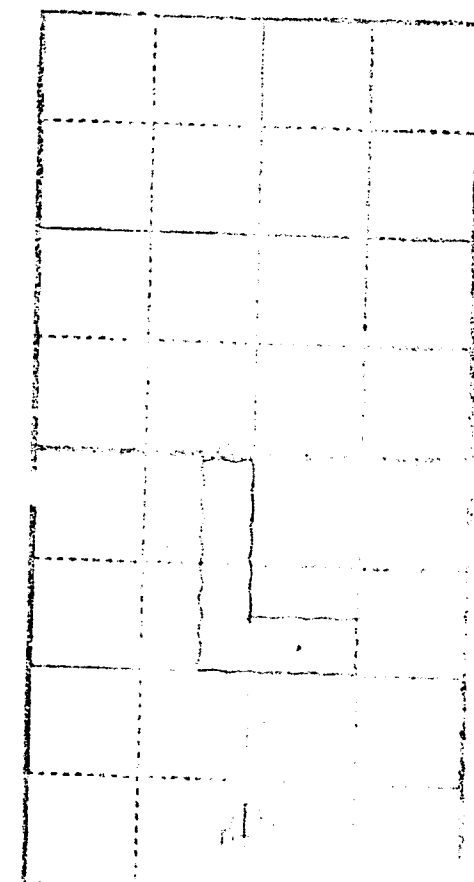


Nephi R. Ipsen
Rt. #1,
Malad, Idaho

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

Application No. G- 37671
Permit No. G- 29665
District No

1. Name of Applicant: Nephi R. Ipsen & Sons
Postoffice address: Malad County: Oneida State: Idaho
2. Quantity of water claimed: 3 second feet
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14
Twp. 14 S , Rge. 35 E , B.M., County of Oneida
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: One 14" pump well
8. Estimated cost of works: \$20,000
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: shares of water in the
Samaria Water & Irrigation Co.
(a) 3 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.



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

By _____ *Agent.*

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 29665

Recorded in Book 104 Page 29665 Approved April 28, 1961

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

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

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before October 28, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before April 28, 1966

Witness my hand this 28th day of April, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th
day of April, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLIE
Governor

12.

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	14 15			40							40	40			40		40	80 160 240

April 11, 1961

RE: Application for Permit

Mr. Nephi S. Ipsen
Rt 1
Malad, Idaho

Dear Mr. Ipsen:

Your application to appropriate 3 second feet of subterranean water was received without fee. The filing fee is \$5.50 which must be paid before the application will be given a priority.

I am unable to understand from your map just exactly what land is intended to be irrigated. You have shown the location of the well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 14 South, Range 35 East which agrees with the application, but the rest of the map is confusing. Each little square on the map is 40 acres. Will you please locate on the map the 40-acre legal subdivisions you plan to irrigate from the well and also insert them in the appropriate column under question 12.

Your application is returned for clarification of what lands you plan to irrigate from this well, and for payment of the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:mr

Enc. application

29665



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
APR 27 1961

Department of Reclamation

April 14, 1961

RE: Application for Permit

Mr. Nephi R. Ipsen
Rt 1
Malad, Idaho

Dear Mr. Ipsen:

Your application to appropriate 3 second feet of subterranean water was received without fee. The filing fee is \$5.50 which must be paid before the application will be given a priority.

I am unable to understand from your map just exactly what land is intended to be irrigated. You have shown the location of the well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 14 South, Range 35 East which agrees with the application, but the rest of the map is confusing. Each little square on the map is 40 acres. Will you please locate on the map the 40-acre legal subdivisions you plan to irrigate from the well and also insert them in the appropriate column under question 12.

Your application is returned for clarification of what lands you plan to irrigate from this well, and for payment of the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

CNC:mr

Enc. application

I hope this will fill the Bill.
M. R. Ipsen

29665

NAME OF APPLICANT

Nephi R. Jensen & Sons

Form No. 0

North

T 14 S. R. 35 E. B.M.



Sec 14 Township 14

Range 35 E.B.M. 2.40 acres

Deviation Point

Well

Permit Map No. 23665

As Approved

GED. H. GED. H. APR 28 1961

State of Idaho

May 4, 1961

Re: Permit No. G-29665

Mr. Nephi R. Ipsen,
Rt. #1,
Malad, Idaho.

Dear Mr. Ipsen:

We enclose Permit No. G-29665 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5886 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

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

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Hale
Chief Clerk

Encl.
EPR:pmk

29665

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RECEIVED

AUG 14 1961

Department of Reclamation

Preston, Idaho

August 11, 1961

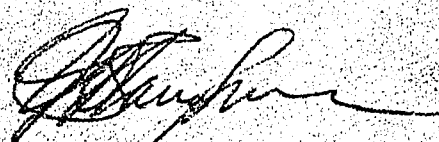
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

We have taken a Real Estate Mortgage on the property of Nephi Ruel Ipsen of Malad, Idaho, in connection with a Soil and Water loan under permit No. G-37671. Mr. Ipsen has agreed that he will not assign or amend the permit without the consent of the Farmers Home Administration.

Very truly yours,

29665



W. C. Maughan
County Supervisor

Copy signed & returned 8-14-61
R.T.

29665

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RECEIVED
AUG 21 1961

Preston, Idaho

Department of Reclamation

August 18, 1961

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

You have acknowledged the Real Estate Mortgage we have taken on Nephi Ruel Ipsen at Malad, Idaho, in connection with his Soil and Water loan in connection with Permit No. G 29665. The Real Estate Mortgage also includes one half of the water under license No. 19425 which includes a recent change authorizing them to use the subterranean flow on Mr. Ipsen's land.

A copy of the Affidavit of Publication is enclosed. Please return this Affidavit to our office.

*Please make
record of this*

Very truly yours,

W. C. Maughan
County Supervisor

Enclosure

29665

August 21, 1961

Re: Permit No. G-29665
Napha Ippen

W. C. Haughan, Supervisor
Farmers Home Administration
Preston, Idaho

Dear Mr. Haughan:

Enclosed is affidavit of publication you enclosed.

The permit record has been marked and your letter of August 18th placed in the file.

Licensed water rights are transferrable without notice to this office. The license record for Permit No. 19425 has been marked however that is of doubtful protection for your interest.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. affidavit

29665

August 18, 1961

RECEIVED
AUG 22 1961

Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

I received permit No. G29665. At that time I filled in as the applicant's name, Nephi Ruel Ipsen & Sons. I have obtained a Real Estate Loan from the Farmers Home Administration and they have requested that this permit be changed in the name of Nephi Ruel Ipsen or me and my wife.

Please advise how this permit can be changed as indicated to satisfy the requirements of the Farmers Home Administration. Please send a copy of the correspondence to the Farmers Home Administration.

Very truly yours,

Nephi Ruel Ipsen

Nephi Ruel Ipsen
Route #1
Malad, Idaho

29665

August 22, 1951

Re: Permit No. 0-2965

Harold Earl Ippert
Route #1
Kalahe, Idaho

Dear Mr. Ippert:

Enclosed is form for assignment of permit
requested in your letter of August 18th.

The name of the holder of the permit may be
changed as desired by completing the form. You and sons
with wives must sign the form before a Notary Public.

Return the completed form to this office with
the \$0.50 recording fee.

Enclosed is an extra copy of this letter which
you may deliver to the Foreman Home Administration.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RAIF W. THOMAS, Deputy
State Reclamation Engineer

RT:ms

Enc. assignment form
copy of letter

2965

Dear Sir -

Nov 27, 1961

I would like to make
application for License + Certificate
of Water Right to well for
Irrigation. For Herbert R. Sporn
+ sons. application no G 37671
Permit no. G. 29665. Recorded
in book 104 Page 29665. April
28, 1961.

Would you advise me steps to
be taken + fees to be paid in
obtaining this License + Certificate

Sincerely
Foster Sporn

RT 1 B 2485
Malad, Idaho

RECEIVED

NOV 29 1961

Department of Reclamation

Form 36 a

Forms 36 - 11 mailed 11/29/61

29665

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
Feb. 1, 1966

Re: Permit No. G - 29665

Nephi R. Ipsen
Route #1
Malad, Idaho

Dear Mr. Ipsen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-29665 are due not later than **April. 28, 1966**

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

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

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

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

Very truly yours,

CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29665

E. L. SCOTT
ATTORNEY AT LAW
28 COURT STREET
MALAD CITY, IDAHO
TELEPHONE NO. 1

RECEIVED
MAR 2 1966

Department of Reclamation

March 1, 1966.

Mr. Carl E. Tappen
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. G 29665

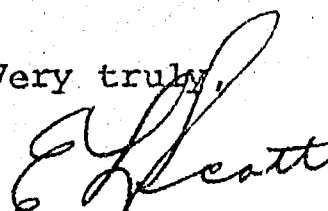
Dear Mr. Tappen:

I am enclosing Notice of Proof of Completion of Works
in connection with the above identified permit.

Nephi R. Ipsen died some time ago and his estate was
probated and his property distributed to his wife, Ada
Ipsen as survivor of the community. Mrs. Ipsen sold the
real estate including the permit to her son Foster
Ipsen who is now the owner and holder of the above permit.
I don't know whether a formal assignment was made for this
permit to Foster by Mrs. Ipsen. At any rate, I feel that
we can go ahead and make Proof of Completion of Works and
Application of Water to Beneficial Use on behalf of Foster
Ipsen and if there is anything further that needs to be done
by way of assignment, we can accomplish this during the
period of publication.

Please advise as to anything necessary in connection with
this permit.

Very truly,



E. L. Scott

ELS/yj

29665

Department of Reclamation

(Date) February 28, 1966

(P. O.) Route 1, Malad, Idaho

Boise, Idaho

Dear Sir:

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

Foster Spenn

(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

2966B

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

Notice is hereby given that at 10:00 A.M., on the 14th day of March
19 66, at Malad City, County of Oneida, State of Idaho
before E. L. Scott, Notary Public, at (address) 26 Court St.
Malad City, Idaho, proof will be submitted of the completion
of works for the diversion of 3 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-29665, 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
is Foster Ipsen by assignment from Ada Ipsen as surviving wife of
Nephi R. Ipsen, deceased

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3 cubic feet per second.

3. The use to which said water has been applied is Irrigation
, purposes and the amount applied to beneficial use is
3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14,
Township 14 South, Range 35 East, Boise Meridian, county of Oneida

5. The place where said water is used is E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 15 and S $\frac{1}{2}$ SW $\frac{1}{4}$ of
Section 14, Township 14 South, Range 35 East, Boise Meridian

6. The date of priority which said user is prepared to establish is April 28, 1961

State Reclamation Engineer

29665

Department of Reclamation

6. The date of priority which said user is prepared to establish is April 28, 1961

29663

Re: Permit No. G-29665
Foster Ipsen

March 2, 1966

Idaho Enterprise
Malad City, Idaho
Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to April 14, 1966. The expense of the publication is to be paid by Foster Ipsen of Malad, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29665

Re: Permit No. G-29665

March 2, 1966

E. L. Scott
Attorney at Law
28 Court Street
Malad City, Idaho

Dear Mr. Scott:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29665, in the name of Poster Ipsen, Final Proof is to be made before you, as Notary on the 14th day of April, 19 66, at xxxxx o'clock xxxxx, at 26 Court St., Malad City, Idaho.

As of this date, we have mailed the Notice to the Idaho Enterprise, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

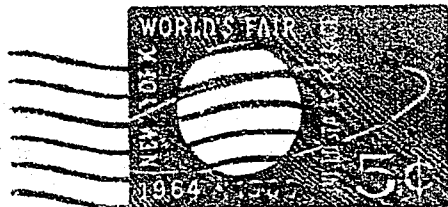
CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29665

FOSTER IPSEN
MALAD, IDAHO



RECEIVED
MAY 23 1966

Department of Reclamation

Department of Reclamation
Room 107, State House
Boise, Idaho 83701

29665

Dear Mr. Tappan

I must have mist placed
the papers. It takes to finish the proof
of completion of work. I would
appreciate if you would see what is
needed to finish this application up.

permit No. G-29665

Thank you

Foster L. L. L.

Rt 1 Rexburg Idaho.

29665

RECEIVED

MAY 23 1966

Department of Reclamation

766-2500

October 4, 1966

RE: Permit G-29663

Mr. Nathl R. Ipson
Route #1
Haled, Idaho

Dear Mr. Ipson:

Since our telephone conversation of May 23, 1966, we have not heard from you regarding your proofs. Would you please forward the deposition of holder and witnesses also, the affidavit of publication at your earliest convenience to keep this permit from being cancelled.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

HRB:ejw

29663

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO
TELEPHONE NO. 766-4000

RECEIVED
NOV 7 1966

Department of Reclamation

November 3, 1966

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

Re: Permit No. G 29665
Foster Ipsen

Gentlemen:

Please find enclosed the Proof of Completion of Works
and Application of Water to Beneficial Use under
the above Permit.

Very truly,
E. L. Scott

29665

November 8, 1966

RE: Permit G-29668

Wapiti R. Ingers and Sons

E. L. Scott
Attorney at Law
26 Court Street
Malad, Idaho

Dear Mr. Scott:

Returned herewith are the depositions taken in connection with the above numbered permit. In checking we find that all three depositions were taken at different dates and only one on the date specified by the advertisement. We require a notarized statement from you as to why these depositions were not taken on the 14th day of April, 1966, and that no one appeared to protest this permit during that period that has passed since the taking of the first depositions and the last one. After this affidavit has been completed please return all papers to our office for processing.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Depositions

29668

Dear Mr. Bosch:

I object to having to go through the procedure outlined in your letter on the reverse side hereof. In the first instance, the Governor of the State of Idaho has given me a commission as a Notary Public. Now if you people are not willing to accept my statement over my hand and seal relative to the matters discussed on the reverse side hereof, then I think your office is in need of an overhauling. Having a Notary Public go out and have another Notary Public notarize his statement appears to me to be absurd.

Please advise.

E. H. Scott

RECEIVED
NOV 14 1966

Department of Information

29665

November 15, 1966

RE: Permit G-29663
Nepht R. Ipson and Sons

E. L. Scott
Attorney at Law
26 Court Street
Pocatello, Idaho

Dear Mr. Scott:

After checking with the Attorney General's office we have decided we can accept the depositions even if they do not agree with the legal advertising. So, if you will be so kind as to return the depositions we will accept them.

We do not feel, however, that our office is in need of an overhaul, but we do agree the water laws could use some updating. This, of course, is being taken care of and may get into this session of the legislature.

Sorry for this inconvenience.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

29663

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 29665

* * * * *

RECEIVED
NOV 18 1966

Department of Reclamation

RECEIVED
NOV 7 1966

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

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

Foster Ipsen; residing at Pleasantview, Oneida County, Idaho;

P.O. Address: RED#1, Malad, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: _____

G 29665; Approval date of April 28, 1961; Date of Priority: April 28, 1961

Ques. 4. State source of water supply: _____

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp. 14 S., R. 35 E.B.M.

Ques. 5. Describe your works of diversion: Deep well, cased, elec. pump and sprinkler system; state amount of water they are capable of conveying from point of diversion to place of use: 4.5 c.f.s.; Give name of canal or ditch or other works by which water is conducted to such place of use: None

_____; if a well, state depth of well d 392 ft.; depth and size of casing 400 feet of 16", 14" and 12"; depth to water 160 ft.; if pump is used, state discharge of pump: 3 c.f.s.; tell how it was measured or determined _____
By Sprinkler line and pressure guage; if sprinkler irrigation, give number and size of nozzles and operating pressure: 99 nozzles 7/32" size; 35 - 40 pounds pressure

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

Township 14 South, Range 35 East, Boise Meridian

Sec. 15: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 160 acres

Sec. 14: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 80 acres

129665

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

m

None

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Charles B. Gardner; Malad City, Idaho

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

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

Acquired by purchase from Estate of Nephi R. Ipsen, deceased

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Sept. 15, 1961 - Time used since first use:

Used each irrigating season starting with 1962 and thereafter

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

None

(sign)

Foster Ipsen

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 1st day of July, A. D. 19 66.

E. J. Scott

Notary Public

My commission expires: May 19, 1967

29668

RECEIVED
NOV 18 1966

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 29665

RECEIVED
NOV 7 1966

Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:
Charles B. Gardner; age 70 years, residing at Malad City, Idaho

P. O. Address: Malad, Idaho

Ques. 2 Are you acquainted with Foster Ipsen, the holder of
Permit No. G 29665 ? How long have you known him and where does he reside?

Yes. He resides at Pleasantview in Oneida County, Idaho

Ques. 3. Have you read or heard said Permit No. G 29665 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Underground

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 - 14 - 35

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp. 14 S., R. 35 East, Boise Meridian

Describe works for conveying water to place of use: Deep well, turbine pump, main

line & lateral

line and laterals

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 3 c.f.s. How much water have you seen being so

conveyed? 3 c.f.s.

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

E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 15, Twp. 14 S., R. 35 E.B.M.

160 acres

W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 14, Twp. 14 S., R. 35 E.B.M.

80 acres

29665

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

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

Sandy loam soil; requiring 1 miners inch per acre and more

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? Fall of 1961
Each irrigating season since 1961
Other times you have seen such use: Each irrigating season since 1961

(Signed):

Charles B. Gardner

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 14th day of April, A. D. 1966

E. L. Scott

Notary Public for the State of Idaho
Residing Malad, Idaho

My commission expires May 19, 1967

29663

RECEIVED
NOV 18 1966
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29665

RECEIVED
NOV 7 1966
Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:
Ldo H. Brown, age 54 years; residing at RFD#1, Malad, Idaho
P.O. Address: RFD#1, Malad, Idaho

Ques. 2 Are you acquainted with Foster Ipsen, the holder of
Permit No. G 29665? How long have you known him and where does he reside?

Yes. He resides at Pleasantview, Oneida County, Idaho

Ques. 3. Have you read or heard said Permit No. G 29665 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Underground

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ Sec. 14, Twp. 14 South, Range 35 East, Boise Meridian

Describe works for conveying water to place of use: Underground pipeline
and sprinkler

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3 c.f.s. How much water have you seen being so
conveyed? 2.7 c.f.s

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

E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 15, Twp. 15 S., R. 35 E.B.M. 160 acres

S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 14, Twp. 15 S., R. 35 E.B.M. 80 acres

29665

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

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

Sandy Loam soil, requiring up to 3 miners inches per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? Fall of 1961

Other times you have seen such use: Each irrigating season since it was placed in operation

(Signed):

Les H. Brown

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 2nd day of November, A. D. 19 66

E. L. Scott

Notary Public for the State of Idaho

Residing Malad, Idaho

My commission expires 5/19/67

RECEIVED
NOV 7 1966

Department of Reclamation

RECEIVED
NOV 13 1966

Affidavit of Publication

State of Idaho
County of Oneida, ss.

Mary Matthews being first duly sworn on

h. oath, states: That *he* is *clerk* 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 at regular intervals not less frequently than once a week.

That the annexed notice was published 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 *10th* day of *March*, 19*66* the date of the last publication being the *31st* day of *March*, 19*66*.

Mary Matthews

Subscribed and sworn to before me this *1st* day of

July, 19*66* *E. Scott*

Notary Public, residing at Malad, Idaho

My Commission expires the day of, 19....

Costs: *52* lines at 13c per line first insertion \$ *6.76*

..... lines tabulated at 20c per line \$.....

10c per line each subsequent insertion \$ *15.60*

TOTAL \$ *22.36*

(Rates for legal notices are fixed by Idaho law)

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

Notice is hereby given that at 10 A.M. on the 14th day of April 1966, at Malad City, County of Oneida, State of Idaho before E. L. Scott, Notary Public, at 26 Court St., Malad City, Idaho, proof was submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22566, 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 is Foster Ipsen, Malad, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place to use is 3 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes and the amount applied to beneficial use is 3 cubic feet per second.

4. The point of diversion of said water is SW1/4 of the SW1/4 of Section 14, Township 14 South, Range 35 East, Boise Meridian, County of Oneida.

5. The place where said water is used is E1/4 of Section 15 and S1/4SW1/4 of Section 14, Township 14 South, Range 35 East, Boise Meridian.

The date of priority which said user is prepared to establish is April 27, 1961.

CARL E. TAPPAN
State Reclamation Engineer

29665

XXXXXX

November 28, 1966

Re: Permit No. G-29665

Foster Ipsen
Route #1
Malad, Idaho

Dear Mr. Ipsen:

We acknowledge receipt of the deposition of ~~Idaho~~ ^{Idaho} ~~two~~ ^{two} witnesses, also affidavit of publication in the all submitted in proof of completion of works and beneficial use on Permit No. G-29665.

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

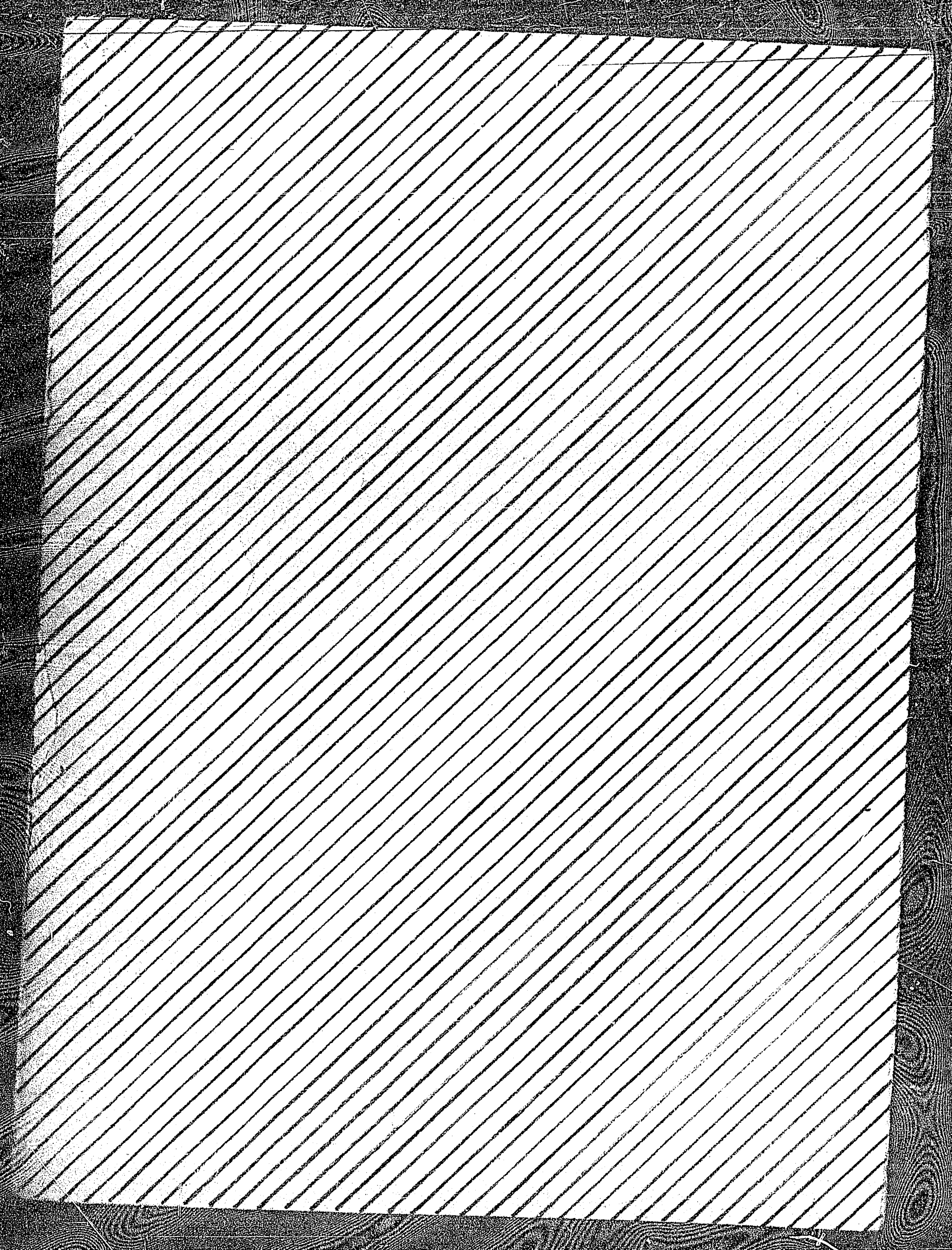
We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29665



Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29665/15-2056

REPORT ON PROOF OF Completion of Works & Beneficial Use

15 2056

R 35 E

Line # 1 32 $\frac{7}{32}$ RAIR BIRD 30 @ 55 LBS

Line # 2 32 $\frac{7}{32}$ RAIR BIRD 30 @ 35 LBS

39

38

31

115

Line # 1 32 x 10.3 = 329.6

Line # 2 32 x 8.26 = 264.32

263.32

512.92 GPM

Q measured 1.76 CFS

Q recommended 1.76

Volume

Acreage

Found 223

recommended

Subdy.

Amendments

☐ None

☐ P.D.

☐ Place of use

☐

Priority - June 30, 1961 - Lake Arrowhead 10-31-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-29665 /15-2056

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

1. Name of applicant: Foster Ipsen (Nephi R. Ipsen & Sons)

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14

T. 14S R. 35E County of Oneida

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

Fairbanks - Mares motor and pump see in pump
P20 5455 8" discharge to 10" mainline. Main goes east
10' with portable line to irrigate SE $\frac{1}{4}$ sec 14. Line is buried 4 mi west
then reduced to 8" and goes north 2 mi.

5. Water is used for: irrigation

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):

S $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14; E $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14 S, R. 35 E, B.M. (240 acres)

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

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

Remarks: Foster Ipsen accompanied exam
Measure ment made with pitot tube & sprinkler
gauge. GPM figures from Rain bird catalog 69-A

This examination was made on the 15 day of July, 1970

(Signed) *William S. Quinn*
Examiner.

15 2056

Plot
my
8-30-70

INSTRUCTIONS TO EXAMINERS

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

15 2056

Foster Ipsen *well, sprinkler system*
Route #1
Malad, Idaho 16"-392'
Permit No. *4-160'*
G-29665/15-2056 f.s.

Examination for Completion of Works & Beneficial Use

County Oneida

Quantity: 3 c.f.s. Sec. 14 T. 14S R. 35E

15-
Source: subterranean

P.D.: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 14 S, R. 35 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Samaria Water & Irr. Co.

Filed: April 27, 1961

Due: April 28, 1966

Made: July 1, 1966

Priority: June 30, 1961

January 29, 1971

Re: Permit No. 15-2056 (G-29665)

Nephi R. Ipen & Sons
c/o Mr. Foster Ipen
Route 1
Malad, Idaho 83252

Dear Mr. Ipen:

A representative of this department has made an examination of the works covered by your Permit No. 15-2056 and has found the following:

Quantity of water diverted: 1.76 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.76 c.f.s.

The maximum quantity of water diverted shall not exceed 739 acre feet per season.

Beneficial Use: Irrigation of 223 acres within the S¹/₂SW¹/₄ Sec. 14, E¹/₂E¹/₂ Sec. 15, T. 14 S., R. 35 E., B.M.

The priority date established is : June 30, 1961 (late proof)

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

15 2056

March 1, 1971

Mr. Nephi R. Ipen and Sons
% Mr. Foster Ipen
Route #1
Malad, Idaho 83252

Attached herewith is Departmental Receipt No. 5697 in the amount of
\$17.00 for Licensing fee No. 15-2056,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

15 2056

December 9, 1971

Re: Permit No. 29665/15-2056

Nephi R. Ipen & Sons
% Foster Ipen
Route # 1
Malad, Idaho 83252

Gentlemen:

Enclosed herewith is your Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
cc: Idaho Falls Office

15 2056

LICENSE OF WATER RIGHT

THIS IS TO CERTIFY, that Nephi R. Ipsen & Sons
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 29665/15-2056 issued pursuant to Application for Permit dated April 27, 1961,
and has submitted proof to the Department of Water Administration on July 1, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.76 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.76 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.76 cfs of water be diverted at any one time, said waters to be diverted within the _____

in the county of Oneida; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 746.88 acre feet per year or 3.5 acre feet per acre.

[illegible]

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.

R. Karl Hiji
Director

15 2056

