:

We enclose Permit No. ~~G-31229~~ 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-3072~~ which was issued covering payment in the amount of \$ ~~7.25~~ for the filing fee of the above mentioned permit. ~~was mailed~~ to you with our letter of July 8, 1963.

Very truly yours,

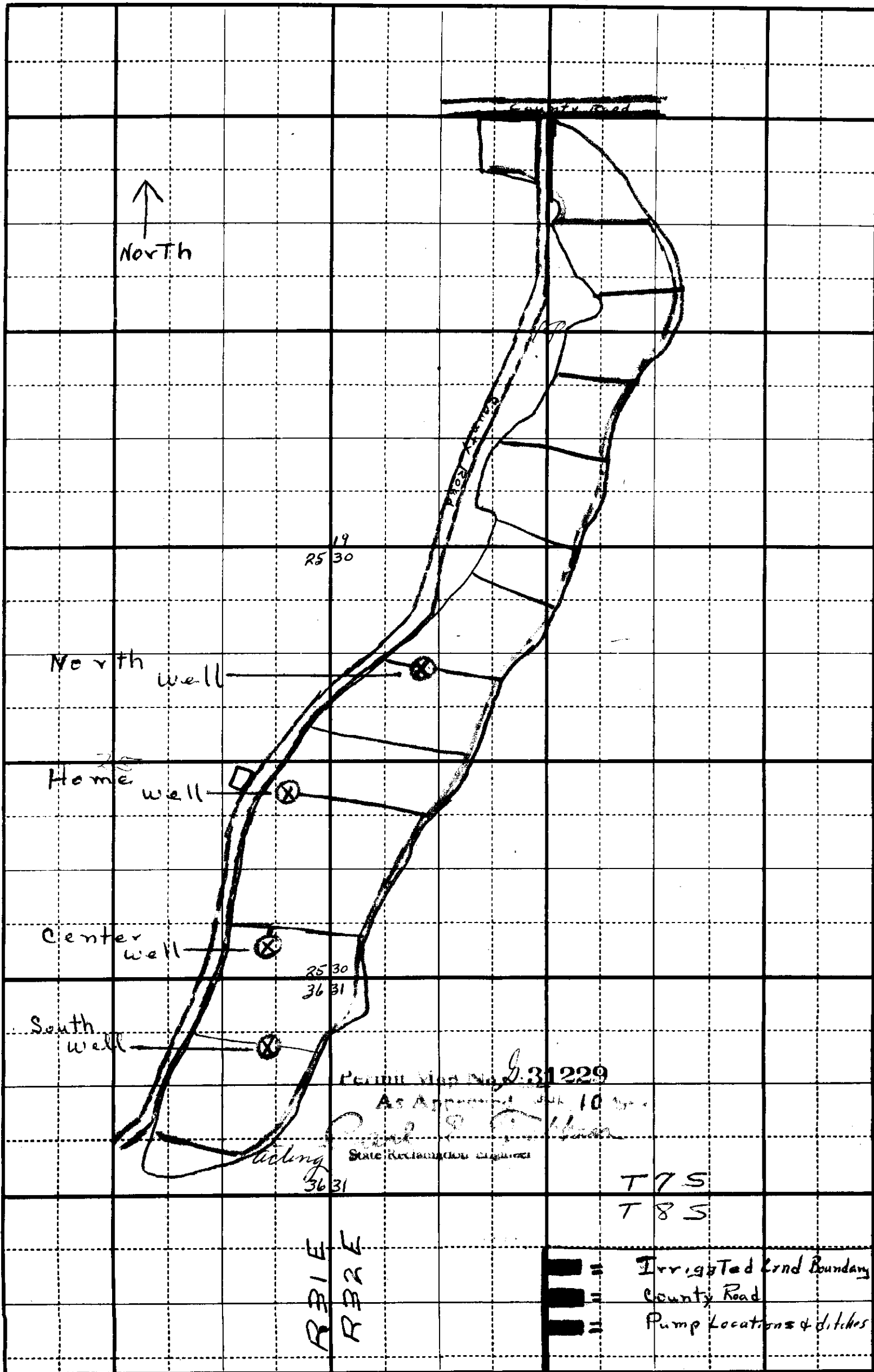
~~GEO. N. CARTER~~
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. --

cc: Arthur West, et al
American Falls, Idaho

231229



SCALE: $\frac{1}{4}$ Inches Equal 1 Mile. Draw Plan in Ink.

4

31229

July 8, 1963

Re: Application No. 39328
Arthur W. West et al

Jones, Pomeroy & Jones
Box 610
Pocatello, Idaho

Attention Ralph H. Jones

Dear Mr. Jones:

The application for permit is being approved as you requested.
Enclosed is receipt No. G-8072 for \$7.25 fee.

You show in your letter that there is additional land which
can be included. That should be included by amendment prior
to making proof of completion of works, if the wells produce
as indicated.

The Bureau of Reclamation, Michand Flats Project, shows
maximum need for water is slightly less than one miners inch
per acre. That allows 54% farm efficiency and 29% loss
in canal.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:vj

encl receipt No. G-8072

631229

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
G. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

July 5, 1963

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

Attention: Ralph W. Thomas, Deputy State Reclamation Engineer

In re: Application for Permit - Arthur W. West, et al.

Dear Sir:

In compliance with your letter of April 30, 1963, in the above captioned matter, we have again rechecked our application and find that the south well is located in the NE¹/₄NE¹/₄ of Sec. 36, and the correction has been made in the application we are enclosing herewith together with our check in the sum of \$7.25.

We appreciate that the statutes provide a limited amount of water allowed by your office unless we can show full justification of the need for additional water. In this particular application we expect to be able to prove that the character of the soil, the climate and various other conditions make more than one cubic inch of water to the acre necessary. Detailed proof will be furnished your Department in this regard, when proof is required.

Wish to say that in the event your Department feels that one inch of water to the acre is sufficient to the land in question at the time of hearing the evidence, that there will be an additional 40 acres in the same area that requires water, and also are leasing more than 20 acres in this vicinity, which will require water; and if necessary, we will either make application to amend this application for a permit or file a new application for any excessive water that may be available from said wells.

Yours truly,
JONES, POMEROY & JONES

By

Ralph H. Jones

RHJ pb

631229

LEGAL NOTICE

Published in The Power County
Press June 6, 13, 20 and 27, 1968.

NOTICE OF PROOF OF COM- PLETION OF WORKS AND AP- PLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that on July 6, 1968, at Pocatello, County of Bannock, State of Idaho, before notary public Ruth Bitton, in the office of Jones, Pomeroy & Jones, at 203 Central Building, Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 9.69 c.f.s. of the waters of subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-31229, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Arthur W. West & June Gay West, Husband & wife; Darwin P. and June G. Neibaur, husband & wife; Grant Elmer and Barbara Eileen Neibaur, husband & wife; Mack W. & Edna H. Neibaur, husband & wife, American Falls, 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 9.69 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 9.69 c.f.s.

4. The point of diversion of said water is NE1/4SE1/4, SE 1/4SE1/4, Sec. 25; NE1/4 NE1/4, Sec. 36, T. 7 S, R. 31 E, B.M. and SW1/4NW1/4, Sec. 30, T. 7 S, R. 32 E, B.M., Power County.

5. The place where said water is used is SE1/4NE1/4, NE1/4 SE1/4, S1/2SE1/4 Sec. 25; NE1/4, Sec. 36, T. 7 S, R. 31 E, B.M. and W 1/2NE 1/4, SE 1/4NE 1/4, NE 1/4NW 1/4, E 1/2SW 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4, Sec. 19; NW 1/4NE 1/4, NW 1/4, N 1/2SW 1/4, SW 1/4SW 1/4, Sec. 30; NW 1/4NW 1/4, Sec. 31, T. 7 S, R. 32 E, B.M.

6 The date of priority which said user is prepared to establish is July 8, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

April 30, 1963

Re: Application for Permit
Arthur W. West, et al

9-31229

Jones, Pomeroy & Jones,
Attorneys at Law,
Box 610,
Pocatello, Idaho.

Attention: Lamont Jones

Gentlemen:

Returned herewith is the Application for Permit, with
attached check for \$7.25.

As noted in my letter of April 23rd, the location of
the south well, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, does not appear to check the
map which shows NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36. I also noted that the statutes
provide a limit to the amount of water allowable by this office
and the amount claimed will have to be reduced to 8.63 C.F.S.,
without full justification for need of additional water. Such
justification may be shown in a letter.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Encl. - Application for Permit
Check No. 20515

RWT:ew

9-31229

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
G. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

April 29, 1963

Department of Reclamation
107 State House
Boise, Idaho

Attention: Ralph W. Thomas

In re: Application for Permit Arthur W. West et al.

Dear Mr. Thomas:

Thank you for your letter of April 23, 1963, in reference to the West et al, Application for Permit. We have redone the application adopting the suggestions outlined in your letter, and again have filed on 9.69 cubic feet of water. This amount of water has been used on the land and we will attempt to justify this amount during the field examination by your department.

Also enclosed please find our check in the sum of \$7.25.

Best regards.

Respectfully,

JONES, POMEROY & JONES

By

Lamont Jones
Lamont Jones

LJ pb

B 31229

April 23, 1963

Re: Application for Permit
Arthur W. & June Gay West; Darwin P. & June
Neibaur; Grant Elmer & Barbara Eileen Neibaur
Mark W. and Edna H. Neibaur

Jones, Pomeroy & Jones
Attorneys at Law
Box 610, Pocatello, Idaho

Attn: Lamont Jones

Dear Mr. Jones:

Returned herewith is the application for permit with attached
check for \$6.25.

The filing fee for 9.69 cubic feet per second is \$7.25. The
number of acres shown under 12 on page two is 431.55 and as one
miner's inch is the maximum allowable without full justification for additional
water, the maximum allowable is 8.63 cubic feet per second for which the
filing fee is \$7.00.

The answers under 2 and 4 are voluminous and should be
shown under Remarks. The amount of water from each well could be
eliminated if the land is owned jointly by the applicants. Such amounts
would limit the amount which could be allowed for each well and conditions
could be changed before the field examination by this department. The
location of the south well does not appear to check the maps.

Kindly correct as necessary and return with the proper filing
fee for processing.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with attached
check

\$ 31229

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
D. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

April 22, 1963

Department of Reclamation
State of Idaho
Boise, Idaho

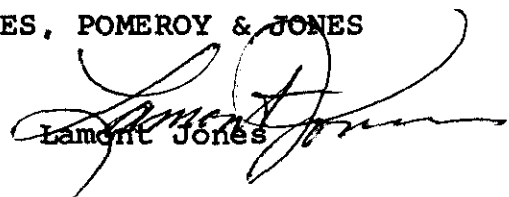
Gentlemen:

Please find enclosed an Application for Permit
to appropriate subterranean waters for Arthur W. West et al.
We have also enclosed our check in the sum of \$6.25 as the
necessary fees for filing said application.

Sincerely,

JONES, POMEROY & JONES

By


Lamont Jones

LJ pb

531229