

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

Application No. G-33555
Permit No. G- 25705
District No.

Don Albert Westover
Clifton,
Idaho

1. Name of Applicant: DON ALBERT WESTOVER
Postoffice address: Clifton County: Franklin State: Idaho
900 gal. per day for household and barn use and one
2. Quantity of water claimed: inch for irrigation.
(a) Rate of withdrawal in cubic feet per second. .03 or Idaho
Miners' inches $1\frac{1}{2}$ - one for irrigation, / ~~900 gallons per minute~~ 900 gallons per day for culinary use
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21
Twp. 14 S. , Rge. 38 E. , B.M., County of Franklin
5. Water is to be used for: Culinary, stock-watering purposes and for Irrigation of lawn and garden;
also for maintaining barn in Grade A condition for cows.
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21 , Twp. 14.S
Rge. 38.E. , 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: Well and pipe to house and to barn. Attach hose to irrigate about one acre of land. Pump
8. Estimated cost of works: \$ 2000.00
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 all done
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: None
(a) None (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-
mental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

I have well in operation, from which I pump the water and use same for household purposes and also water a large number of cows and other cattle, use water for maintaining cow barn in Grade A condition; also
Remarks: irrigate lawn and garden in summer time.

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.

DON A. WESTOVER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. May 23, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25705

Recorded in Book 91 Page 25705 Approved May 24, 1955

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 July 24, 1955

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 May 24, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 24, 1957

Witness my hand this 24th day of May, 1955

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, 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 31st day of May, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S.	38 E	21	1														1		
			Permit No. G-25705 CERTIFICATE OF COMPLETION OF WORKS ✓																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that DON ALBERT WESTOVER of Clifton, County of Franklin, and State of Idaho, the holder of Permit No. G-25705, issued upon Application No. G-33555, bearing date of priority of May 23, 1955, authorizing the diversion of 0.03 second feet of waters of a well, County of Franklin, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.03 second feet of the waters of a well from subterranean flow; that the point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 14 S., R. 38 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:																
			1.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 14 S., R. 38 E., B. M.																
			Witness my hand this 14th day of July, A. D. 1961																
			s/ RALPH W. THOMAS, Deputy State Reclamation Engineer																
			Proof of Completion of Works Made: July 28, 1955																
			LICENSE ISSUED FOR 0.03 SEC. FT. Page 7115																

June 2, 1955

RE: Permit No. G-25705

Mr. Don Albert Westover
Clifton
Idaho

Dear Mr. Westover:

We enclose Permit No. G-25705 together with departmental receipt No. G-1200 for the \$5.00 filing fee.

Although the application states that the works are completed, you will note that we have allowed two years, or until May 24, 1957 within which to make proof of completion of works and beneficial use.

However, these proofs may be made at any earlier date that you are prepared to make them and we shall be glad to send the necessary forms and instructions upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

G25705

P. M. CONDIE
ATTORNEY AT LAW
PRESTON, IDAHO

LICENSED ABSTRACTER

RECEIVED
JUN 20 1955
Department of Reclamation

June 17, 1955.

State Department of Reclamation,
Boise, Idaho.

Gentlemen:

Re: Permit No. G25705
Don Albert Westover.

Please send blank form for making proof of completion of works,
and also blanks for notice for making proof of beneficial use.

Mr. Westover wishes to go ahead and finish this matter as soon
as possible.

Very truly,

P. M. Condie

G25705

June 20, 1955

RE: Permit No. G-25705

Mr. P. M. Condie
P. O. Box 346
Preston, Idaho

Dear Mr. Condie:

We have your letter of June 17 requesting forms for making proof of Completion of Works and Beneficial Use on Permit No. G-25705 in the name of Don Albert Westover.

Since this is a filing on subterranean water both proofs are made at the same time after four weeks publication.

The notice should be made on form 36 enclosed and both copies returned to this Department together with Form 11.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:CU
Enc.

25705

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 21, 1955.

(P. O.) Clifton, Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Preston Citizen of Preston, Idaho, published in

the county in which the works are situated.

Don A. Hestover

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

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

Engineer.

D25705

June 30, 1955

RE: Permit No. G-25705

Mr. P. M. Condie
Box 346
Preston, Idaho

Dear Mr. Condie:

Notice for completion of works and beneficial use on Permit No. G-25705 of Don Albert Westover has just been received and it is obviously too late for four weeks publication prior to July 26.

We have, therefore, changed the date to July 29th and are sending a copy of the notice to the Preston Citizen with instructions to publish it once a week for four weeks prior to that date and to send Mr. Westover the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be executed by Mr. Westover and two disinterested witnesses in making these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl
Enc.

G25705

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permiy No. G-25705

Date: June 30, 1955

Preston Citizen

Preston, Idaho
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 29, 1955 the date set for proof, the expense of the publication to be paid by the applicant, Don Albert Westover of Clifton, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

f 25705

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

Notice is hereby given that at ten o'clock A. M., on the 29th
~~30th~~
day of July, 19 55, at Preston, County of
Franklin, State of Idaho, before P. M. Condie, Notary Public,
proof will be submitted of the completion of works for the diversion of .03
cubic feet per second of the waters of a well for irrigation and 900 gallons per
day for culinary use
and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G 25705 heretofore issued by the Department
of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation
holding said permit are Don Albert Westover, Clifton, Idaho.

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of conveying
to the place of use, in accordance with the plans accompanying the application for
such permit, is .03 cubic feet per second, plus 900 gallons per
day.

3. The use to which said water has been applied is irrigation and culinary
purposes, and the amount applied to beneficial use is
.03 cubic feet per second, for irrigation and 900 gallons per day
for culinary purposes.

4. The place where said water is used is Northeast quarter of Northeast
quarter of Section 21, Tp. 14 South, Range 36 E. B. M. and the well is located
in the same subdivision.

5. The date of priority which said user is prepared to establish is
May 24th, 1955.

MARK R. KULP

State Reclamation Engineer

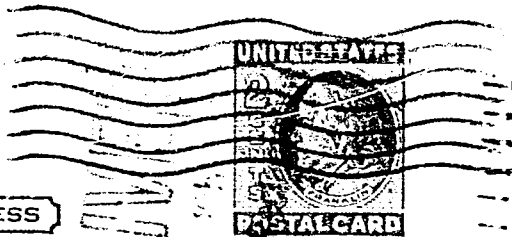
P 25705



THIS SIDE OF CARD IS FOR ADDRESS

Jeanne L. Anderson
Department of Reclamation
Boise, Idaho

825205



RECEIVED
JUL 4 1955
BOISE IDAHO

Post 4957

Just A Short Message From The Preston Citizen PRESTON, IDAHO

July 3, 1955

This is to acknowledge receipt of publication for Don Albert Westover of Clifton. This will be published four issues beginning with our issue of July 7.

The Preston Citizen

25705

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Don E. Smith

, being duly sworn,

deposes and says:

That he is the Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 7, 1955, and ending

with the issue of July 28, 1955

Don E. Smith

Fees, \$ 24.00

Subscribed and sworn to before me this 29 day

of July, 1955
K. M. Condie

Notary Public, Residing at Preston, Idaho

My Commission Expires Nov. 29 - 58, 1958

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

Notice is hereby given that at ten o'clock A. M., on the 29th day of July, 1955, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the completion of works for the diversion of .03 cubic feet per second of the waters of a well for irrigation and 900 gallons per day for culinary use and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25705 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Don Albert Westover, Clifton, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is .03 cubic feet per second. Plus 900 gallons per day.

3. The use to which said water has been applied is irrigation and culinary purposes, and the amount applied to beneficial use is .03 cubic feet per second for irrigation and 900 gallons per day for culinary purposes.

4. The place where said water is used is Northeast quarter of Northeast quarter of Section 21, Tp. 14 South, Range 38 E. B. M. and the well is located in the same subdivision.

5. The date of priority which said user is prepared to establish is May 24th, 1955.

MARK R. KULP
State Reclamation Engineer
27-30c

N25705

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G. 25705

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.

Ans. Don Albert Westover, reside in Clifton, Idaho, which is post office address.

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

Ans. _____

Ques. 3 State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. G. 25705, date of priority May 24th, 1955.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. A well from which water is pumped, situated in Northeast quarter of Northeast quarter of Section 21, Township 14 South, Range 38 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Consist of a Myers pump which pumps water from well into 3/4 inch pipe, which runs to house and also to barn. A rubber hose is used for irrigation of garden and lawn.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for household purposes, to maintain barn in good condition for Grade A milk, for livestock, and also to irrigation a one acre lawn and garden. Did not have ~~in~~ any water for these purposes until I dug this well, and I have been able to improve my property and establish a Grade A milk barn.

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Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans.

Ques. 9. 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.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. I pump water from three to 24 hours per day according to time of the year and my needs. Pump fills the 3/4 inch pipe when in operation. Pump has 50 lb. pressure.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Do not have any other water available.

(Sign)

Don Albert Heston

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.....Preston,....., County of.....Franklin....., State of Idaho, on this.....29th..... day of.....July,....., A. D. 19..55.,

G. M. Condie

My commission expires.....Nov. 29, 1958.....

P 25705

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G25705.....

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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.

Ans. Nord K. Westover, age 33 years, reside Swan Lake, Idaho, post office
Swan Lake, Idaho.

Ques. 2. Are you acquainted with Don Albert Westover, the
holder of Permit No. G25705? How long have you known him and where does
he reside?

Ans. Yes; for 31 years. He resides in Clifton, Idaho.

Ques. 3. Have you read or heard read said Permit No. G 25705, and are you
familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Well. Diverted in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21, Township 14 South,
Range 38 E. B. M. Works: Well, pump and pipe to house and barn.
All completed.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. Has a 50 lb. pressure, $\frac{3}{4}$ inch pipe. About .03 cubic feet per second.
Will pump more than 900 gallons per day during hours of use.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. Five gallons per minute; estimate this from time it takes to fill
a ten gallon milk can.

G25705

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Household and barn. Livestock drink it and it is used for cleansing the barn, also for irrigation of lawn and garden.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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.

Ans. Mountain soil. 1 miner's inch for irrigation of one acre.

Use more than this as he does not irrigate all the time.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the water used in the home, in the barn, for livestock, and for irrigating one acre of lawn and garden.

The well is there, the pump is in operation.

(Signed)

Nord K. Westover

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 Preston, County of Franklin, State of Idaho, on this 29 day of July, A. D. 1955.

A. M. Landie

Notary Public.

My commission expires Nov. 29, 1958.

25705

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 25705

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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.

Ans. John G. King, age 27 years, residence and post office, Preston, Idaho.

Ques. 2. Are you acquainted with Don Albert Westover, the holder of Permit No. G 25705? How long have you known him and where does he reside?

Ans. Yes. I have known him fifteen years, he resides at Clifton, Idaho.

Ques. 3. Have you read or heard read said Permit No. G25705, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source well, diverted in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21, Tp. 14 S., Range 38 E. B. M. Works: Well, pump (Myers), and pipe to house and barn.

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

Ans. Has a 50lb. pressure, 3/4 inch pipe. about .03 cubic feet per second. Will pump more than 900 gallons per day.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Five gallons per minute; estimate this from time it takes to fill a ten gallon milk can.

G25705

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Household and barn- watering livestock and cleaning out barn, and for irrigation of lawn and garden.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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.

Ans. Black mountain soil. 1 miner's inch for irrigation of one acre.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the water used in the home, in the barn, have seen livestock drinking it, and seen it used for irrigating lawn and garden. Works all completed.

(Signed)

John L. King

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 Preston, County of Franklin, State of Idaho, on this 29 day of July, A. D. 1955.

T. M. Candie

Notary Public.

My commission expires ~~in~~ Nov. 29, 1958.

825705

August 2, 1955

RE: Permit No. G-25705

Mr. Don Albert Westover
Clifton
Idaho

Dear Mr. Westover:

We have received from Mr. P. M. Condie the depositions of yourself and two witnesses also Affidavit of Publication in the Preston Citizen in proof of Completion of Works and Beneficial Use on Permit No. G-25705.

Before final action is taken the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

CC: Mr. P. M. Condie

25705

March 19, 1956

RE: Permit No. G-25705

Mr. Don Albert Westover
Clifton
Idaho

Dear Mr. Westover:

Inspection is required by law in connection with any permit being brought to license within the State of Idaho. Unless hindered by bad weather, I intend to make inspection in connection with your Permit on Friday, March 30.

Please be prepared to accompany me on this inspection.

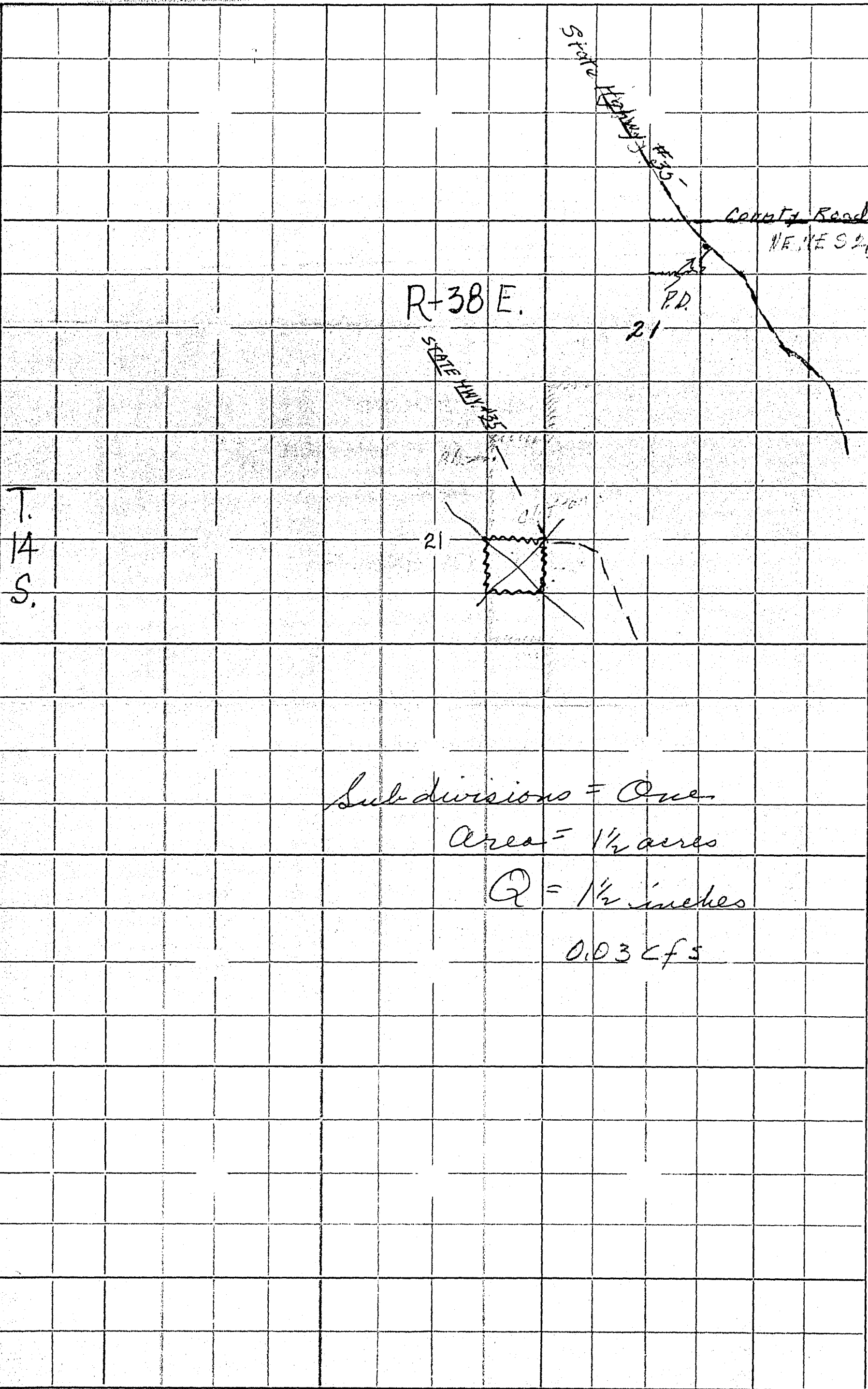
Very truly yours,

MARK R. HULP
State Reclamation Engineer
By

E. M. Humphrey
Deputy State Reclamation Engineer

H:hll

25705



Subdivisions = One

Area = $1\frac{1}{2}$ acres

Q = $1\frac{1}{2}$ inches

0.03 cfs

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25705

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

1. Name of applicant Don Albert Westover, Clifton, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21
T. 14 S. R. 38 E. County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same: Well is 75' deep by 8" diameter. Over the top of the well is a heavy concrete pit 6' by 7' by 6' high with a heavy keystone concrete cover, just large enough for access. Pump is a Myers Jet 1 $\frac{1}{2}$ by 1 $\frac{1}{4}$, operated by a 3/4 hp G. E. motor. There is a 30 gallon pressure tank connected to the system. There are two 1" pipe lines extending from the tank to the outside. There are three 3/4" outlets, two in the yard and one in the barn yard. There is full plumbing in the house and full plumbing for a grade A dairy barn. There is a large lawn and garden that is sprinkled by use of a hose. Water is also used for watering the dairy stock.
5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: Yes

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Twp. 14 S., Range 38 East, B. M.

See the map

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

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

Remarks: _____

This examination was made on the 30 day of March, 1936

(Signed) E. N. Humphrey Examiner.

G-25705

April 4, 1956

RE: Permit No. G-25705

Mr. Don Albert Westover
Clifton
Idaho

Dear Mr. Westover:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-25705, which shows that you have irrigated one acre of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 14 South, Range 38 East, B.M. from your well located in the same subdivision.

A Certificate of Completion of Works and License can, therefore, be issued for 0.03 second foot of water upon receipt of the statutory fees of \$7.00, which includes \$5.00 completion of works fee and \$2.00 license fee.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

hll

G25705

~~June~~ July 28, 1961

Bureau of Reclamation
Boise, Idaho

RECEIVED

JUN 30 1961

Department of Reclamation

Gentlemen:

In the fall of 1950 I drilled a well 95 feet deep for culinary purposes. When I got my well completed my pipe was in 35 ft of water and I felt I would never have to worry about water anymore.

I hired an attorney to get my well filed on and now he doesn't seem to be able to find the papers and perhaps he never had them filed - although we pd. him at the time for it. Early this spring we lifted our pipe out and put on a new float valve and found that our water level was the same as ~~was~~ when we drilled the well.

N25705

Last summer our neighbor drilled a well below us about $\frac{1}{2}$ mile - now that he has started pumping our well has gone dry. He is irrigating land that was not irrigated before and has around 70 acres of sugar beets - all of our land is dry land and our only source of water for house & livestock is from our well. When we told our neighbor (Dennis Ralph) our well was dry when he pumped & when he stopped to change sprinkler we get our water back again - he just laughs at us -

We have over \$1,000.00 in our well, and now we are not financially able to do anything about it. We have had considerable sickness I am not able to drill another well - I should think there would

be some basis to protect me,
as I have an established well.
Would you please advise me
as to what can be done.

I would appreciate an
early reply.

Thank you

Don Westover

Clifton, Idaho

My property is located - Sec. 21 - Twp 14S
R. 38 E. B. M.

Franklin County
Clifton, Idaho

Well is in NW $\frac{1}{4}$.

S25705

July 3, 1961

RE: Permit No. G-25705

Mr. Don Albert Westover
Clifton, Idaho

Dear Mr. Westover:

Your letter of July 28 describes a condition which is becoming more prevalent as more water is diverted from wells for irrigation of land. Generally the owners of the two wells can come to some agreement to correct the trouble. If your neighbor will not agree to any settlement of the trouble, your best step would be to see your attorney about action in District Court.

Permit No. G-25705 was issued in the name of Don Albert Westover. Proof of Completion of Works and Beneficial Use of the Water was made by the holder of the permit, July 29, 1955. Our field engineer's report shows that the Certificate of Completion of Works and License and Certificate of Water Right can be issued for 0.03 cubic foot per second of subterranean water from a well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 14 South, Range 38 East for domestic and irrigation purposes in the same subdivision, upon payment of the fee of \$7.00 as per letter to the holder of the permit, dated April 4, 1956.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:mr

25705

July 7, 1961

July 7, 1961

Bureau Reclamation
Boise, Idaho

RECEIVED

JUL 10 1961

Department of Reclamation

attention: Geo. N. Carter

Dear Sir:

In reference to your letter dated July 3, 1961 I am enclosing herewith \$7.00 which you stated was still due.

Would you please inform me now as to what protection this give me as I told you in an earlier letter I have had my well dug around 12 yrs. last summer Dennis Ralph dug one below me for irrigating purposes. My well is used only for culinary purposes & the

825705

have ³no other source of water supply.
With Mr. Ralphs powerful irrigating
pump going all the time it draws
our water away. When he turns it off
our water level comes back - He is
selling this water to all of his
neighbors and irrigating land never
irrigated before. He will not even
talk to us about it and his neighbors
are of course interested in being able
to buy the water from him - He
definitely is using many more times
water which he filed on and selling it.

Due to illness & ect in our family
I am not at this time financially able
to dig a well nor go to court to protect
my interest. I seems to ~~seem~~ me
that I should be entitled to some
protection from the State.

25705

3

I realize he is depending on his well for income from selling water & his crops - but my farm is all dry farm and higher & rocky -

It would be of no advantage to dig a well right now for irrigating as my land is so steep & rocky -

however we cannot go on without Culinary water -

Would you please advise me.

Yours truly

Don Wistner

S25705

July 11, 1961

Re: Permit No. 0-25705

Don Albert Westover
Clifton, Idaho

Dear Mr. Westover:

The Certificate of Completion of Works and License and Certificate of Water Right will be mailed to you in a few days. These certificates should strengthen your position in any action you may have with your neighbor.

The first paragraph of our letter to you, dated July 3, 1961, advises you of the fastest and most positive way to solve your problem.

The State Statutes provide that any person owning a water right which he believes is adversely affected by users of ground water rights of later priority may make a written statement, under oath, to the State Reclamation Engineer.

Such statements shall include:

1. The name and post office address of the claimant.
2. A description of the water right claimed by the claimant, with amount of water, date of priority, mode of acquisition, and place of use of said right, if said right is for irrigation, a legal description of the lands to which such right is appurtenant.
3. A similar description of the respondent's water right so far as is known to the claimant.
4. A detailed statement in concise language of the facts upon which the claimant founds his belief that the use of his right is being adversely affected.

Upon receipt of such statement, if the state reclamation engineer deems the statement sufficient and meets the above requirements, the state reclamation engineer shall issue a notice setting the matter for hearing before a local ground water board, constituted and formed as in this act provided. The person or persons against whom such claim is directed and who are asserted to be interfering with the claimant's right shall in such proceedings be known as respondents. The notice shall be returned to the claimant who shall cause the

f 25705

July 11, 1961

same to be served upon the respondent together with a copy of the statement. Such service shall be made at least five days before the time fixed for hearing and in the same manner that service of summons is made in a civil action. Proof of service of notice shall be made to the state reclamation engineer by the claimant at least two days before the hearing."

The local ground water board shall consist of the State Reclamation Engineer, a person who is qualified as an engineer or geologist, appointed by the District Judge, and a third member appointed by the other two, who shall be a resident irrigation farmer of the county.

Any decision of the State Reclamation Engineer, Watermaster, or any local ground water board may be appealed to the District Court.

Your letter indicates that any adverse decision of the board would not affect your neighbor and the case would probably go to the District Court and possibly to the Supreme Court.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

P257a5

July 14, 1961

Re: Permit No. G-25705

Mr. Don Albert Westover
Clifton, Idaho

Dear Mr. Westover:

We enclose Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No. G-25705.

Also enclosed is departmental receipt No. G-6188 in
the amount of \$7.00 covering the fees.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

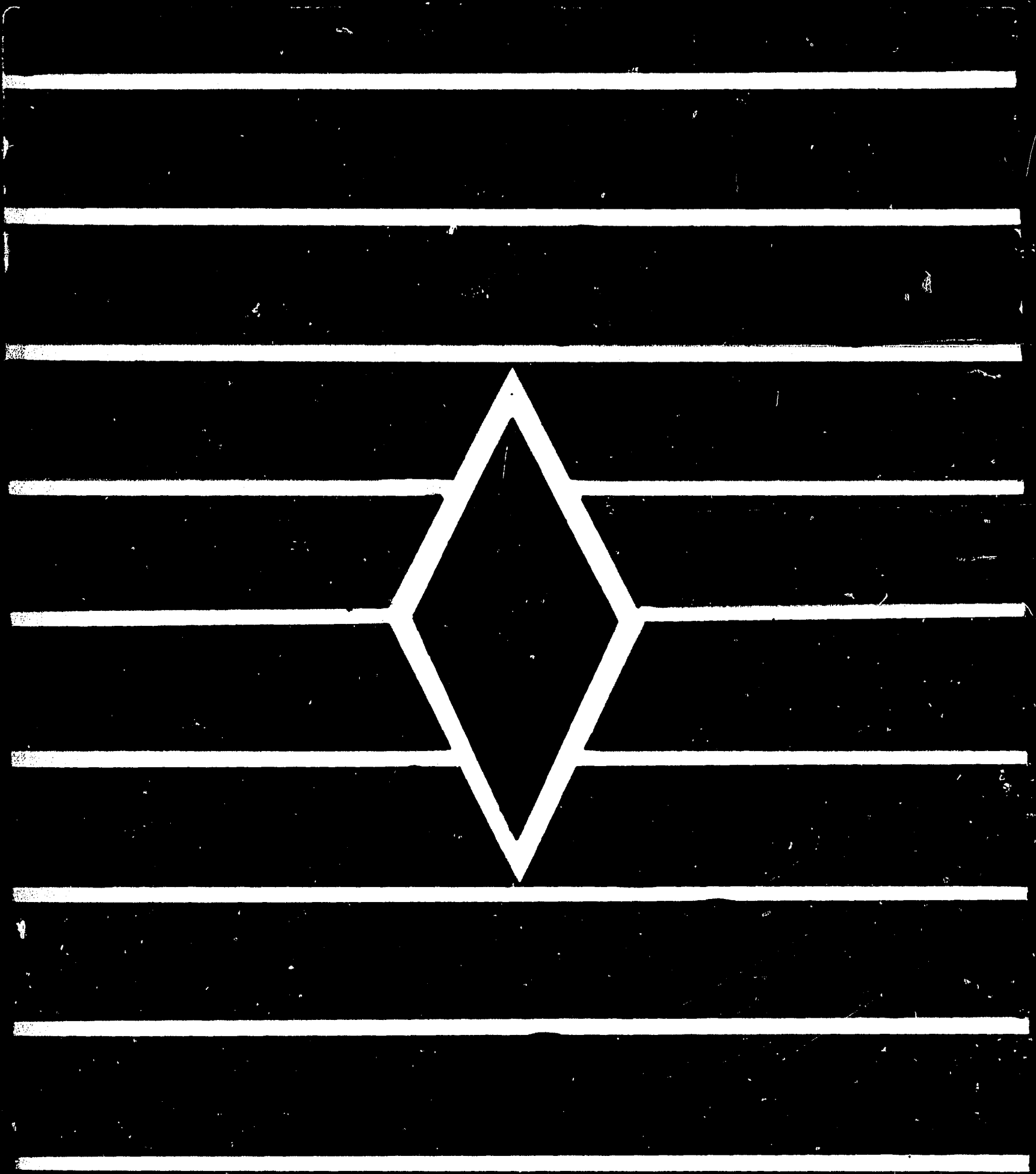
By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

f25705



State of Idaho
License and Certificate of Water Right

Water License No. G-25705

Amount 0.03 c.f.s.

Water District No.

Priority May 23, 1955

THIS IS TO CERTIFY that DON ALBERT WESTOVER
of Clifton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 23, 1955; that Permit No. G-25705
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.03 second feet, was issued thereunder on July 14, 1961, showing that said works
were completed on the 29th day of July, 1955; and that on the 29th
day of July, 1955,

DON ALBERT WESTOVER

of Clifton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation & domestic
use, under Use Permit No. G-25705 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 7115, on the 14 day of July, 1961;
The right hereby confirmed dates from May 23, 1955;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 21, Tp. 14 S., R. 38 E., B. M. Franklin County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.03 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S	38 E	21	NE 1/4 NE 1/4	1	1.5
			Total number of acres to be irrigated:		1.5

The right to the use of the water aforesaid 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
14th day of July, 1961.

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

(SEAL)

