

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

Progress Irrigating Co.
c/o Oscar W. Larson
Malad, Idaho

Application No. 26620
Permit No. 19148
District No.

1. Name of Applicant: PROGRESS IRRIGATING COMPANY, a corporation
Postoffice address: Malad, 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: Andie Talbot, Oscar Larson, John H. Peterson, John E. Balisdell, Henry I. Mills, Malad, R#1, Idaho.
 II. The financial resources of the applicant are:
 (a) Cash on hand: \$100.00
 (b) Treasury stock: none
 (c) Bonds to be issued: none
 (d) Other resources: 2 wells, electric pumps, ditches.
2. Quantity of water claimed: 3.5 cubic feet per second.
3. Source of water supply: subterranean which is a tributary of
and East
feet distant from the Northwest
4. Location of point of diversion: 470
corner of Section 24, T. 14 S, R. 35 E, B. M., and is the NW 1/4 NW 1/4
of Section 24, T. 14 S, R. 35 E, B. M., County of Oneida
5. Water is to be used for: irrigating 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: \$ 4000.0
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? 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: June 7, 1941, 1:00 P. M.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19148

Recorded in Book 69 Page 19148 Approved June 10, 1941

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 August 9, 1941 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 July 25, 1941

The whole of said work to be completed on or before Dec. 10, 1941

Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1942

Witness my hand this 10th day of June, 1941

E. V. BERG.

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We Chase A. Clark Governor of the State of Idaho, and Geo. H. Curtis
Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have
caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of June 19 41

Countersigned:

STATE OF IDAHO

(SEAL

By

GEO. H. CURTIS

Secretary of State.

By

CHASE A. CLARK

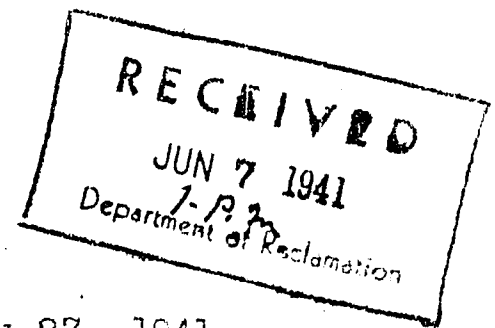
Governor.

Remarks:

14.

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 $\frac{1}{4}$	
											PERMIT NO. 19148								
14 S	35E	24	40			40	30	20	40	30	40		40	20	20			320	
14 S	36E	19						40										40	
																		360	
PERMIT NO. 19148																			
CERTIFICATE OF COMPLETION OF WORKS.																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that the Progress Irrigating Company, a corporation of Route No. 1, Ma Oneida, and State of Idaho, the holder of Permit No. 19148, issued upon Application No. 26620 bearing date of pri 7, 1941, authorizing the diversion of 3.5 second feet of the waters of a subterranean well, County of Oneida, Stat for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho rel proof of completion of the works of diversion set out and described in said Permit; that said works are adequate f conveying to the place of intended use 3.5 second feet of the waters of a subterranean well, that the point of div waters NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 14 S., Rge. 35 E., B. M. in Oneida County, and that the lands proposed to be irrigate of said water are described as follows, to wit: 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 $\frac{1}{4}$, Sec. 24, Twp. 14 S., Rge. 35 E., and NW 14 S., Rge. 36 E., B. M.																			
Witness my hand this 25th day of November, 1941.																			
ROY W. THOMPSON, Deputy Commissioner of Re																			
Completion made: Nov. 19, 1941																			
Certificate issued: Nov. 25, 1941																			

Office Of
PROSECUTING ATTORNEY
ONEIDA COUNTY
MALAD CITY, IDAHO



May 27, 1941

Commissioner of Reclamation
Boise, Idaho

Dear sir:

I enclose herewith filing of Progress Irrigating Co
on subterranean water in Sec. 24, T 14 S. R. 35 EBM, also check for
\$5.75 to cover fees.

About 5 weeks ago I forwarded filing of South Side Water Co
on subterranean water in Sec. 28, T 14 S. R. 36 EBM. I have not
received any acknowledgement of the same.

Very truly

T. E. Ray

A handwritten signature in cursive script, appearing to read "T. E. Ray".

19148

Township 14 South-Range 35 East BM

Range 36
East BM

well

24

1918

APPROVED
JUN 19 1918
K. V. REES
Commissioner of Agriculture

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19148

Boise, Idaho,
June 15, 1941

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~~ ^{fourth} page.

Progress Irrigation Co.
c/o T. E. Ray
Malad, Idaho
Encl. R/17857, \$5.75.

E. BERG.
Commissioner of Reclamation.

19148

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Oct. 6, 1941

Re: 19148

Progress Irrigating Co.
c/o Oscar W. Larson
Malad, Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 19148.....you are required to complete your diversion works on or before Dec. 10, 1941..... 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,

E. V. BERG.
Commissioner of Reclamation.

19148

Permit No. 19148

STATE OF IDAHO
Department of Reclamation

RECEIVED

NOV 21 1941

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. 19148, and that his postoffice address is Malad City, RFD #1, Idaho
 State of Idaho

Second: That the name of the stream from which said water is to be directed is
 well, subterranean water

Third: That the point of diversion of said water is 470 feet distant East from the
 Northwest corner of Sec. 24, Tp. 14 S. R. 35 EBM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to
 be completed by December 10, 1941, 19

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:

1. Kind of works 2 wells, electric pumps, 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 2 feet.

(d) Conduit ditch width at bottom 21 in feet, width at water line 4 ft
 (State whether ditch, flume or pipe.)
 feet, depth of water 1 feet; diameter of pipe 14 in inches, average grade
 per mile is 3.5 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 360 acres of land
 described as follows: NE 1/4 NE 1/4, SE 1/4 NE 1/4, 30 ac NE 1/4 NW 1/4, 20 ac NW 1/4 NW 1/4, SW 1/4 NW 1/4,
 30 ac SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, N 1/2 NE 1/4 SE 1/4, N 1/2 NW 1/4 SE 1/4, Sec. 24, Tp. 14 S.
 R. 35 EBM; NW 1/4 NW 1/4 Sec. 19, Tp. 14 S. R. 36 EBM

E 1/2 NE 1/4, NW 1/4, E 1/2 SW 1/4, N 1/2 SE 1/4, Sec 24
 14 S, 3 SE & NW 1/4 NW 1/4, Sec 19, 14 S, 36 E

Ninth: Remarks: That

Oscar Larson

(Sign here)

Subscribed and sworn to before me this 19th day of November, 1941.

My commission expires 1-20-43

Notary Public.

19148

November 25, 1941

Re: 19148

Mr. Oscar Larson, Secty.
Progress Irrigation Co.
Route No. 1
Malad, Idaho

Dear Mr. Larson:

We are enclosing a certificate of completion of works issued for 3.5 second feet of the waters of a subterranean well with the point of diversion in the NW NW 1/4 of Sec. 24, Twp. 14 S., Rge. 35 E., with a priority date as of June 7, 1941.

Very truly yours,
E. V. BEAC.
Commissioner of Reclamation

BY: CHIEF CLERK.

1.
encl.

19148

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

April 8, 1942

19148

Progress Irrigation Co.
Malad, Idaho
B/I

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19148, 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 June 10, 1942, 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,

E. V. BERG
Commissioner of Reclamation

19148

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 11, 1942

(P. O.) Malad City, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

Shales Enterprise
Progress Irrigating Co. of Malad, Idaho, published in
the county in which the works are situated.

Progress Irrigation Co
Cecil Larson Sec.

(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.

19148

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 8th . . . day of . . . June 1942 . .
 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
 well in accordance with the terms and conditions of Permit No. 19148 .
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
 Progress Irrigating Co., Malad City, 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) NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W 60 rods, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
 . . . Sec. 24, Twp. 14 S., Rge. 35 EBM, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp. 14 S., Rge. 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., lower ditch

The right to take water from such works is based upon Permit No. 19148

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

The date of priority which said user is prepared to establish is June 10, 1941

E. V. BERG

.
 Commissioner of Reclamation.

19148

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Re: 19148

DATE ~~April 22, 1948~~

Idaho Enterprise
Malad, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week
for four consecutive weeks prior to **June 8, 1940**, the date
set for proof, the expense of the publication to be paid by the
applicant, **Progress Irrigating Co, 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,

E. V. BERG

Commissioner of Reclamation.

19148

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re; 19148

June 1, 1942

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

BOISE, IDAHO,

Progress Irrigating Co.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19148.

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 June 5, 1942, 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,

E. V. BERG
Commissioner of Reclamation.

19148

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19148

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, farmer, Malad 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, Malad City, Idaho. Secretary, appearing by authority of order of Board of Directors

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

Ans. Permit No. 19148, date June 10, 1941, date of priority June 10, 1941

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

Ans. Well, subterranean water, point of diversion located 470 feet East from the Northwest Corner of Sec. 24, 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. Works of diversion: Well, electric pump and ditches 21 inches wide, at ~~surface~~ bottom 4 ft wide at top, 2 ft deep, length 1.5 miles capable of conveying 3.5 cu ft per second of water to place of use name of canal Progress Irrigating Co Canal No 2

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. Irrigating and domestic purposes. Irrigation of 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19 Tp. 14 S. R. 36 EBM; all of E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, West 60 acres E $\frac{1}{2}$ NW $\frac{1}{4}$, North 40 acres N $\frac{1}{2}$ SE $\frac{1}{4}$, E 20 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Tp. 14 S. R. 35 EBM, all has been irrigated. All of said land is cultivated land and heavier crops have been produced as a direct result of said irrigation

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

Ans. ---

Oscar Larson, Dep.
1941

19148

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 1 miner's inch per acre continuous flow

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. The full stream from said well of about 125 inches has been used the irrigating season of 1941 by the respective land owners of said land, who are stockholders in the Progress Irrigating Co, they taking it in turn

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. stockholders own about 20 shares of St John Irrigating Co water stock used on said land, however this will not irrigate over 60 acres of said land fully

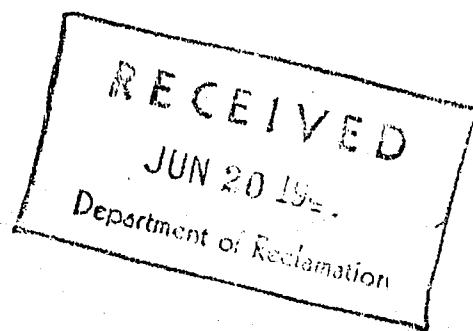
Oscar Larsson
(Sign)

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 8th day of June, A. D. 19 42.

Notary public

My commission expires Jan'y 20, 1943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 19148

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. Edward Woozley, age 40, farmer, Residence & PO Address, Malad City,
RFD#1, Idaho

Ques. 2. Are you acquainted with Progress Irrigating Company, the holder of Permit No. 19148? How long have you known him and where does he reside?

Ans. Yes, it is a corporation organized in 1938 as an irrigation company with its principal place of business in St Johnscouhrtly in Oneida County, Idaho

Ques. 3. Have you read or heard read said Permit No. 19148, 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 of supply, well and subterranean water, with diversion point 470 ft East from the NW Corner Sec. 24, Tp. 14 S. R. 35 EBM, water is diverted thru well and pipe into a ditch of sufficient size to convey all of the water to place of use

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. 2.5 second feet, same amount has been pumped from well into ditch and has been thus conveyed to and upon the land irrigated thereby

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. Water is used for irrigation and domestic purposes... Used during irrigation season of 1941 on all of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Tp. 14 S. R. 36 EBM and all of E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, West 60 acres of E $\frac{1}{2}$ NW $\frac{1}{4}$, North 40 acres of N $\frac{1}{2}$ SE $\frac{1}{4}$, East 20 acres of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Tp. 14 S. R. 35 EBM
All of said land is cultivated and heavier crops have been produced thereon as a direct result of said irrigation

19148

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

Ans. Domestic. used from ditches for stock purposes

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. Character of land, sandy loam; amount of water required for profitable cultivation of said land 1 miner's inch continuous flow per acre

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

Ans. None

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 seen the water pumped from the well into the ditch and followed it thru the ditch and have seen it diverted and used on the land hereinabove described during the irrigating season of 1941

(Signed)

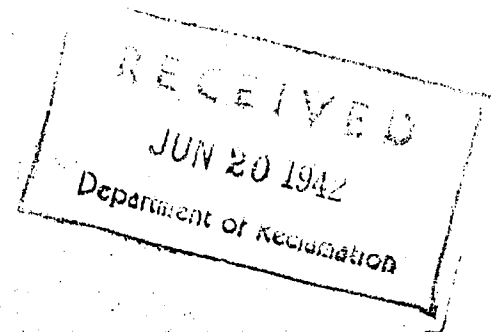
Edward M. Hooley

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 8th day of June, A. D. 19 42

[Signature]
Notary Public.

My commission expires Jan'y 20, 1943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 19148

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 W. Jones, age 34, res. & p.o. address Malad RFD#1, Idaho
occupation, farmer

Ques. 2. Are you acquainted with Progress Irrigating Company, the holder of Permit No. 19148? How long have you known him and where does he reside?

Ans. Yes, It is a corporation, organized in 1938, with its principal
place of business in St John country in Oneida County, Idaho, being
an irrigation company

Ques. 3. Have you read or heard read said Permit No. 19148, 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. Source of supply well and subterranean water, with diversion point 470 feet East from the NW Corner Sec. 24, Ans. 14 S. R. 35 EBM, water diverted thru well and pipe into a ditch
of sufficient size to convey water to place of use

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. 2.5 second feet, same amount has been pumped from well and has been
conveyed to and upon the land irrigated thereby

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 irrigation and domestic purposes. Used during
irrigating season of 1941 on all of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Tp. 14 S. R. 36 EBM
and all of E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW NW $\frac{1}{4}$, West 60 acres of E $\frac{1}{2}$ NW $\frac{1}{4}$, North 40 acres
of N $\frac{1}{2}$ SE $\frac{1}{4}$, East 20 acres of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Tp. 14 S. R. 35 EBM.

All of said land is cultivated and heavier crops have been produced thereon
as a result of said irrigation

19148

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

Ans. Domestic, used from ditches for stock purposes

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. Character of land, sandy loam, Amount of water required for profitable cultivation of said land 1 miner's inch continuous flow per acre

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

Ans. None

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 seen the water pumped from the well into the ditch and followed it thru the ditch and have seen it diverted and used on the land hereinabove described during the irrigating season of 1941

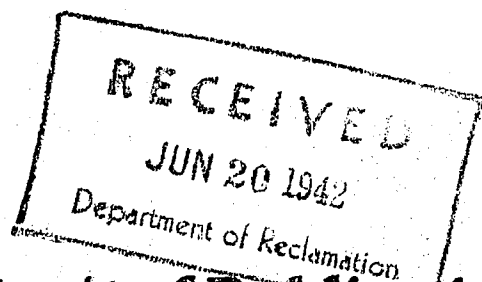
(Signed)

L. L. W. 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 8th day of June, A. D. 1942.

[Signature]
Notary Public.

My commission expires Jan'y 20, 1943



Affidavit of Publication

State of Idaho }

ss.

County of Oneida }

Clyde Harrison being first duly sworn on his oath, states: That... he is *pub...* *lisher*... 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 *30th* day of *April*... 19*42* the date of the last publication being the *28* day of *May*... 19*42*

Clyde Harrison

Subscribed and sworn to before me this *8* day of *June*... 19*42*

Notary Public, residing at Malad, Idaho

My Commission expires the *10* day of *July* 19*42*

COSTS: *48* lines at 10c per line first insertion \$ *4.80*
5c per line each subsequent insertion \$ *7.20*

TOTAL \$ *12.00*

NOTICE FOR PUBLICATION Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that 10 A. M. on the 8th day of June, 1942, at Malad City, 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 water of Subterranean, well in accordance with the terms and conditions of Permit No. 19148 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Progress Irrigating Company, Malad City, 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 NE1/4 NE1/4 SE1/4 NE1/4 E1/4 NW1/4 NW1/4 SW1/4 NW1/4 W 60 rods E1/4 NW1/4 E1/4 SW1/4 N1/4 SE1/4 Sec. 24, Tp. 14 S. R. 35 EBM, NW1/4 NW1/4 Sec. 19, 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., lower ditch.

The right to take water from such works is based upon Permit No. 19148.

The source of supply from which such water is diverted is subterranean, well.

The date of priority which said user is prepared to establish is June 10, 1941.

E. V. BERG
Commissioner of Reclamation

19148

June 24, 1942

Re: 19148

Mr. Oscar Larson, Secy.
Progress Irrigation Co.
Malad, Idaho

Dear Mr. Larson:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the Idaho Enterprise, all in connection with Beneficial Use proof 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 this department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, field engineer for the Department, will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

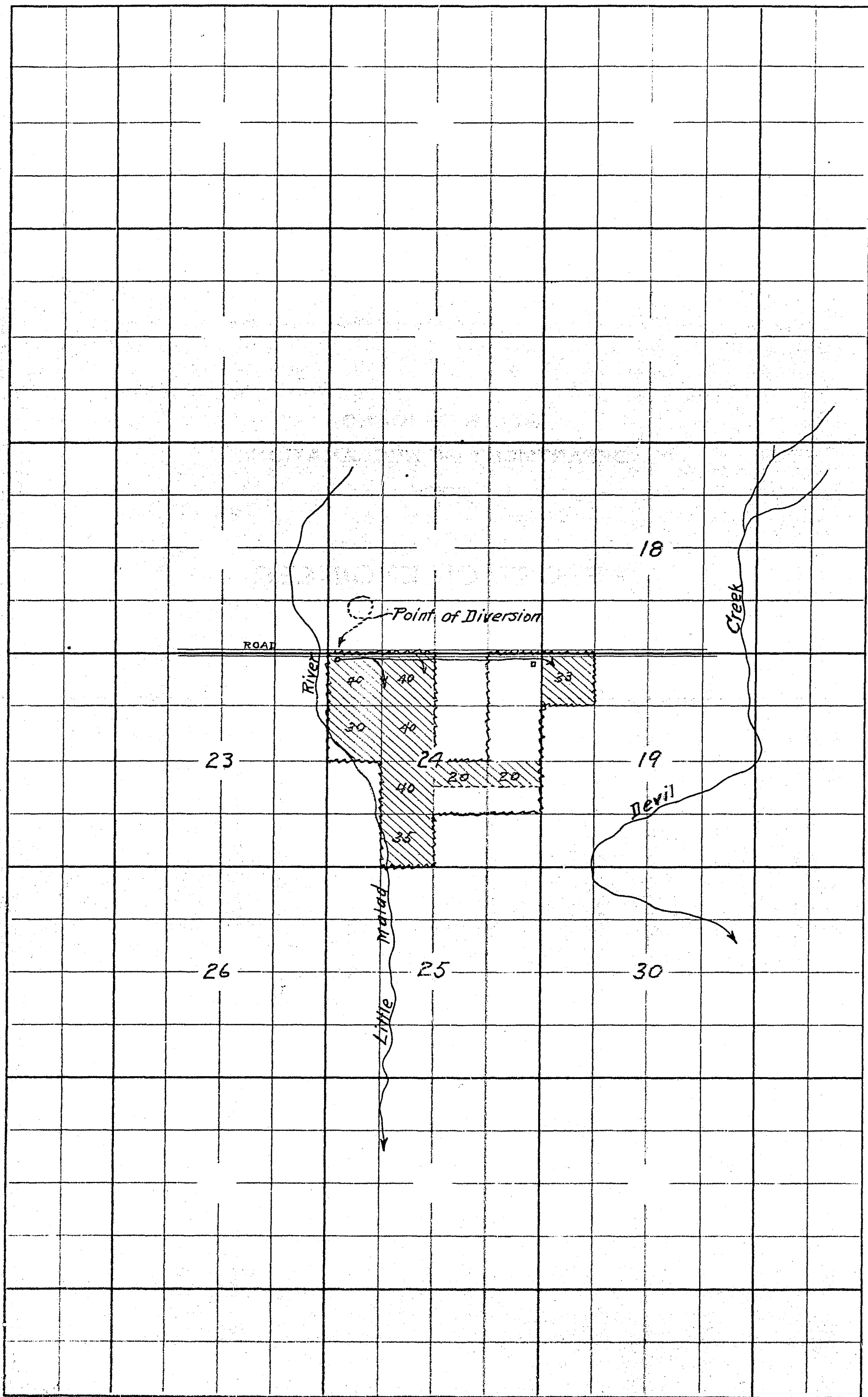
When the engineer's report is filed, you will be notified of the amount due for Beneficial Use proof, and upon receipt of your check a license will be issued.

Very truly yours,
E. V. BERG
Commissioner of Reclamation

BY: Chief Clerk

ml.

19148



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19148

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Progress Irrigating Co., Oscar Larson, Maled, Secty.
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the NW 1/4 of Section 24
T. 14 S. R. 35 E. County of Oneida
4. Describe works as they exist, giving dimensions and capacities of same: Drilled Well 280 feet deep, cased full depth; 14 inch casing. Equipped with Fairbanks Morse deep well turbine pump and 50 H.P. Motor. Discharge into ditch 2ft. wide X 1ft. deep
5. Water is used for: irrigation and domestic
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):
Twp. 14 S, 35 E.;
E 1/2 Ne 1/4, NW 1/4, E 1/2 SW 1/4, N 1/2 SE 1/4, Sec. 24; NW 1/4 NW 1/4, Sec. 19, Twp. 14 S., Rge. 36 E.

(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:

Pump discharge was passing over a baffle board in a 2ft. flume.

Cross section of water over crest was 4 1/2 inches deep X 21 inches wide,

Quantity not over 1.75 Sec. Ft.

This examination was made on the 16th day of September, 1942.

(Signed)

Fred J. Polman

Examiner.

G. A. Bottalisen
XXXXXXXXXXXX

James Spofford XXXXXXXX

February 9, 1943

Re: Permit No. 19148

Mr. Oscar Larson, Secretary,
Progress Irrigation Company,
Malad, Idaho

Dear Mr. Larson:

A short time ago we received the report of our
Field Engineer on examination for beneficial
use under the above numbered permit.

This report shows that the works are capable of
conducting to the place of use 1.75 second feet
of subterranean water, for the irrigation of 228
acres in nine 40-acre legal subdivisions.

Therefore, upon receipt of the statutory fee of
\$18.00, a license will be issued.

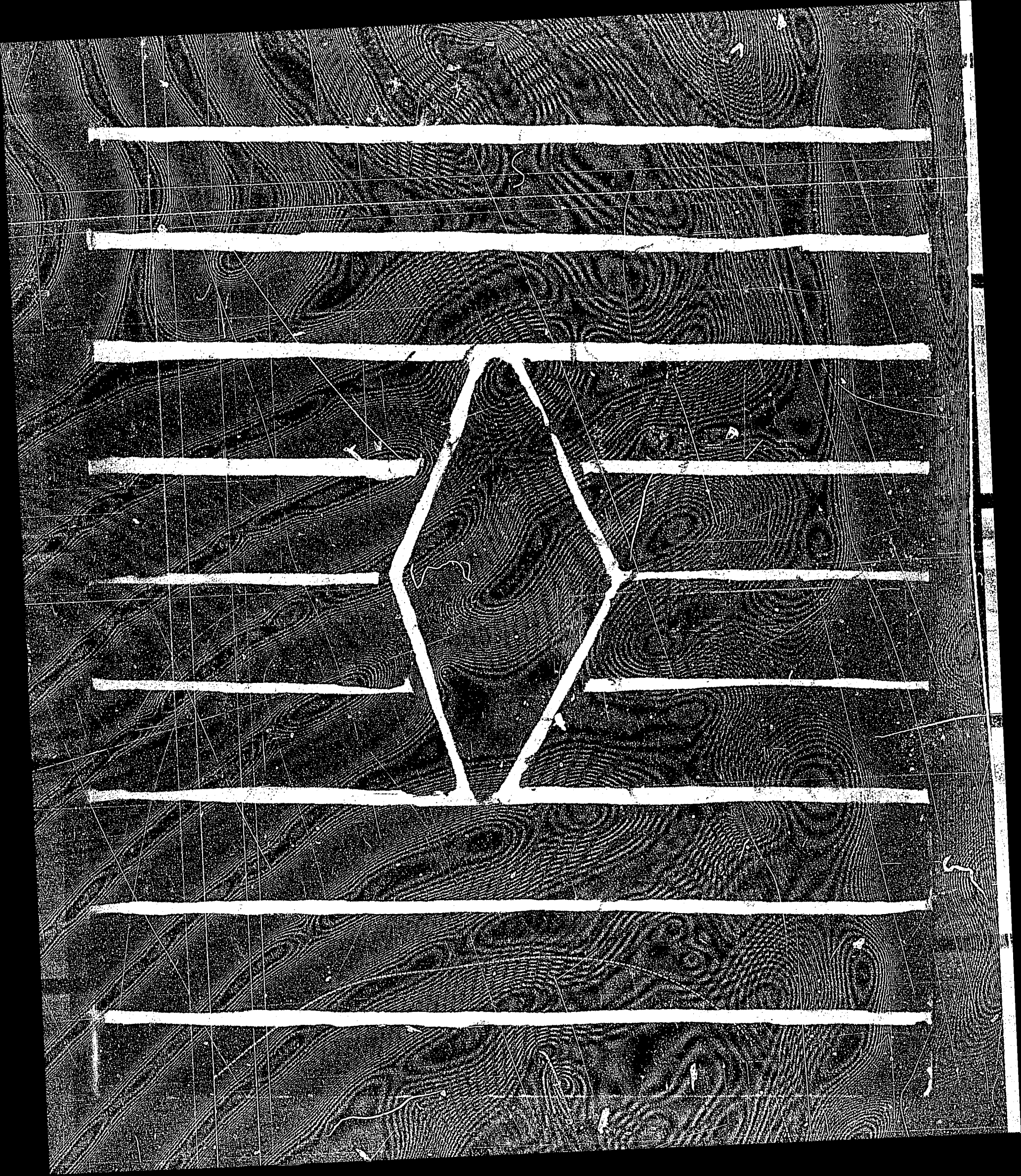
Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

19148



May 15, 1974

CERTIFIED MAIL

32083

Re: Permit No. 19148 (New No. 15-2027)

Progress Irrigating Company
c/o Oscar W. Larson, Sec.
Malad, Idaho 83252

Gentlemen:

It appearing to the Department of Water Administration that the terms and conditions of Permit No. 19148/15-2027 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of \$18.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before June 24, 1974, why said permit should not be cancelled.

Permit No. 19148/15-2027 claims the use of 3.5 cubic feet per second of water from a ground water source (well), the point of diversion was to be located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 24, Twp. 14 S, Rge. 35 E, B.M. and the permit was approved June 10, 1941.


R. KEITH HIGGINSON
Director

15 2027

15 2027

SENDER: Be sure to follow instructions on other side

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

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

32083

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

5/16/74

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

15 2000

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PRIVACY FOR PRIVATE
USE TO AVOID PAYMENT
MAY 10 1974
AM 10



Postmark of Delivering Office
83252

SENDER INSTRUCTIONS

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

RETURN
TO

RECEIVED

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

MAY 17 1974

Department of Water Administration

PS Form 3811
June 1973

15 2027

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

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

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. 19148/15-2027)
IN THE NAME OF Progress Irrigating Company)
_____)

ORDER OF CANCELLATION

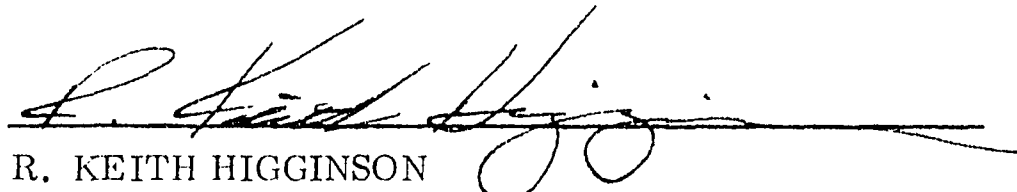
WHEREAS, the permit holder has failed to submit licensing fee in the amount
of \$18.00 ; and,

WHEREAS, on May 15, 1974, notice was sent to the holder of said permit
to appear before the Director of the Department of Water Administration on or before
June 24, 1974, to show cause why said permit should not be cancelled; and,

WHEREAS, the holder of said permit has failed to comply with the requirements of said
permit and has not shown adequate cause why such permit should not be cancelled;

IT IS THEREFORE ORDERED and Permit No. 19148/15-2027 is hereby CANCELLED.

Dated this 25th day of June, 19 74.


R. KEITH HIGGINSON
Director

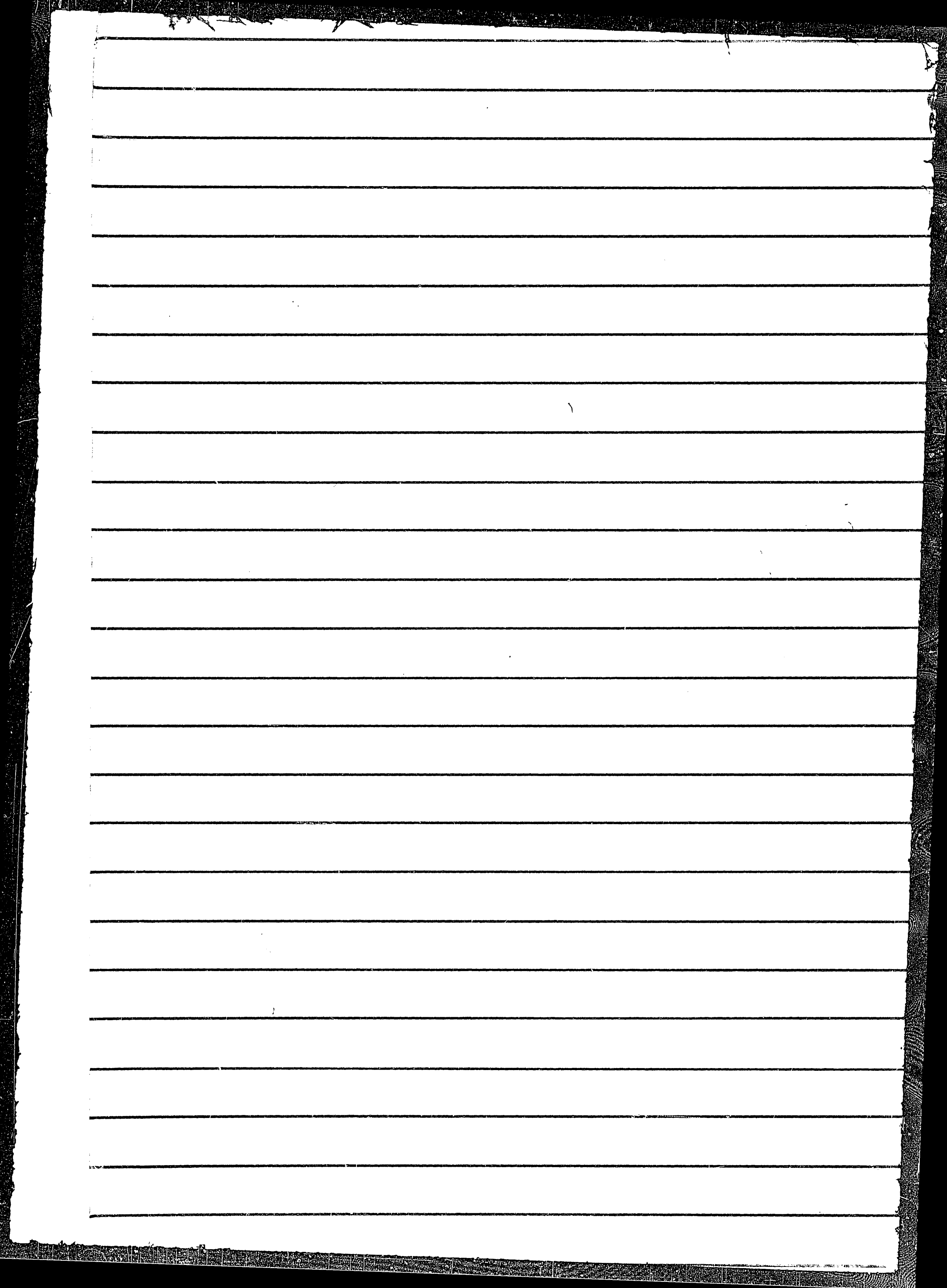
15 2027

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.



RECEIVED

J. 1974

Department of Water Resources

Harold Dohs

June 28, 1974

Mr. Higginson, Dear Sir,
My regrets for failure to
send license back as requested,
at the time I rec'd notice
my wife had another woman
helping her house clean and when
I was over I had no letter
and didn't remember what it
was and where to find out.
I'm sorry and hope this
will make things O.K.

Truly yours
J. A. Larson

15-2027

July 24, 1974

Re: Permit No. 19148/15-2027

Progress Irrigating Company
c/o Oscar W. Larson, Sec.
Malad, Idaho 83252

Dear Mr. Larson:

Enclosed herewith is a copy of the Order reinstating the above referenced permit
along with a copy of the water right license.

Also enclosed for your records is receipt No. 14995 for \$18.00 covering the licensing
fee.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of Order
Copy of license
Receipt #14995

bc: Eastern District Office

15-2027

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF Reinstating Permit No.)
19148/15-2027 in the name of PROGRESS)
IRRIGATING COMPANY)

ORDER

WHEREAS, on June 7, 1941, the Progress Irrigating Company applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 3.5 cubic feet per second of water from a ground water source within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 24, Twp. 14 S, Rge. 35 E, B.M., Oneida County, to be used for the irrigation of 360 acres; and,

WHEREAS, on June 10, 1941, the Department approved said application and issued Permit No. 19148/15-2027 with the condition that the whole of said works be completed on or before December 10, 1941; and that the water be appropriated to a beneficial use on or before June 10, 1942; and,

WHEREAS, proof of completion of works was made on November 19, 1941, and proof of application of water to beneficial use was made on June 8, 1942; and,

WHEREAS, on May 15, 1974, the Department notified the permit holder that Permit No. 19148/15-2027 was subject to cancellation for failure to submit an \$18.00 licensing fee; and,

WHEREAS, on June 25, 1974, the Department issued an Order of Cancellation on the above numbered permit; and,

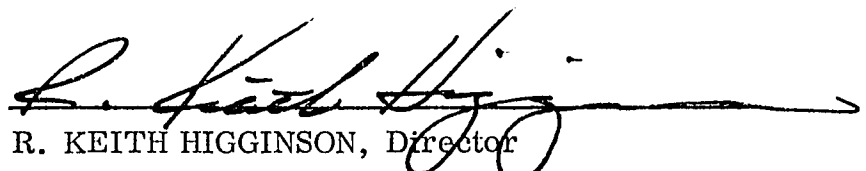
WHEREAS, on July 8, 1974, the Department received the required licensing fee due under said permit; and,

WHEREAS, it appears to the Director of the Department of Water Resources that the permit holder has shown just cause for the reinstatement of said permit;

IT IS, THEREFORE, ORDERED and Permit No. 19148/15-2027 is hereby REINSTATED without a loss of priority; and,

IT IS FURTHER ORDERED that a water right license be issued under Permit No. 19148/15-2027.

Dated this 23 day of July, 1974.


R. KEITH HIGGINSON, Director

15-2027

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 19148/15-2027 Priority June 7, 1941 Amount 1.75 cfs

THIS IS TO CERTIFY, that PROGRESS IRRIGATING COMPANY
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 19148/15-2027 issued pursuant to Application for Permit dated June 7, 1941,
and has submitted proof to the Department of Water Administration on June 8, 1942,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.75 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>1.75</u> cfs and	<u>742 acre feet or</u>
			<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.75 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
742 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 24,
Twp. 14 S, Rge. 35 E, B.M. in the County of Oneida

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S	35 E	24					40	40	30	40	40			35	20	20			265
14 S	36 E	19					33												33

Total number of acres irrigated 298

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
July, 19 74.

Director

15-2027

