

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25916
Permit No. 18585
District No.

1. Name of Applicant: Progress Irrigating Company, a corporation

Postoffice address: Malad, Idaho, R. 1 County: Oneida State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: January 3, 1938. Malad, Idaho
(b) Amount of capital stock: \$3800.00
(c) Amount paid in: \$3800.00
(d) Names and addresses of directors: Anide Talbott, Oscar Larson, John H. Peterson, John E. Blaisdell, Henry I. Mills, Malad, R.F.D. #1, Idaho

II. The financial resources of the applicant are:

- (a) Cash on hand: \$200.00
(b) Treasury stock: none
(c) Bonds to be issued: none
(d) Other resources: Well, electric pump, ditches

2. Quantity of water claimed: 3.5 cubic feet per second.

3. Source of water supply: Subterranean Waters which is a tributary of

4. Location of point of diversion: / Commencing at the South East Corner of Section 13, Twp. 14 South, R. 35 East. Thence running North 160 rods, thence west 92 rods to point of diversion. corner of Section 13, T. 14 S., R. 35 E., B. M., and is in the NW 1/4 SE 1/4 of Section 13, T. 14 S., R. 35 E., B. M., County of Oneida

5. Water is to be used for: Irrigation and Domestic

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 4000.00

8. Kind of works: Well and Electric Pump and Ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width 21 inches ~~feet~~ height 2 feet.

11. Ditch: Width at bottom 21 inches ~~feet~~; width at water line 4 feet; depth of water 1 feet; dimensions of flume:

Diameter of pipe 14 inches; length of conduit 1.5 miles.
Average grade per mile feet.

12. The time required for the completion of such work is 6 months ~~years~~.

13. The time required for the complete application of the water to the proposed use is 6 months additional ~~years~~

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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.

PROGRESS IRRIGATING CO. Applicant.

By OSCAR LARSON Agent.

Date of first receipt at Department of Reclamation: 3:00 P. M., Jan. 26, 1938

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18585
Recorded in Book 67 Page 18585 Approved Feb. 18, 1938
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 April 19, 1938 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before May 18, 1938
The whole of said work to be completed on or before August 18, 1938
Beneficial use of water appropriated in accordance herewith, to be made on or before February 18, 1939

Witness my hand this 18th day of February, 1938.

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	35 E	13									30		40		40	40	40	40	230
14 S	36 E	19						32											32
14 S	35 E	24	40			40	40	10	40	40	40		40		20	20			290
14 S	36 E	18										24	24						48
Total Number of Acres to be Irrigated-----																			600

In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 February, 1938.

(SEAL)

Countersigned:

By IRA H. MASTERS
Secretary of State

STATE OF IDAHO

By BARZILLA W. CLARK
Governor

Permit No. 18585

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that PROGRESS IRRIGATING COMPANY, a corporation, of Malad, County of Oneida, and State of Idaho, the holder of Permit No. 18585, issued upon Application No. 25916 bearing date of priority of January 26, 1938, authorizing the diversion of 3.5 second feet of subterranean waters, County of Oneida, 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 3.5 second feet of said subterranean waters; that the point of diversion of said waters is in the NW¼ SE¼ of Section 13, T. 14 S., R. 35 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: E¼ SW¼ and SE¼ of Section 13, E¼ NE¼, NW¼, E¼ SW¼, and N¼ SE¼ of Section 24, T. 14 S., R. 35 E., B. M.; and W¼ SW¼ of Section 18, and NW¼ NW¼ of Section 19, T. 14 S., R. 36 E., B. M.

Witness my hand this 22nd day of September, A. D. 1938.

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made July 2nd, 1938
Certificate issued September 22nd, 1938.

2.5 SEC FT.
P. 4027

18585

December 4, 1937

Mr. Oscar Larsen
Secretary, Progressive Water Association
Route 1
Malad, Idaho

Dear Mr. Larsen:

Your application for permit to appropriate 3.5 second feet of subterranean water has been received in this office and checked. We have made up a new copy of this application and are returning it to you for your signature. We are also inclosing your check for five dollars and fifty cents (\$5.50), which was not sufficient to cover your filing fee.

The filing fee is five dollars (\$5.00) for the first second foot claimed and twenty-five cents for every additional second foot or a part thereof, therefore your filing fee would be five dollars and seventy-five cents (\$5.75).

I trust that you will sign this new application and return it with your check as quickly as possible.

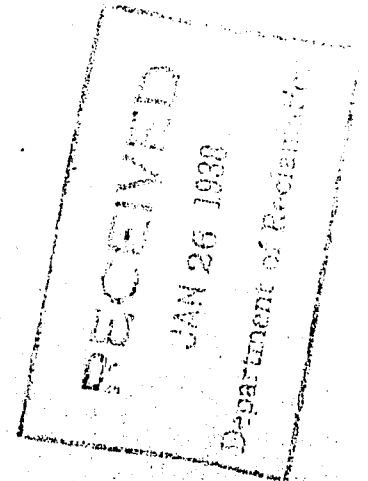
Very truly yours,

Supervisor of Water Distribution

PHB:mh
Incs.

18585

OFFICE OF
PROSECUTING ATTORNEY
ONEIDA COUNTY, IDAHO
MALAD CITY, IDAHO



Department of Reclamation,
Boise, Idaho

Gentlemen:

I enclose herewith corrected application of Progress Irrigating Company, a corporation, (formerly Progress Water Association). The Secretary informs me that 25 cents was due on application which is also enclosed.

Very truly,

A handwritten signature in dark ink, appearing to be "J. C. Hay".

18585

18585
January 27, 1938

Re: Application for Permit,
Progress Irrigating Company.

Mr. T. E. Ray
Prosecuting Attorney
Oneida County
Malad City, Idaho

Dear Sir:

I have your letter of recent date, and also an application for permit of the Progress Irrigating Company, Inc., and also your check for twenty-five cents.

The filing fee for this application is \$5.75. With the original application a check for \$5.50 was enclosed; however, I returned it to Mr. Oscar Larsen, Secretary of the Progressive Water Association, and informed him that a new check for \$5.75 would be necessary.

I will hold the new application in abeyance until such a time as we receive a check for \$5.75 covering the filing fee. I am herewith returning your check for \$0.25.

Very truly yours,

Supervisor of Water Distribution

PHB:jl
Encl.

18585

18585

OFFICE OF
PROSECUTING ATTORNEY
ONEIDA COUNTY, IDAHO
MALAD CITY, IDAHO

RECEIVED
FEB 7 1938
Department of Reclamation

Feb 5, 1938

Department of Reclamation

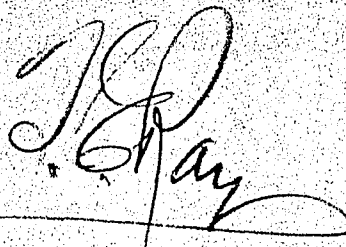
Boise, Idaho

Gentlemen:

In re: Progress Irrigating Co water application

I enclose herewith check for \$5.75 to cover filing fees as per
your letter of a few days ago

Very truly,



18585

Permit Map No. 18585

As Approved

R. W. FARIS

Continuation of Record

5858

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18585

Boise, Idaho, February 19, 1938

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

Oscar Larson
Progress Irrigating Co.
Malad, Idaho

B. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt for \$5.75.

18585

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Oscar Larson, Agent
Progress Irrigating Co.
Route 1
Malad, Idaho

Boise, Idaho, **June 1, 1938**

Dear Sir:—

Under the terms of your permit No. **18585** you are required to complete your diversion works on or before **August 18, 1938**. I enclose herewith 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 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, together with a fee of \$5.00 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.

Yours truly,

R. E. FARIS

Commissioner of Reclamation.

18585

Permit No. 18585

RECEIVED

AUG 17 1938

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Oneida } SS

Oscar Larson

being first duly sworn, upon his oath deposes and says:
First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 18585, and that his postoffice address is Malad RFD #1 State of Idaho

Second: That the name of the stream from which said water is to be diverted is well

Third: That the point of diversion of said water is at a point 160 rods North and 12 rods West of the SE Corner Sec. 13, Tp. 14 S. R. 35 EBM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 18, 1938.

Fifth: That the use for which said water is intended is irrigation and domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: well and electric pump and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 21 in feet, height feet.

(d) Conduit ditch width at bottom 21 in feet, width at water line 4 ft feet, depth of water 1 feet; diameter of pipe 14 inches, average grade per mile is feet. Length of conduit is 1.5 miles.

Seventh: That said works are capable of conducting to the place of intended use 3.5 second feet of water.

Eighth: That water appropriated under said permit is available for 600 acres of land described as follows: SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 24, Tp. 14 S. R. 35 EBM; 32 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19; W 3/5 W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 18, Tp. 14 S. R. 36 EBM

Ninth: Remarks: That

Oscar Larson
(Sign here)

Subscribed and sworn to before me this 2nd day of July, 1938

My commission expires 1-14-39

Notary Public.

18585

September 23, 1938

Re: Permit No. 18585.

Mr. Oscar Larson, Agent
Progress Irrigating Company
Malad, Idaho

Dear Sir:

We are herewith enclosing Certificate of Completion of Works issued under the above numbered permit to appropriate 3.5 second feet of certain subterranean waters in Oneida County for domestic and irrigation purposes.

The Department's Receipt No. 16717 for the \$5.00 fee you paid in connection with this completion of works proof is also enclosed.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

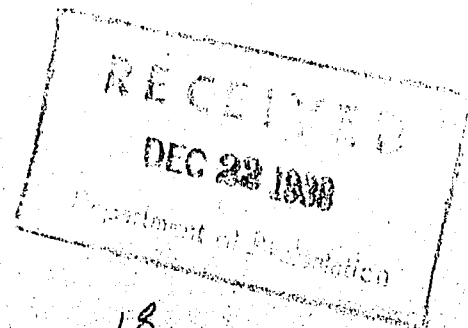
By

Chief Clerk

JL
Encl.

18585

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE



December 9, 1938

Progress Irrigating Co.
Route 1
Malad, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18585, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is February 18, 1939, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS
Commissioner of Reclamation

18585

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____ December 17, 1938
(P. O.) _____ Malad, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
_____ The Idaho Enterprise _____ of _____ Malad, Idaho _____, published in
the county in which the works are situated.

Progress Irrigating Company
Oscar Larsson
Secretary

(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.

18585

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18585

Date January 10, 1939

The Idaho Enterprise,
Malad, Idaho

DEAR SIR:-

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 18, 1939, the date set for proof, the expense of the publication to be paid by the applicant, Progress Irrigating Company, R. F. D. # 1, Malad, 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.

Very truly yours,

JAMES SPOTFORD

Commissioner of Reclamation

18585

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 18th day of February, 1938
at Malad, County of Oneida, State of Idaho, before
T. E. Ray, Notary public, proof will be submitted of the
application to beneficial use of 3.5 cubic feet per second of the waters of Subterranean
waters in accordance with the terms and conditions of Permit No. 18585
heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Progress Irrigating Company, a corporation, Malad RFD#1, Idaho

The use to which said water has been applied is Irrigation and domestic

The amount applied to beneficial use is 3.5 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) 30 ac NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13; 32 ac NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 ac NW $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, 20 ac NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 ac NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24;
24 ac NW $\frac{1}{4}$ SW $\frac{1}{4}$, 24 ac SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18; Tp. 14 S. R. 36 EBM

The name of the canal or ditch or other works by which said water is conducted to such place
of use is Progress Irrigating Co ditch

The right to take water from such works is based upon Permit No. 18585

The source of supply from which such water is diverted is well

The date of priority which said user is prepared to establish is January 26, 1938

JAMES SPOFFORD
Commissioner of Reclamation.

18585

James Spofford ~~XXXXXXXX~~

~~XXXXXXXXXXXX~~
C. A. Bottolfsen

January 20, 1939

Re: Permit No. 18585
Progress Irrigating Co.

Mr. Oscar Larson, Secretary,
Progress Irrigating Company,
R. F. D. No. 1
Malad, Idaho.

Dear Sir:-

This will acknowledge receipt of notice in duplicate
for publication in connection with beneficial use proof,
and also your authorization to have the notice published
in the Idaho Enterprise, of Malad, Idaho, all in connection
with Permit No. 18585.

A copy of the notice has been mailed to the newspaper with
instructions to publish it once a week for four consecutive
weeks prior to February 18, 1939. About ten days prior to
this date depositions, consisting of one for the holder and
one for each of two witnesses, will be mailed to T. E. Ray,
Notary Public, Malad, Idaho, so that he will have them in
ample time for the proof.

On the date designated you should appear at T. E. Ray's office
with two disinterested witnesses who are familiar with the
terms of the permit and the works constructed thereunder, for
the purpose of executing the depositions.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JLA

Chief Clerk.

18585

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. 18585
Progress Irrigating Co.

BOISE, IDAHO,
February 8, 1939

Mr. T. E. Ray,
Notary Public,
Malad, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18585

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On February 13, 1939, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Malad, Idaho before T. E. Ray, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

JAMES SPOTFORD

Commissioner of Reclamation.

18585

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18585

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Oscar Larson, Malad RFD#1, Idaho, occupation-farmer

PO Address, Malad City RFD#1, Idaho

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. Progress Irrigating Company, principal place of business Malad City, Idaho, I am Secretary of the Company, appearing by authority of Board

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

Ans. No. 18585, dated February 18, 1938, date of priority January 26, 1938

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

Ans. Subterranean waters, point of diversion 160 rods North and 92 rods West of the Southeast corner of Section 13, Tp. 14 S. R. 35 EBM being at a well in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Tp. 14 S. R. 35 EBM

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.

Ans. Well and Electric pump and ditches, capable of conveying 3.5 cubic feet per second of water from point of diversion to place of use Headgate 21 in wide, 2 feet high; Ditch 21 in wide at bottom, 4 ft wide at water line, 2 feet deep, 1.5 miles of such ditch.
Name of ditch, Progress Irrigating Co ditch

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. For irrigation on following described land of stockholders:

Twp	Range	Sec.	NE $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$ SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
14S	35EBM	13			30	40	40	40	230
14S	36E	19			32				32
14S	35EBM	24	40	40	40	10	40	40	290
14S	36EBM	18				24	24		48

cultivated, greatly increased production of land

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

Ans. Domestic purpose, livestock of stockholders along ditches used in diverting water

315 PM

11 8585

Minors: Incomes
Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 5 cu inches per second

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. Used from May 1, 1938 to September 18, 1938, continuously, by pumping into ditches and conveying to land of stockholders thru ditches, used to full capacity of well of 2.5 cu feet per second upon lands of stockholders as described in the application for permit

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. The Stockholders of this company own 40 shares of the capital stock of the St John Irrigating Co, a water corporation, which represents a stream of 120 cu inches per second 10 days out of every 19 days during the irrigation season of each and every year. This water also has been on the land of these stockholders of the Progress Irrigating Co used in addition to the water claimed under this permit

(Sign)

Dean Loren

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 Malad City, County of Oneida, State of Idaho, on this 18th day of February, A. D. 1939.

[Signature]
Notary public

My commission expires Jany 20, 1943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18585

Proof of Application of Water to Beneficial Use

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.

Anna Peter Thomas, age 46, occupation farmer, Residence and PO address
Malad RFD #1, Idaho

Ques. 2. Are you acquainted with Progresst Irrigating Company, the holder of Permit No. 18585? How long have you known him and where does he reside?

Ans. Yes, known it since its incorporation in Jany 1938

Ques. 3. Have you read or heard read said Permit No. 18585, 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. Subterranean water; Place of diversion is at a point 160 rods North and 92 rods West of the Southeast corner of Sec. 13, Tp. 14 S. R. 35-28-21, in the NW-SE¹ said Sec. 13, diversion works are a well operated by an electric pump, water is pumped into a ditch 21 in wide at bottom, 4 feet wide at water line, 2 feet deep, and 1.5 feet long

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. 3.5 second feet; 2.5 second feet have been so conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Water is used for irrigating pastures and crops etc; the land irrigated is cultivated land, resulting improvements from use of said water is large increase in production of alfalfa, pasture, beets, potatoes, etc on the following described land:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Total		
			NE 1/4	SE 1/4	NW 1/4	SW 1/4	NE 1/4	SE 1/4	NW 1/4	SW 1/4	NE 1/4	SE 1/4	NW 1/4	SW 1/4			
14S	35E	BM 13					30			40			40	40	40	40	230
14S	36E	BM 19			32												32
14S	35E	BM 24	40	40	40	16	40	40	40	40			40	20	20		290
14S	36E	BM 18								24	24						48

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Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. domestic, about 5 inches for water srock of the stockholders along the ditches used by the company

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.

Ans. semiarid; sandy loam. One inch per second to the acre continuous flow.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. 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 been at the well and in the land of the different stockholders of the company from time to time thru the irrigating season of 1938 and on such occasions have seen the water, approximately 125 inches per second or 2.5 second feet, being pumped from the well into and flowing down the ditches and see it used by the stockholders in rotation irrigating their crops pastures etc

(Signed)

Pete Thomas

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 Malad City, County of Oneida, State of Idaho, on this day of 18th day of February, A. D. 1939.

Notary Public.

My commission expires Jan'y 20, 1943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18585

Proof of Application of Water to Beneficial Use

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.

Ans. Glenn Jones, age 31, residence ^{and P.O. Address} ~~Maled RFD #1~~, Idaho,
occupation, farmer

Ques. 2. Are you acquainted with Progress Irrigating Company, the holder of Permit No. 18585? How long have you known him and where does he reside?

Ans. Yes, since its incorporation in Jan'y 1938

Ques. 3. Have you read or heard read said Permit No. 18585, 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. Subterranean water, place of diversion a well at a point 160 rods North and 92 rods West of the Southeast corner of Section 13, Township 14 S R. 35 EBM, in the NW 1/4 Sec. 13, Tp. 14 S. R. 35 EBM, well is operated by electric pump, water pumped into ditch 21 in wide at bottom, 4 ft wide at top at water line, 2 feet deep, length 1.5 miles

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. 3.5 second feet; 2.5 second feet have been so conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. for irrigating pasture and crops etc., land irrigated is cultivated land, resulting improvements from use of said water is increased production of alfalfa, pasture, beets, potatoes, etc on following described land

Twp Range Sec.	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	Totals
14S 35EBM 13								230
14S 36EBM 19								32
14S 35EBM 24	40	40	40	10	40	40	40	290
14S 36EBM 18								48

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18585

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. domestic, about 5 inches for watering stock of stockholders along the ditches used by company

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.

Ans. semi-arid, sandy loam, one inch per second to the acre continuous flow

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

I have been at the well and on the land of the different stockholders from time to time thru the irrigating season of 1938 and have seen the water being pumped from the well, into and flowing down the ditches and see it used by the stockholders in rotation irrigating their crops pastures etc

(Signed)

L. Lenn Jones

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 Malad City, County of Oneida, State of Idaho, on this day of 18th day of February, A. D. 1939.

H. E. Ray
Notary Public.

My commission expires Jan'y 20, 1943

Affidavit of Publication

State of Idaho }
County of Oneida } ss.

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER To Beneficial Use

Notice is hereby given that at 10 A. M. on the 18th day of February, 1939, at Malad, County of Oneida, State of Idaho, before T. E. Ray, Notary Public, proof will be submitted of the application to beneficial use of 3.5 cubic feet per second of Subterranean waters in accordance with the terms and conditions of Permit No. 18585 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Progress Irrigating company, a corporation.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 3.5 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the

lands irrigated) 30 ac. NE1SW1, SE1SW1, NE1SE1, NW1SE1, SW1SE1, SE1SE1, Sec. 13; 32 ac. NW1NW1, Sec. 19; NE1NE1, SE1NE1, NE1NW1, 10 ac. NW1NW1, SW1NW1, SE1NW1, NE1SW1, SE1SW1, 20 ac. NE1SE1, 20 ac. NW1SE1, Sec. 24; 24 ac. NW1SW1, 24 ac. SW1SW1, Sec. 18; Tp. 14 S. R. 36 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Progress Irrigating Co. ditch.

The right to take water from such works is based upon Permit No. 18585.

The source of supply from which water is diverted is well.

The date of priority which said user is prepared to establish is Jan. 26, 1938.

JAMES SPOFFORD
Commissioner of
Reclamation.

1-12 to 2-2; t4

Garling James being first duly sworn on her oath, states: That *2* he is *chief*...

chief of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, 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 said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published, and that said paper was published at regular intervals not less frequently than once a week.

That the annexed notice 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 publication being the *12* day of *January* 193*9*.. the date of the last publication being the *2*.....day of *February* 193*9*..

...*Garling A. James*...
Subscribed and sworn to before me this *4* day of *February* 193*9*..

Notary Public, residing at Malad, Idaho
My Commission expires the *14* day of *January* 19*40*..

COSTS: *54* lines at 10c per line first insertion \$ *5.40*
5c per line each subsequent insertion \$ *10.80*
TOTAL \$ *16.20*

18585

March 10, 1939

Re: Permit No. 18585.

Mr. T. E. Ray,
Notary Public
Malad, Idaho.

Dear Sir:-

We acknowledge receipt of deposition of holder, depositions of two witnesses, and affidavit of publication from the newspaper, all in connection with proof of beneficial use under the above numbered permit.

However, the affidavit of the holder has not been signed by him, although it does have your acknowledgment thereof; and for that reason we are returning it herein in order that it may be properly executed by Mr. Oscar Larson, as Secretary of the Progress Irrigating Company.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Enc.

18585

March 27, 1939

Re: Permit No. 18585

Oscar Larson,
Route 1,
Malad, Idaho.

Dear Sir:

We are in receipt of deposition of holder, depositions of two witnesses, and affidavit of publication from the newspaper, all in connection with proof of beneficial use under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination, so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees before the issuance of your license.

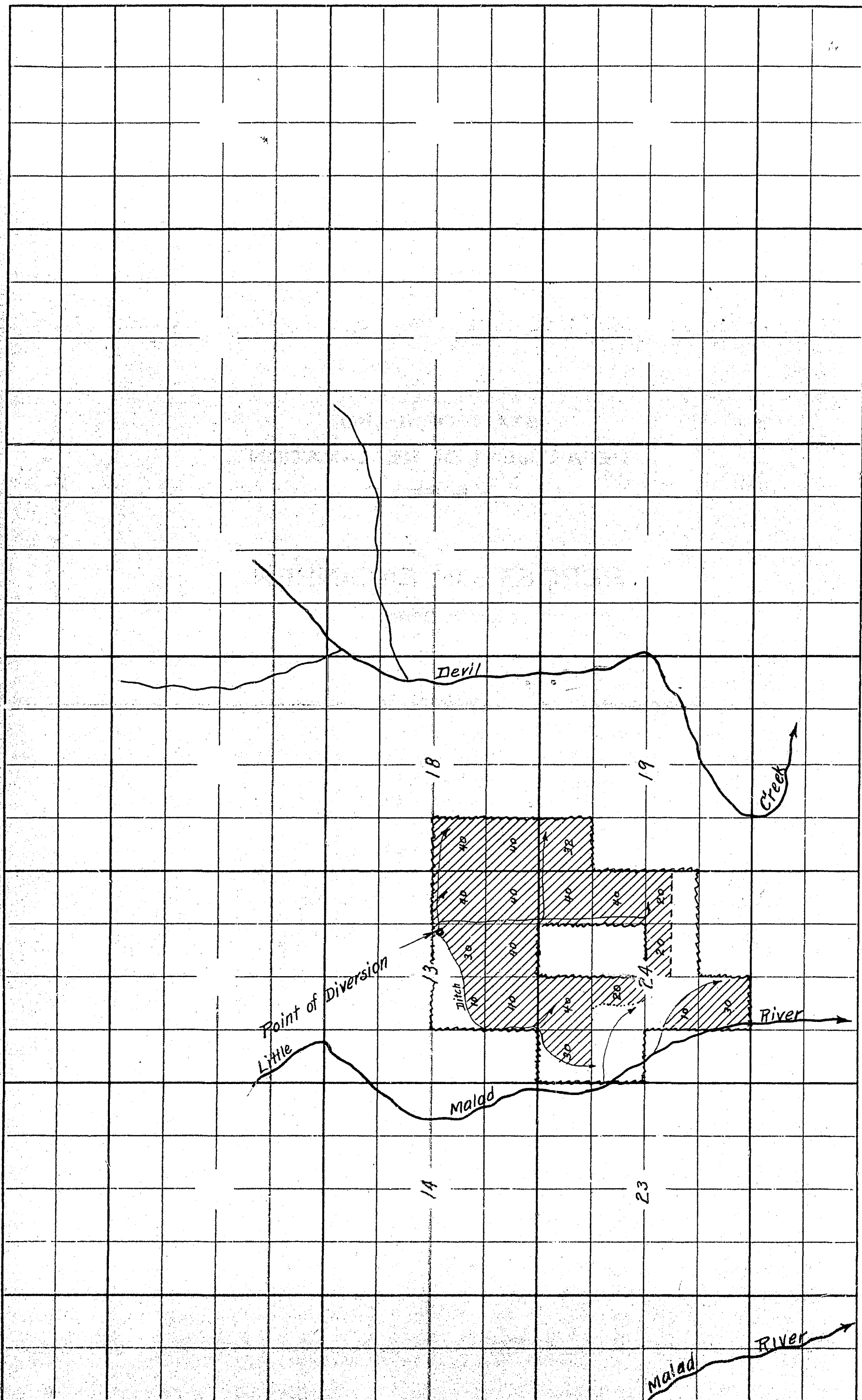
Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
BY

JLA

Chief Clerk.

18585



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. ⁸⁵ 18531

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Progress Irrigating Company- By Oscar Larsen- Route 1, Malad, Idaho

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13
T. 14 S. R. 35 E. County of Oneida

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

Drilled well 189 ft deep, cased with 14" steel pipe. A Fairbanks Morse deep well turbine pump, driven by a 40 H.P. electric motor. Main ditch 2 ft wide x 1 ft deep

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 for other than irrigation): E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 13;

E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 24;

All in Township 14 South, Range 35 East, B.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19;

W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18;

All in Township 14 South, Range 36 East, B.M.

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

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

Remarks:

Drawdown during operation of pump is said to be approximately 40 ft

This examination was made on the 5th day of May, 1939

(Signed)

Frank J. Dolman
18585
Examiner

March 4, 1940

Re: Permit No. 18585

Progress Irrigating Company,
C/o Oscar Larson,
Route 1,
Malad, Idaho.

Gentlemen:-

We have on file the report of our field engineer
on examination for beneficial use under the above
numbered permit.

This report shows that you are irrigating 562 acres
in eighteen 40-acre subdivisions.

Therefore, upon receipt of the statutory fee of \$36.00,
which is at the rate of \$2.00 for each legal subdivision,
a license will be issued for 2.5 second feet.

Very truly yours,

JAMES STONEFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

18585

Maui city Ida

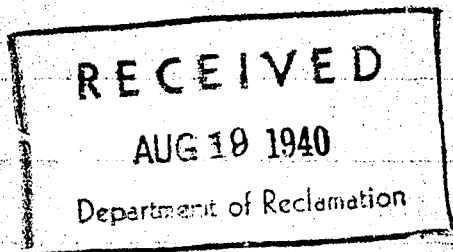
Aug 17 1940

Mr. Spofford -

Dear Sir: find
Enclosed check for 36.⁰⁰ statutory fee
for License to 2.5 second foot of water
to progress pump-^g.

Yours Truly

Charles H. Harnett Sec.



18585

August 20, 1940

Re: Permit No. 16065

Mr. Oscar Larson, Secretary,
Progress Irrigating Company,
Route 1,
Malad, Idaho.

Dear Sir:-

We enclose herewith License and Certificate of
Water Right issued under the above numbered per-
mit, confirming the right of the Progress Irrigat-
ing Company to the use of 2.5 second feet of water
from subterranean sources, for the irrigation of
502 acres in Sections 13 and 24, Township 14 South,
Range 35 East, B.M., and Sections 13 and 19, Town-
ship 14 South, Range 36 East, B.M., Oneida County,
with priority date of January 26, 1936.

We are also enclosing Departmental Receipt # 17535
for the \$32.00 fee paid in connection with this final
proof.

Very truly yours,

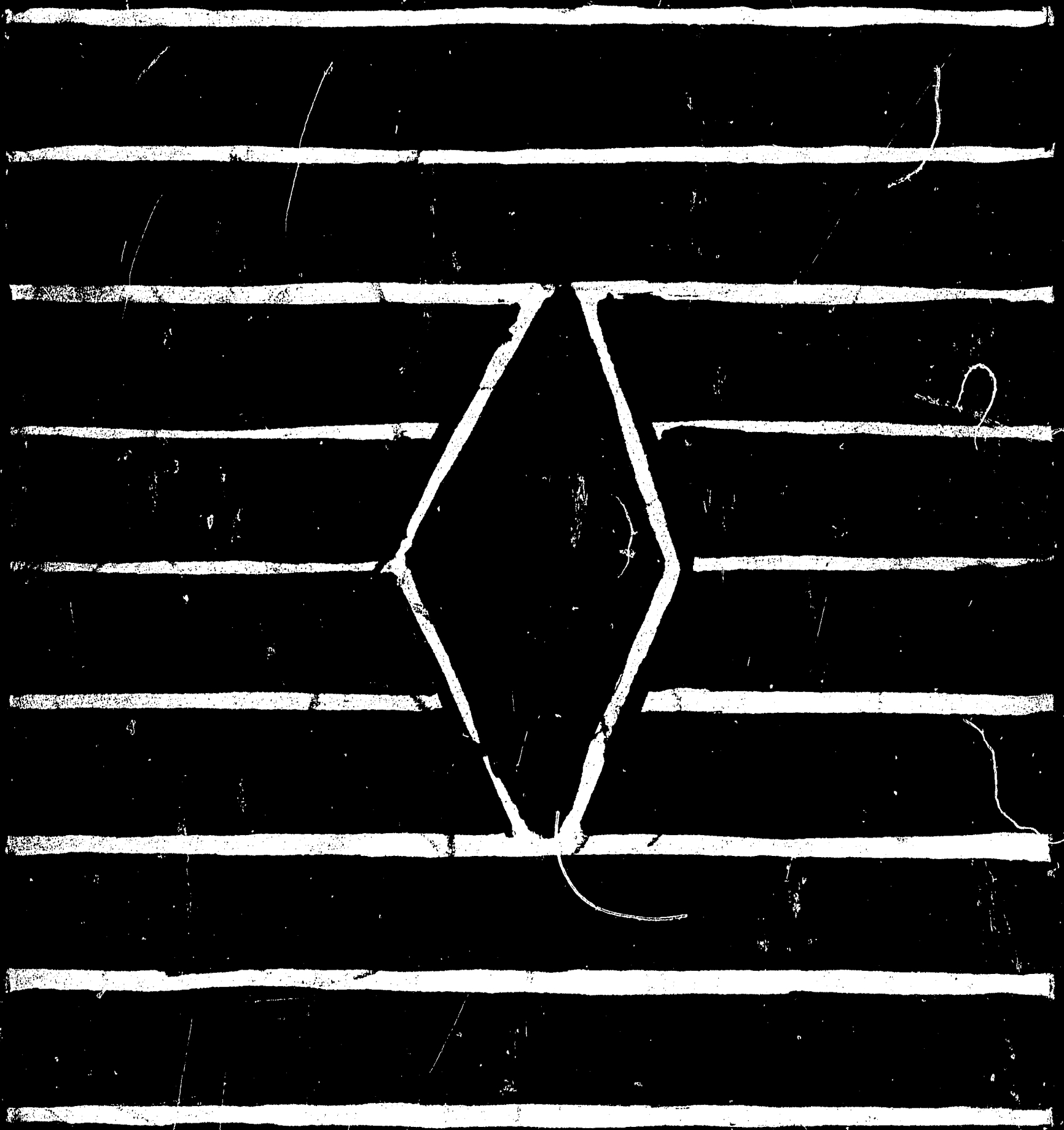
JAMES SPONTORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encls.

18585



40

Amount 2.5 second feet
Priority January 26, 1938

PROGRESS IRRIGATING COMPANY, A CORPORATION,

The right hereby confirmed dates from- January 26 , 19 38 ;

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 2.5 cubic feet per second.

Description and location of use:

[illegible]

Total Number of Acres Irrigated - - 858

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