

WATER LICENSE

Water License No. G-29951/29-2449 Priority November 3, 1961 Amount 2.22 c. f. s.
(late proof)

THIS IS TO CERTIFY, that JAMES W. MABEY
of Bancroft, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated July 14, 1961; that Permit G-29951/29-2449 was issued pursuant
to said application; that the proposed works were completed on or about July 1967
with a storage/or carrying capacity of 2.22 c. f. s., said works consisting of
well, pump, motor, and sprinkler system; and that on December 20, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 474
acre feet per season, with a maximum rate of diversion of 2.22 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW 1/4 SW 1/4, Sec. 3, T. 8 S., R. 38 E., B.M., and
other additional points _____, in the County of
Caribou; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 474 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8 S	38 E	3									7	36							43
		4													38		38	39	115

Total number of acres irrigated 158

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of August, 19 69.

[Signature]
State Reclamation Engineer

29951
29-2449

29-2449

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37971
Permit No. G- 29951
District No.

1. Name of Applicant: James W. Mabey
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed: 3.72 cubic feet per second
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3
 Twp. 8 S , Rge. 38 E , B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well
8. Estimated cost of works: \$ 5,000
9. (a) Is reservoir to be used? no
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash 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:
 Dist. No. 17 Right No. 98 and 100
 (a) 3.2 cu.ft. (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) 26 ~~miners~~
 inch (cubic feet per second, inches or gallons per minute) is for new lands.

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

s/ James W. Mabey

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 2:30 P.M. July 14, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29951

Recorded in Book 105 Page 29951 Approved July 18, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

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

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 18, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 18, 1966

Witness my hand this 18th day of July, 1961

s/ GEO. N. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th
day of January, 19 61.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ROBERT E. SMYLIE
Governor

By s/ ARNOLD WILLIAMS
Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals	
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄		
8 S	38 E	3 4										10	16	40		40		40	40	66 120
																				TOTAL 186
			EXTENSION OF TIME ✓																	
			I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby extend time for the completion of works under Permit to Appropriate the Public Waters of the State of Idaho No. G-29951 to September 1, 1967. Witness my hand this 17th day of August, 1966.																	
			/s/ R. KEITH HIGGINSON, Deputy State Reclamation Engineer																	
			Recorded: August 17, 1966.																	
			LICENSE ISSUED FOR 2.22 SEC. FT. LICENSE PAGE NO. _____																	

MEMORANDUM

TO: File 29-02449
FROM: Donna Corless
RE: TRANSFER # 3820
DATE: August 6, 1993

=====

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within file
29-00131.

This transfer was denied July 30, 1993.

August 13, 1969

Re: Permit No. G-29951

Mr. James W. Mabey
Bancroft,
Idaho 83217

Dear Mr. Mabey:

Enclosed is your Water License issued on the above numbered permit.

Also enclosed is departmental receipt No. 3484 in the amount of \$15.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

2995/
29-2449

Bancroft Idaho
Aug 10, 1969

Dear Sir,

The letter you wrote me
dated July 10 was just received
last night. It was mislaid
among some papers and I just
found it yesterday.

I am sending the \$15.00
as requested and I sincerely hope
you will accept it and send me my
permit.

I apologize for being so
careless.

RECEIVED

AUG 11 1969

Department of Reclamation

Sincerely yours
James W. Mabey

299.51

29-2449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-29951

This proof is for Completion of Works and Beneficial Use In Water District No.

1. Name of applicant James W. Mabey

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3
T. 8 S R. 38 E County of Caribou

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

100 HP US HOUSEHAFI # 1401408
1/2 B VTP # D15958 1000 gpm 3.4' D70RAM
8" DISCHARGE - CV CV INTO TEE & 4" 6" TO HOUSE
FAST - 6" 1/2 TIE 8" 1/2 - SPRINKLER SYSTEM

5. Water is used for: irrigation

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

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

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 3; E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 4, T. 8 S. R. 38 E, B.M.

CROWN - MAX. 3200 (22 AC) & PASTURE

186 acres

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

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

Remarks: 618-7814

HEL BROWN OF GACE TEST - 1800 gpm

PUMP DATA - 2.22 cfs

DEPOSITIONS - 2.68 cfs

IRRIGATION REQUIREMENT = 3.0 AC-FT PER FT (Season)

WAS USED
100 - 700 W 1/4" RAINBIRD @ 40 lbs $Q_1 = \frac{(11.5 \text{ gpm})(16 \text{ NO2})}{40 \text{ lbs}} = 4.1$
100 - 3/4" RAINBIRD 30W @ 45 lbs $Q_2 = \frac{(8.07 \text{ gpm})(100 \text{ NO3})}{45 \text{ lbs}} = 1.8$
W.C. 35' DD. TO 60'

This examination was made on the day of AUG 19 1968

(Signed) Jan Reynolds Examiner.

29951 P1
29-2449

James W. Mabey
Bancroft, Idaho

Permit No. G-29951

Examination for Completion of Works and Beneficial Use

County Caribou

Quantity: Sec. 3 T. 8S R. 38E

3.72 c.f.s.

Source: 29-
subterranean

P.D.: SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 3, T. 8 S, R. 38 E, B.M.

Use: irrigation

Extension: yes c/w September 1, 1967

Protest:

Completion of Works:

Other Rights: District #17 Right No. 98 and 100

Filed: July 14, 1961

Due: July 18, 1966 extension to September 1, 1967

Made: December 20, 1967

Priority: November 3, 1961
(late proof)

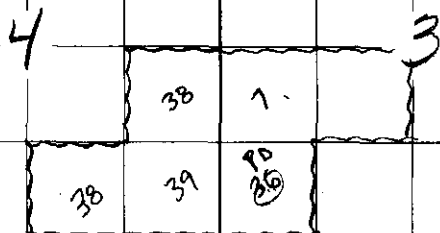
irrigation of 160 acres
well, electric motor
149 x 12
H - 30
Q - 1200 gpm
116-8 gallon - 37#

INSTRUCTIONS TO EXAMINERS

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

R 38 E

T 8 S



15

11 3

158

AREA - 158 ACRES

SURF - 5
2. RP

Q - 2.20 C.P.S. ^{air}

VOL - 471 AC-FT / SEASON

PRIORITY - (WATER PROOF)

~~December 16, 1962~~

~~NOV. 3, 1961~~

November 3, 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29951

REPORT ON PROOF OF Completion of Works and Beneficial Use

29951
29-2449

July 10, 1969

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho 83217

29951

Dear Mr. Mabey:

A representative of this department has made an examination of the works covered by your Permit G-29951 and has found the following:

Quantity of water diverted: 2.22 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.25 c.f.s.

The maximum quantity diverted shall not exceed 474 acre feet per season.

Purpose of use: Irrigation of 158 acres in NW 1/4 SW 1/4 Sec. 3, T. 8S, R. 38E; NE 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4, Sec. 4, T. 8S, R. 38E.

The priority date established is: November 16, 1962 (late proof)

A fee totaling \$ 15.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA/wh

29951
29-2449

July 10, 1969

Re: Permit No. S-29951

James W. Mabey
Banscroft, Idaho 83217

Dear Mr. Mabey:

A representative of this department has made an examination of the works covered by your Permit S-29951 and has found the following:

Quantity of water diverted: 2.22 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.22 c.f.s.

The maximum quantity diverted shall not exceed 47% acre feet per season.

Irrigation of 150 acres in Middle Fork, Sec. 3,
Part 30, of 300, - Middle Fork, Sec. 4, T. 20, N. 30E.

The priority date established is: November 13, 1968 (late proof)

A fee totaling \$ 15.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CEA/wh

29951
29-2449

January 24, 1968

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho 83217

Dear Mr. Mabey:

We acknowledge receipt of the depositions and affidavit of publication in the
Caribou County Sun submitted as proof of com-
pletion of works and beneficial use on Permit G-29951.

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. McElowney
Water Rights Clerk

DWN:dj

exam typed

29951

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Soda Springs, Idaho

RECEIVED

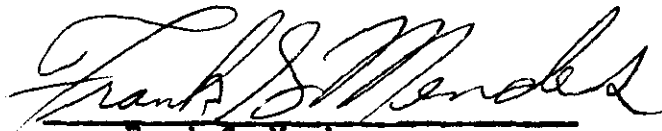
JAN 23 1968

Department of Reclamation

January 22, 1968

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho

Due to commitment of having office day for the Farmers Home
Administration in Montpelier, Idaho on December 21, 1967,
I was unable to notarize affidavits for James W. Mabey of
Bancroft, Idaho on that date.


Frank S. Mendes

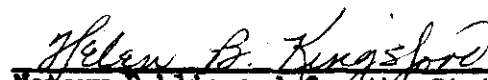
ACKNOWLEDGMENT

STATE OF Idaho)
COUNTY OF Caribou) ss

On this 22nd day of January in the year of
1968, before me, the undersigned, a Notary Public, personally
appeared Frank S. Mendes known to me to be the person
whose name is subscribed to the within instrument, and acknowledged
to me that he executed the same.

IN WITNESS WHERE, I have hereunto set my hand and seal the
day and year last above written.

(SEAL)


Notary Public and for the State of Idaho
Residing at Soda Springs, Idaho

My commission expires: August 14, 1969.

29951

January 17, 1968

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho 83217

Dear Mr. Mabey:

We have received the depositions and affidavit of publication submitted as proof for the above referenced permit. However, it is noted that the depositions were not taken on the advertised date, December 21, 1967, but on December 20, 1967.

It is necessary that we have a statement from the notary public, Frank S. Mendes, stating why the depositions were not taken on December 21, 1967, if his office was open on that date, and whether or not any protests were offered or received. The statement must be notarized by a second notary.

Please submit the affidavit promptly.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJ

Enc: Receipt for advertising

29951

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29951

RECEIVED
JAN 11 1966
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: James W. Mabey Bancroft, Idaho Farmer

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-29951 July 18, 1961 July 14, 1961

Ques. 4. State source of water supply: Well

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

S.W. 1/4 SW 1/4 Sec 3 T8S R38E BM

Ques. 5. Describe your works of diversion: 100 H.P. Electric Motor pumping into 6 in main going 2 ways; state amount of water they are capable of conveying from point of diversion to place of use: 3.22 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: None

_____; if a well, state depth of well 149; depth and size of casing 12 in casing 149 ft.; depth to water 30 ft; if pump is used, state discharge of pump: 1200 GPM; tell how it was measured or determined estimated

_____; if sprinkler irrigation, give number and size of nozzles and operating pressure: 116 8 ft/100 Nozzles @ 37 lbs

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

(SW 1/4 & SE 1/4 20 acres) (E 1/2 & SE 1/4 80 acres) S. 4, T. 8S R38E
(NW 1/4 SW 1/4 20 acres) (SW 1/4 of SW 1/4 40 acres) Sec 3. T8S
R38-E. B.M.

Joan Bortz

29951

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

improved crop production

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

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

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

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: July 1000 gals per minute Time used since first use: July, Aug, Sept.

Ques. 10. Describe all other water rights appurtenant to same place of use: Right No 98 and No 100 in Water District No 17

(sign) Jama W. Mabey

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

Soda Springs, County of Caribou

State of Idaho, on this 20 day of December, A. D. 1967.

My commission expires: 11/8/70

Frank B. Mendenhall
Soda Springs Idaho.

RECEIVED

STATE OF IDAHO

JAN 11 1968

DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G-29951

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:

Stanley Whistler Age 21, Banery, Idaho, College Student, R.F.D. R. 1

Ques. 2 Are you acquainted with James Mabey, the holder of Permit No. G-29951? How long have you known him and where does he reside?

10-15 years - Banery, Idaho

Ques. 3. Have you read or heard said Permit No. G-29951 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Well

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

S.W. 1/4 S.W. 1/4 Sec. 3 T 8 S R 38 E B.M.

Describe works for conveying water to place of use: 100 H.P. Electric Motor

into 6 in. main going two ways.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: estimate - 1,200 gal per min.

How much water have you seen being so conveyed? 1,000 gal. per min.

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

(S.W. 1/4 of S.E. 1/4 20 Acres) (E 1/2 of S.E. 1/4 80 Acres)
(Sec. 4, T. 8 S R 38 E.) (N 1/2 of S.W. 1/4 20 Acres)
(S.W. 1/4 of S.W. 1/4 40 Acres) (Sec. 3, T 8 S
R 38 E, B.M.)

29951

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

A supplement for Peled creek

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?

(July 1967) 1000 gal per min.

Other times you have seen such use:

Throughout the Summer

(Signed):

Stanley Williams

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 Soda Springs

Caribou, County of Caribou, State of Idaho, on

this 20 day of December, A. D. 1967

Frank S. Morda

Notary Public for the State of Idaho

Residing Soda Springs Idaho

My commission expires

11/8/70

29951

RECEIVED

JAN 11 1965

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29951

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:

Joseph Peter Eliason - 35, Bancroft, Idaho,
Farmer, P.O. Box 487 Bancroft, Idaho

Ques. 2 Are you acquainted with James W. Mabey, the holder of
Permit No. G-29951? How long have you known him and where does he reside?

10 years, He resides at Bancroft, Idaho

Ques. 3. Have you read or heard said Permit No. G-29951 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: Well

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

S.W. 1/4 SW 1/4 Sec 3 T8S R 38E B.M.

Describe works for conveying water to place of use: 100 H.P. Electric Motor Pumping
into 6 in main going two ways

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1200 GPM (estimate) How much water have you seen being so
conveyed? 1200 GPM (estimate)

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

(SW 1/4 of SE 1/4 80 Acres) (E 1/2 of SE 1/4 80 Acres) S. 4, T8S
R 38E (N 1/2 of SW 1/4 80 Acres) (SW 1/4 of SW 1/4 40 Acres)
Sec. 3 T8S R 38E B.M.

29951

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

A Supplement for water from Pebble Creek

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? July 1967

Other times you have seen such use: Throughout the summer

(Signed):

Joseph Peter Elson

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 Soda Springs

Caribou, County of Caribou, State of Idaho, on

this 20 day of December, A. D. 19 67

Frank S. Mertes

Notary Public for the State of Idaho

Residing Soda Springs Idaho

My commission expires

11/8/70

29951

RECEIVED

Department of Reclamation

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry
being first duly sworn on his
oath, states:

That he is Publisher....
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for four.....
successive weekly issues thereof,
the date of the first publication

being the 23d..... day

of ...November....., 19.67.

The date of the last publication

being the 14th..... day of

.....December....., 19..67

X *V. E. Lansberry*

Subscribed and sworn to be-

fore me this .20th..... day

of December....., 1967.

David J. Lansberry

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

27 day of Oct.....,

1970..

James Mabley 29951

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Hartsberry
being first duly sworn on his
oath, states:

That he is publisher....
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for four.....
successive weekly issues thereof,
the date of the first publication

being the 23d..... day

of November....., 1967

The date of the last publication

being the 14th..... day of

.....December....., 1967

X V. E. Hartsberry

Subscribed and sworn to be-
fore me this day

of 1967

.....Notary Public, residing at

Soda Springs, Idaho.

(SEAL)

My Commission expires the

.....day of 1967

1967

James Mabey 29951

PUBLIC NOTICE

FIRST TIME PUBLISHED

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on
December 21, 1967, at Soda
Springs, County of Caribou, State
of Idaho, before notary public
Frank S. Mendes, Soda Springs,
Idaho, proof will be submitted
of the completion of works for
the diversion of 3.72 c.f.s. of the
waters of a well, and the appli-
cation to beneficial use of said
water, in accordance with the
terms and conditions of permit
G-29951, heretofore issued by the
Department of Reclamation of
the State of Idaho.

1. The name and address of
permit holder is James W. Mabey,
Bancroft, Idaho.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is 3.72 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 3.72 c.f.s.

4. The point of diversion of
said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3,
T. 8 S, R. 38 E, B.M.

5. The place where said water
is used is N $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 3; E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
4, T. 8 S, R. 38 E, B.M.

6. The date of priority which
said user is prepared to establish
is July 14, 1961.

R. KEITH HIGGINSON
State Reclamation
Engineer

N23-30, D7-14

November 8, 1967

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho

Dear Mr. Mabey:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-29951.

We have mailed the notice to the Caribou County Sun to be published once a week for four consecutive weeks prior to December 21, 1967, which is the hearing date when the permit holder

James W. Mabey and two disinterested witnesses must appear before Frank S. Mendes, 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 James W. Mabey. 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. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

29951

November 8, 1967

Re: Permit No. G-29951
James W. Mabey

Caribou County Sun
Soda Springs, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to December 21, 1967. The expense of the publication is to paid by James W. Mabey, Bancroft, Idaho

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

29951

Form 36

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

Notice is hereby given that on December 21, 1967 at Soda Springs,
County of Caribou, State of Idaho, before notary public (name & address) Frank S. Mendes, Soda Springs, Idaho, proof will be
submitted of the completion of works for the diversion of 3.72 c.f.s. of the waters
of a well, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-29951, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is James W. Mabey, Bancroft,
Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
3.72 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 3.72 c.f.s.
4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 8 S, R. 38 E, B.M.
5. The place where said water is used is N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3; E $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 8 S, R. 38 E, B.M.
6. The date of priority which said user is prepared to establish is July 14, 1961.

R. KEITH HIGGINSON

State Reclamation Engineer

29951

(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 Caribou County Sun of Soda Springs, Idaho; published in the county in which the works are situated.

James W. Mabey
(signature)

Bancroft Idaho
(address)

Oct 21, 1967
(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

November 2, 1967

Re: Permit No. G-29951

James W. Mabey,
Bancroft, Idaho

Dear Mr. Mabey:

We are in receipt of your notice of intent to prove completion of works and application of water to beneficial use; however, they are not acceptable until you complete the form 36 as requested in our letter enclosed with them.

Please enter the date that you will appear before the notary public. This date must be 40 days from the date we receive them. Also please enter the place (town and county) where you will appear before the notary, and the notary's name and full address.

We are enclosing the instruction sheet for your use. Please contact us if you have any questions.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Returning forms 36 and 11
Instruction form 36A

29951

15
NOV 2 1967

Bancroft Idaho
Oct 31, 1967

Dear Sir;

I would like to complete
the filing on my well and
permit if it is not too late.

I completed the well
and used the water from the start
of July until the first of Sept.

I should have sent there
paper in but neglected to do so.

Sincerely yours,
James W. Mabey

29951

October 25, 1967

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho 83217

Dear Mr. Mabey:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit G-29951 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit proof of completion of works and beneficial use due September 1, 1967,

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 State Reclamation Engineer on or before December 4, 1967, why said permit should not be cancelled.

Permit G-29951 claims the use of 3.72 cubic feet per second of water. The point of diversion was to be located SW~~1~~SW~~4~~, Sec. 3,
T. 8 S, R. 38 E, B.M., Caribou Co., and the permit was approved
July 18, 1961.

State Reclamation Engineer

Copy to: Farmers Home Administration
Soda Springs, Idaho

29951

Re: Permit No. G-29951

June 30, 1967

MR. James W. Mabey
Bancroft, Idaho 83217

Dear Mr. Mabey:
Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than _____.

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 and 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

RELINQUISHMENT

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 _____.

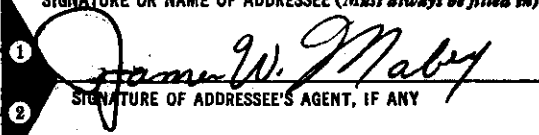
permit holder

29951

INSTRUCTIONS TO DELIVERING EMPLOYEE		
☐ Show to whom and date delivered	☐ Show to whom, date, and address where delivered	☐ Deliver ONLY to addressee
(Additional charges required for these services)		

RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 
CERTIFIED NO. 19577	
INSURED NO.	
DATE DELIVERED 10.2.67	SHOW WHERE DELIVERED (only if requested)

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 29, 1967

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho

Dear Mr. Mabey:

Under the terms of your Permit No. G-29951 you are required to complete your diversion works on or before Sept. 1, 1967. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

29951

November 8, 1966

RE: Permit G-29951
James W. Mabey

Frank S. Mendes
County Supervisor
Farmers Home Administration
Soda Springs, Idaho

Dear Mr. Mendes:

As requested by your letter of November 7, we have marked the above permit in order that no assignments or amendments will be recorded without first notifying your office. Mr. Mabey was granted an extension of time for completion of works and beneficial use until September 1, 1967.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

29951

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Soda Springs, Idaho

RECEIVED
NOV 8 1966
Department of Reclamation

November 7, 1966

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

Dear Sir:

The Farmers Home Administration has made a real estate loan to James M. Mabey of Bancroft, Idaho. This land is irrigated from a well, Water Permit No. G-29951. It is our understanding that Mr. Mabey has obtained an extension on the permit as outlined in your memorandum to Mr. Mabey of May 2, 1966.

The water right under the above permit has been mortgaged to the United States, and Mr. Mabey agrees that he will not assign or amend the permit without the consent of the Farmers Home Administration.

Sincerely yours,



Frank S. Mendes
County Supervisor

9-1-67

29951

Sept. 1, 1966

Re: Permit No. G-29951

James W. Mabey
Bancroft, Idaho

Dear Mr. Mabey:

When the pre-cancellation notice was mailed out the copy of your extension had not reached your permit file so was an error on our part.

Your extension has now been recorded and your permit is in good standing.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

29951

RECEIVED
AUG 30 1966

Department of Reclamation

Barcroft, Idaho

Aug 26 1966

Dear Sir,

In reply to your letter of Aug
25, 1966. Concerning Permit No. G-29951
You stated that said Permit
is up for cancellation.

I applied for an extension on
said permit and it was approved by
you on Aug 17. (to be extended till
Sept 1, 1967)

Do you need any more information
for this extension would you please
let me know. I really do need to
get this well into production.

Sincerely yours,
James W. Mabey

29951

INSTRUCTIONS TO DELIVERING EMPLOYEE		
☐ Show to whom and when delivered	☐ Show to whom, when, and address where delivered	☐ Deliver ONLY to addressee
(Additional charges required for these services)		

RECEIPT

Received the numbered article described below.

REGISTERED NO.	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 19237	
INSURED NO.	
DATE DELIVERED 8-1-66	SIGNATURE OF ADDRESSEE'S AGENT, IF ANY 29951

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

August 25, 19 66

Re: Permit No. G- 29951

To James W. Mabey
Bancroft, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29951 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works and Beneficial Use Proofs, due July 18, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29951 is hereby held for cancellation.

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

SAID PERMIT NO. G- 29951 claims the use of 3.72 cubic feet per second of the Subterranean Waters a well with point of diversion located SW~~1~~SW~~4~~, Sec. 3, T. 8 S., R. 38 E., B. M., Caribou County and was approved July 18, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 25 day of August, 19 66.


State Reclamation Engineer

29951

August 17, 1966

RE: Permit G-29951

Mr. James W. Mabey
Bancroft, Idaho

Dear Mr. Mabey:

Enclosed is Extension of Time approval which has been recorded in this office under the above numbered permit. Please note the extension is to September 1, 1967.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Approval

29951

RECEIVED

STATE OF IDAHO
Department of Reclamation

AUG 16 1966

Application for Extension of Time for Completion of Works

State of Idaho

County of Caribou

ss.

Permit No. E-29951James W. Mabey

of

BancroftState of Idaho

, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. E-29951.

That under the terms and conditions of said permit, construction work thereunder was required to be completed by July 18, 1966.

That he has heretofore performed the following work described under said permit:

Drilled well, tested well, cased well from top to bottom, put a cement ^{plug} around top of casing to mount pump on.

Costing \$ 1262 ⁰⁰

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Unable to get funds in time to put pump and motor in well

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of works under said permit to Sept 1, 1966

Subscribed and sworn to before me this

15th

day of

August, 1966Frank B. Mendez

Notary Public.

My commission expires 10-1-66

Date of receipt at office of Department of Reclamation

August 15, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. E-29951 to September 1, 1967.

Witness my hand this 17th

day of

August, 1966

Deputy

State Reclamation Engineer.

29951

August 11, 1966

Re: Permit No. G-29951

Mr. James W. Mabey,
Bancroft, Idaho.

Dear Mr. Mabey:

Pursuant to your letter of August 8, 1966,
we are forwarding an Application for Extension of
Time form.

Please contact us if we can be of further
assistance.

Very truly yours,

DONALD W. McELDOWNNEY
State Water Rights Clerk

Encl.: Application for Extension of Time

DWMc:pmk

29951

RECEIVED
AUG 10 1966

Department of Reclamation

Benarof, Idaho

Aug. 8, 1966

Dear Sir,

I will be unable to
completion of work on my well,
Permit No. B29951 in the required
time permitted.

I have applied for a loan
from the FHA, and they have been
slow in approving it. They have
finally give me the go ahead
sign. but due to both of work
the Pump Co. can not get the
pump in for at least 2 weeks.
or longer.

I would like to get an
extension on my permit if it is
at all possible.

All I need to close the loan
with the F.H.A. is a ~~permit~~ extension of
my permit.

Sincerely yours
James W. McKeey
29951

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-29951

May 2, 1966

James W. Mabey
Bancroft, Idaho

Dear Mr. Mabey:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29951 are due not later than **July 18, 1966**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,



State Reclamation Engineer

Enclosures **Forms 36 and 11**

29951

July 27, 1961

Re: Permit No. G-29951

Mr. James W. Mabey,
Bancroft, Idaho.

Dear Mr. Mabey:

We enclose Permit No. G-29951 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-6241 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly y urs,

GEO. N. CARTER
State Reclamation Engineer
By

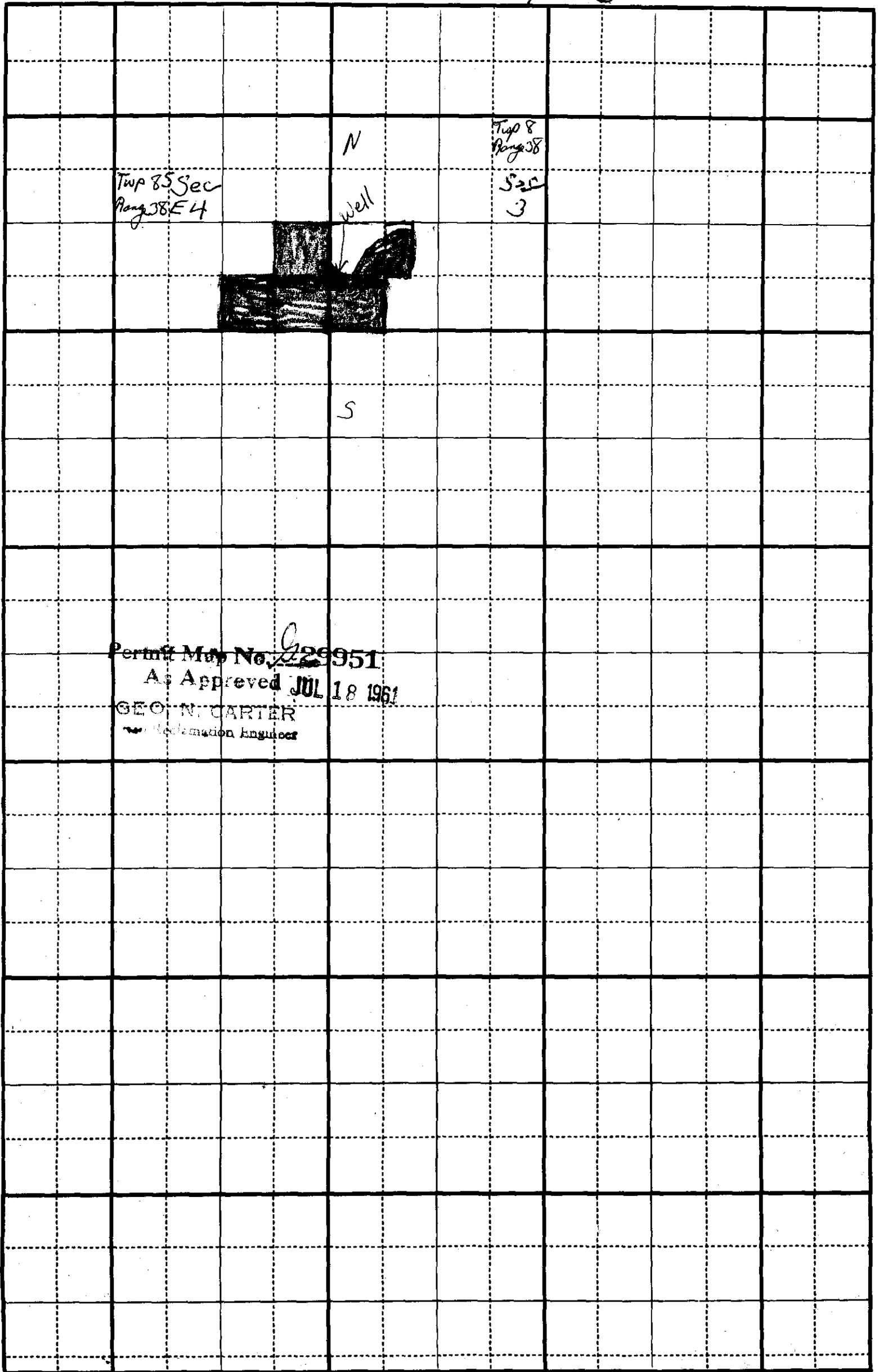
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29951

NAME OF APPLICANT James W. Mabey

Form No. 0



Permit Map No. 229951
As Approved JUL 18 1961
GEO. N. CARTER
Reclamation Engineer

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

29951