

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41736
 Permit No. G- 33498
 District No.

Roscoe Colton
 585 Bannock St.,
 Malad City, Idaho 83252

1. Name of Applicant: Roscoe Colton and Ethel L. Colton
 Postoffice address: Malad City County: Oneida State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 3.8 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 NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29
 Twp. 14 S , Rge. 36 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: well, and pumping plant
8. Estimated cost of works: \$ 8,000.00
9. (a) Is reservoir to be used?
 (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
 years. 5
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: There are no existing water rights
 on this land at this time.
 - (a) (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~~^{old} lands.

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.

Applicant.

Agent.

Correction application received:

The number of this permit is G— 33498

Recorded in Book 117 Page 33498 Approved March 2, 1967

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 September 2, 1969

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 March 2, 1972 /s/ R. KEITH HIGGINSON

/s/ R. KEITH HIGGINSON

Witness my hand this 2nd

day of

March, 1967.

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, DON SAMUELSON, Governor of the State of Idaho,

and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument

to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this

2nd day of March, 1967

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ DON SAMUELSON

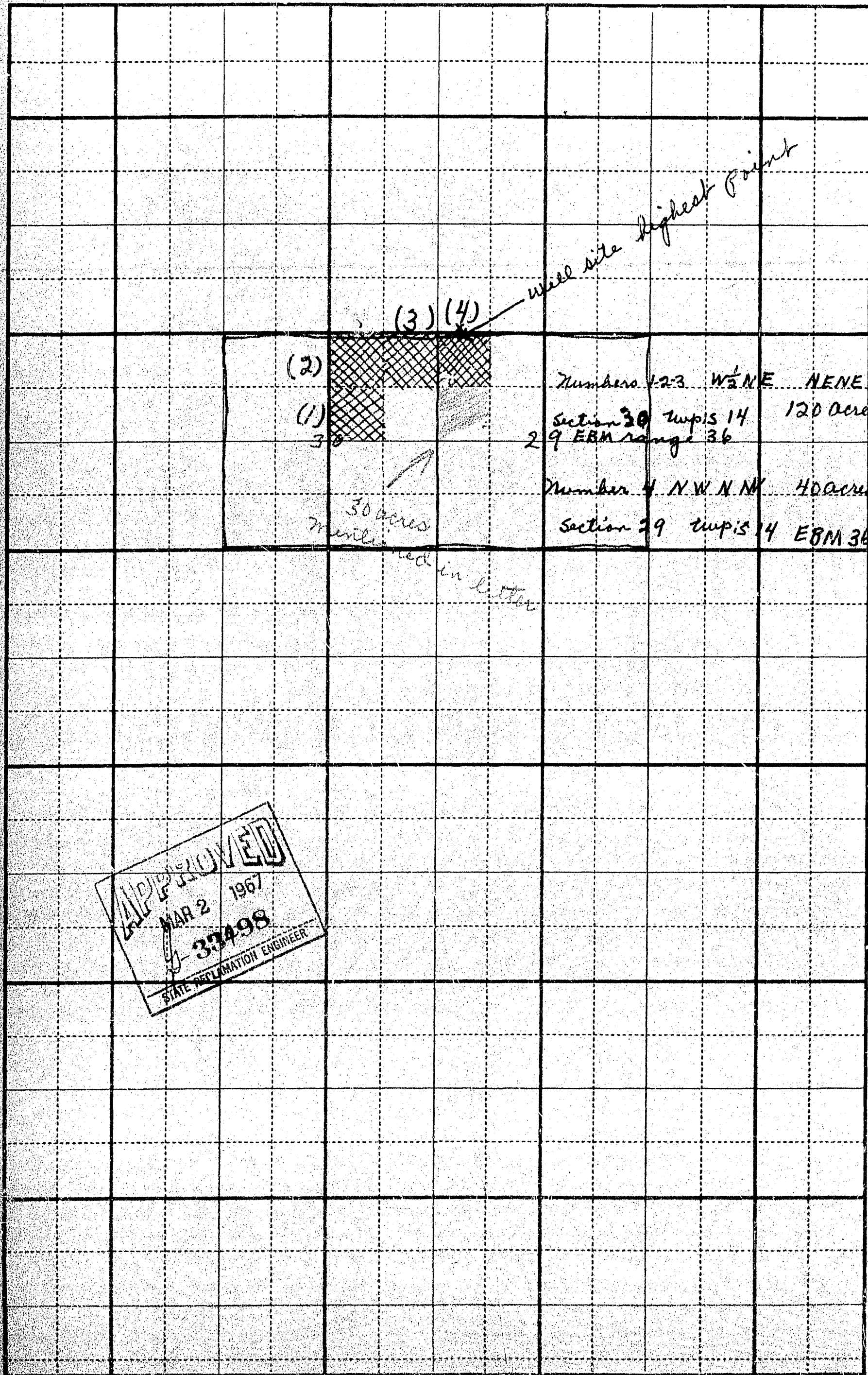
Governor

By _____ /s/ EDSON H. DEAL

Secretary of State

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
14 S	36 E	29 30	40	40	40		40	30										70 120	
Total number of acres to be irrigated:																		190	



Address all communications to:

Roscoe Walton
P. O. 585 Bannock St. Malad City, Idaho
83252

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41736

Permit No. G 33498

Water District No. _____

RECEIVED
FEB 28 1967
8:00 A.M.
Department of Reclamation

1. Name of applicant: Roscoe Walton and Ethel L. Walton

Post office address Malad City County Oneida State Idaho

2. Quantity of water claimed: 3.8 ft second feet

3. Source of water supply: Subterranean ☒

4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29

Twp. 14S, Rge. 36 E, B.M., County of Oneida

5. Water is to be used for: Irrigation

6. If for domestic, 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: Well and pumping plant

8. Estimated cost of works: \$ 8000.00

9. (a) Is reservoir to be used? _____

(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:

1. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

33498

(Continued)

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:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: There are no existing water rights on this land at this time.

(a) _____ (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} ~~new~~ lands.

4-33-20

Remarks:

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.

Rosee Coates
Applicant

By _____ Agent

8-33498

Approval of State Reclamation Engineer

The number of this permit is G 33498
Recorded in Book 117 Page 33498 Approved MAR 2 1967

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 before _____

One-fifth of the work above specified to be completed on or before September 2, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 2, 1972

Witness my hand this 2nd day of March, 1967

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho,
and EDSON H. DEAL, 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 2nd day of March, 1967

Countersigned:

STATE OF IDAHO

By Edson H. Deal
Secretary of State

By Don Samuelson
Governor.

No. G 33498

PERMIT

Date of first receipt at office of State
Reclamation Engineer

February 28, 1967 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33498

RECEIVED
FEB 29 1967

Malad City, Idaho
Feb. 27, 1967

33498

Department of Reclamation

Dear Sirs,

I have colored in pencil a 30 acre parcel of land adjoining my land, which belongs to the Davis family, that can be irrigated from this well. It is the only possible source of irrigation for this property. At this time it is in the process of probate and is leased to another farmer for one more year. After that time there is a standing agreement between us and the owner Lester N. Davis that we will either lease the land from him or rent him water for his land if we can increase our allotment of water from the well to allow for this. It would not be practical for him to go to the expense of digging a well for himself on such a small acreage. It is very probable that in the near future we will be able to buy this land as he does not have machinery or plan to farm for himself.

Sincerely,

Roscoe Bolton #33498

33498

RECEIVED
FEB 26 1967

Department of Reclamation

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to appropriate
the Public Waters of the State of Idaho, No. G 30466.

Signed at Malad this 27th day
of February 1967.

Roscoe Colton
Permit Holder

ATTEST:

33498

J. 33498

After probate is completed. I will own 30 acres of land adjoining the property of Rascoe Cotton on which he is planning on drilling a well for irrigation purposes.

My land could also be watered from this well and this water will be the only possible source to be used for irrigation on this land.

After Probate of this land is completed my intention will be to lease this land to Rascoe Cotton.

RECORDED
FEB 28 1967

Department of Reclamation

Lester N Davis
320W 300 North
Malad City Idaho

A-33498

March 6, 1967

Re: Permit No. G-33498

Roscoe Colton
585 Barnock Street
Malad City, Idaho 83252

Dear Mr. Colton:

We enclose Permit No. G-33498 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-11395 which was issued covering payment in the amount of \$ 5.75 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt
MRD:ejw

M. RUSSELL BOSCH
Office Manager

21-33498

P.O. Box 153
MALAD CITY, IDA
JUNE 20, 1968

RECEIVED

JUN 21 1968

Department of Reclamation

M. RUSSELL BOSCH
OFFICE MANAGER
DEPARTMENT OF RECLAMATION
STATE OF IDAHO

DEAR MR. BOSCH,

I AM WRITING TO INFORM YOU
THAT THE WELL AUTHORIZED BY
PERMIT G-33498 HAS BEEN
COMPLETED AND IS BEING PUMPED
THIS SEASON. I DO NOT KNOW
IF THERE ARE ANY OTHERS I
SHOULD NOTIFY BUT I TRUST THAT
THERE ARE NONE.

I WOULD APPRECIATE IT IF
THE REMAINDER OF THE PAPERWORK
COULD BE TAKEN CARE OF THIS
SUMMER. THE FLOW CAN BE
MEASURED AT ANY TIME AND
THE PUMPING INSTALLATION (INCLUDING
ELECTRICAL) CAN BE INSPECTED
AT THE CONVENIENCE OF YOUR
DEPARTMENT.

SINCERELY,
Eugene R. Colton

Re Rosee Colton
585 Bannock St-33498
Malad, Idaho

June 24, 1968

Re: Permit No. G-33498

Roscoe Colton and Ethel L. Colton
585 Bannock Street
Malad City, Idaho 83252

Dear Mr. and Mrs. Colton:

Pursuant to the request of Eugene L. Colton in a letter to this department dated June 20, 1968, we are forwarding forms for proof of completion of works and beneficial use of water.

Please follow the instructions on Form 36A in completing Forms 36 and 11. If we can be of any help, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Forms 36A, 36 & 11

A-33498

RECEIVED
JUL 8 1968
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Idaho Enterprise of Malad City, Idaho 83252; published in the county in which the works are situated.

Rosee Colton
(signature)

Ethel L. Colton
585 Barnack St, Malad, Idaho
(address)

28 June 1968
(date)

Signed before me this 28th day of June 1968

Lynn Clark

Notary Public for the State of Idaho
Residing at Malad City, Idaho

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

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

Engineer

H-33498

Re: Permit No. G-33498

July 3, 1968

Roscoe and Ethel L. Colton
585 Nanneck Street
Malad City, Idaho 83252

Dear Mr. and Mrs. Colton:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. G-33498.

We have mailed the notice to the Idaho Enterprise to be published once a week for four consecutive weeks prior to August 12, 1968, which is the hearing date when the permit holder Roscoe and Ethel L. Colton

and two disinterested witnesses must appear before E. L. Scott, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by the permit holders. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:djb

Enc: Depositions

cc: Notary

2-33498

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USERECEIVED
JUL 8 1968
Department of Reclamation

Notice is hereby given that on August 12, 1968, at Malad City,
County of Oneida, State of Idaho, before notary public (~~name & address~~)
E. L. Scott, 26 Court Street, Malad City, Idaho, proof will be
submitted of the completion of works for the diversion of 3.8 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-33498, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Roscoe Colton and Ethel L.
Colton, 585 Bannock Street, Malad City, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
3.8 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 3.8 c.f.s.
4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 14 S, R. 36 E,
B.M., Oneida County.
5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30,
T. 14 S, R. 36 E, B.M.
6. The date of priority which said user is prepared to establish is _____
February 28, 1967.

R. KEITH HIGGINSON

State Reclamation Engineer

G-33498

July 5, 1968

Re: Permit No. G-33498
R. C. & E. L. Colton

Idaho Enterprise
Malad City, Idaho 83252

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to August 12, 1968. The expense of the publication is to paid by Roscoe Colton and Ethel L. Colton,
585 Bannock Street, Malad City, Idaho

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

X-33498

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 33498

* * * * *

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

DEPOSITION OF HOLDER

RECEIVED
AUG 14 1968
Department of Reclamation

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

Roscoe Colton Malad City, Idaho, Farmer , P. O. Address
585 Bannock St., 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 33498 Approved March 2, 1967, Date of Priority March 2, 1967

Ques. 4. State source of water supply: Subteranean
Give location of point of diversion, showing subdivision, section, township and range

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Township 14 South, Range 36 East, Boise Meridian

Ques. 5. Describe your works of diversion: Deep well, cased with pump and motor
and open ditches; state amount of water they are capable of conveying from point of diversion to place of use: 4 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 320 feet; depth and size of casing 200 ft. 16" and 120' 14"; depth to water 60 ft.; if pump is used, state discharge of pump: 1600 g.p.m.; tell how it was measured or determined _____

Johnson Pump Company; if sprinkler irrigation, give number and size of nozzles and operating 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: _____

Section 29, Township 14 S., R. 36 E.B.M., NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 Acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres

Section 30, Township 14 S., R. 36 E.B.M., NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

Forest Cagel

X-33498

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

None

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

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

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

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: August 1, 1967 - Time used since first use:

Irrigated from pump during 1968 irrigation system

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

None

(sign) Roscoe Coltrane

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 12th day of August, A. D. 19 68.

E. H. Hunt

My commission expires: 5/19/71

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 33498

RECEIVED
AUG 14 1968
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:

Bert J. Wight, age 60 years, Residing at Malad City, Idaho

P. O. Address: 552 N. 600 W., Malad City, Idaho

Ques. 2 Are you acquainted with Roscoe Colton & Ethel L. Colton, the holder of Permit No. G 33498? How long have you known him and where does he reside?

All their lives, Malad City, Idaho

Ques. 3. Have you read or heard said Permit No. G 33498 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Township 14 South, Range 36 East, Boise Meridian

Describe works for conveying water to place of use: Open ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 c.f.s. How much water have you seen being so conveyed?

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

Section 29, Township 14 S., Range 36 E.B.M., NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres
Section 30, Township 14 S., Range 36 E.B.M., NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres.

2-33498

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 with some gravel. Requires at least 1 miners inch 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? None

Ques. 10. When did you first see this water used? August 1, 1967

Other times you have seen such use: Irrigation season of 1968.

(Signed):

Bert G. Wright

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 Blaine, State of Idaho, on

this 12th day of August, A. D. 1968

E. Scott

Notary Public for the State of Idaho

Residing Malad Idaho

My commission expires 5/19/71

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 33498

RECEIVED
AUG 14 1968
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:

D. Dredge Thomas, age 79, Residing in Oneida County, Idaho

P. O. Address Holbrook Rte., Malad City, Idaho

Ques. 2 Are you acquainted with Roscoe Colton & Ethel L. Colton, the holder of Permit No. G 33498? How long have you known him and where does he reside?

30 years and more, Malad City, Idaho

Ques. 3. Have you read or heard said Permit No. G 33498 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Subterranean

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Township 14 South, Range 36 East, Boise Meridian

Describe works for conveying water to place of use: Deep Well, cased with pump and motor and open ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 c.f.s. How much water have you seen being so conveyed?

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

Section 29, Township 14 S., Range 36 E.B.M., NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres

Section 30, Township 14 S., Range 36 E.B.M., NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres.

H-33498

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 with some gravel. Requires at least 1 miners inch 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? None

Ques. 10. When did you first see this water used? August 1, 1967

Other times you have seen such use: Irrigation season of 1968.

(Signed):

H. Dredg Pharras

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 17th day of August, A. D. 1968

E. Scott

Notary Public for the State of Idaho
Residing Malad Idaho

My commission expires 5/19/71

RECEIVED
AUG 14 1968
Department of Reclamation

Affidavit of Publication

State of Idaho
County of Oneida, ss.

May Nell Wharton being first duly sworn on

her oath, states: That *she is a 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 *11* day of *July*, 19*68*. the date of the last publication being the *1* day of *August*... 19*68*.

May Nell Wharton
Subscribed and sworn to before me this *12th* day of

August, 19*68* *[Signature]*

Notary Public, residing at Malad, Idaho

My Commission expires the *19* day of *May*, 19*71*.

Costs: *46* lines at 13c per line first insertion \$.*5.98*

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

10c per line each subsequent insertion \$.*13.80*

TOTAL \$.*19.78*

(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 on August 12, 1968, at Malad City, County of Oneida, State of Idaho, before notary public E. L. Scott, 24 Court Street, Malad City, Idaho, proof will be submitted of the completion of works for the diversion of 3.8 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-23498 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Roscoe Colton and Ethel L. Colton, 585 Bannock Street, Malad City, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.8 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 3.8 c.f.s.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 14 S., R. 36 E., B. M., Oneida County.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 14 S., R. 36 E., B. M.

6. The date of priority which said user is prepared to establish is February 26, 1967.

R. KEITH HIGGINSON
State Reclamation Engineer
7-11 8-1-14

2-33498

August 28, 1968

Re: Permit No. G-33498

Roscoe Colton
585 Bannock St.
Malad City, Idaho 83252

Dear Mr. Colton:

We acknowledge receipt of the depositions and affidavit of publication in the Idaho Enterprise submitted as proof of completion of works and beneficial use on Permit G-33498.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

H-33498
examined

RECEIVED
Permit G-33498
JUL 9 1968

Department of Reclamation

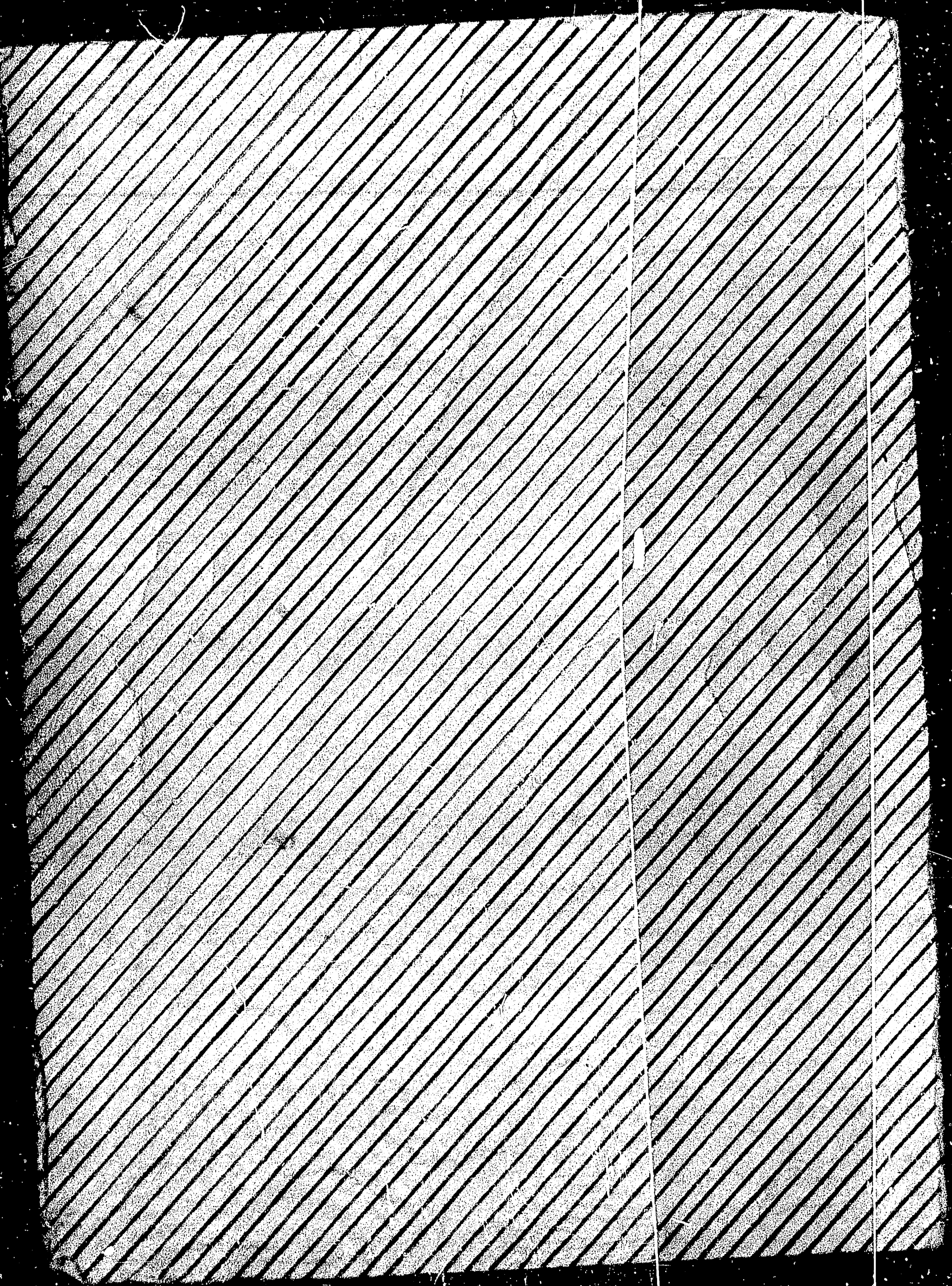
**NOTICE OF PROOF OF
COMPLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that on August 12, 1968, at Malad City, County of Oneida, State of Idaho, before notary public E. L. Scott, 26 Court Street, Malad City, Idaho, proof will be submitted of the completion of works for the diversion of 3.8 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-33498 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Roscoe Colton and Ethel L. Colton, 585 Bannock Street, Malad City, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.8 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 3.8 c.f.s.
4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 14 S. R. 36 E. B. M., Oneida County.
5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 14 S. R. 36 E. B. M.
6. The date of priority which said user is prepared to establish is February 28, 1967.

R. KEITH HIGGINSON
State Reclamation Engineer
7-118-114

H-33498



March 26, 1970

Re: Permit No. 15-2071 (G-33498)

Mr. Eugene L. Colton
P.O. Box 153
Malad, Idaho 83252

Dear Mr. Colton:

Permit No. G-33498 has been renumbered to 15-2071. The permit is under the name of Roscoe Colton, Malad, Idaho. On August 14, 1968, Mr. Colton submitted evidence of beneficial use and on his deposition he listed the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, T. 14 S., R. 36 E., B.M., as being irrigated, as well as the balance of the ground covered by his permit. His deposition indicates that this 30 acres has been placed to beneficial use; therefore, the letter sent to the ASCS office requesting information was as a result of the sworn statement submitted by Mr. Roscoe Colton.

At the time of our field examination, the examiner will determine if this ground is actually beneficially used. If it is not, it will be deleted from any water right license that would result.

If you have officially obtained this property from Roscoe Colton, then you should complete the enclosed assignment form and submit it to this office. If, however, you are acting as agent for Mr. Colton, the license would still be issued in the name of Roscoe Colton.

If we can assist you further, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh
Enclosures

33498
15-2071

Malad, Idaho
March 16, 1970

RECEIVED
March 17 1970
Department of Reclamation

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

Dear Mr. Higginson:

Mr. Swenson of the Oneida ASCS Office called my attention to a letter he received from your office, which notified him of various wells in the area being considered for licence. The well which we completed in 1967 was one of these but the land description is not correct and I am writing this to see if I can get it straightened out.

The listing which came from your office and is not correct was as follows:

Permit No. 33498
W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 29, Twp 14S, R 36EBM

The correct description of the land for which the permit was issued is as follows:

Permit No. 33498
W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 30, Twp 14S, R 36EBM
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29, Twp 14S, R 36EBM

In the original application there was listed another 30 acres which the owner was to have leased to us if the well produced to the capacity allowed. As near as we can determine, the well did not achieve this and we have not leased the land yet. The 30 acres had the following description;

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 29, Twp 14S, R 36EBM

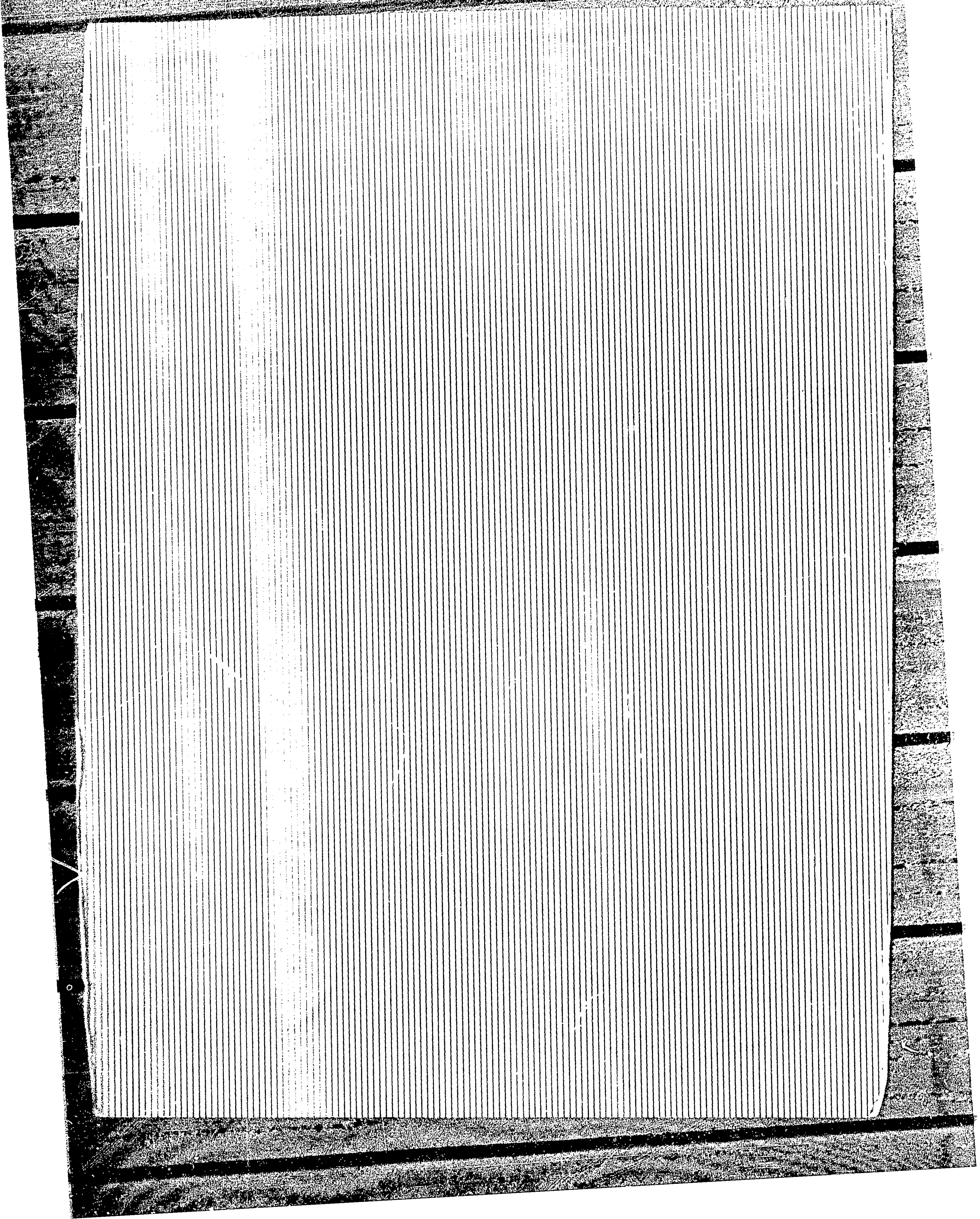
I would appreciate it if you would reply to this letter and let me know when the error has been found and corrected so that I will not have to bother anyone about it further. Thank you for your trouble.

Sincerely,

Eugene L. Colton
Eugene L. Colton
for Roscoe Colton

Eugene L. Colton
P. O. Box 153
Malad, Idaho 83252

33498
15-2071



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 15-2071 Priority 2-28-67 Amount 3.1 c.f.s.

THIS IS TO CERTIFY, that EUGENE L. COLTON
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 15-2071 issued pursuant to Application for Permit dated 2-28-67
and has submitted proof to the Department of Water Administration on 8-14-68
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.43 c.f.s., 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 3.1 c.f.s. for Irrigation from April 1 to Oct. 31 (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 3.1 c.f.s. of water be diverted at
any one time; said waters to be diverted within the _____

NW 1/4 Sec. 29, T. 14 S., R. 36 E., B.M.

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 542.5 acre feet per year or
3.4 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14 S	36 E	29					37												37
		30	38	40	40														118

Total number of acres irrigated 155

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 21st day of
October, 19 70.

Director

83498
15-2071

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, ROSCOE COLTON, hereby assign to EUGENE L. COLTON,
of P.O. Box 153 - MALAD, IDAHO Name
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 15-2071
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

Made this FOURTH day of AUGUST, 19 70.

Roscoe Colton

Permit Holder

Ethel L. Colton

Wife of Permit Holder

State of Idaho)
County of Coneida) ss.

On this 4th day of August, 19 70, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

William A. John

Notary Public residing at _____

Malad City, Idaho

My commission expires 8/1/71

33498

15-2071

Here is the fee requested in
your letter dated Oct 7, 1970 for
the license to Pump Water under
Permit 15-2671 (G 33498). Thanks you

RECEIVED

E. Cotton

OCT 13 1970

33498

15-2671

Department of Water Administration

October 21, 1970

Re: Permit No. 15-2071 (C-33498)

Mr. Eugene L. Colton
P.O. Box 153
Malad, Idaho 83252

Dear Mr. Colton:

Enclosed herewith is your Water License issued on the above numbered permit. Also enclosed is departmental receipt No. 5223 in the amount of \$13.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

EDF/KH

Enclosures

33498
15-2071

October 7, 1970

Re: Permit No. 15-2071 (G33498)

Mr. Eugene L. Colton
P. O. Box 153
Malad, Idaho 83252

Dear Mr. Colton:

A representative of this department has made an examination of the works covered by your Permit No. 15-2071 and has found the following:

Quantity of water diverted: 3.43 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 3.1 c.f.s.

The maximum quantity of water diverted shall not exceed 542.5 acre feet per season.

Beneficial Use: Irrigation of 155 acres within the NW¹ & NW⁴ Sec. 20, N²NE¹, SW¹NE¹ Sec. 30, T. 14 S., R. 36 E., B. M.

The priority date established is : February 28, 1967

A fee totaling \$ 15.00 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.

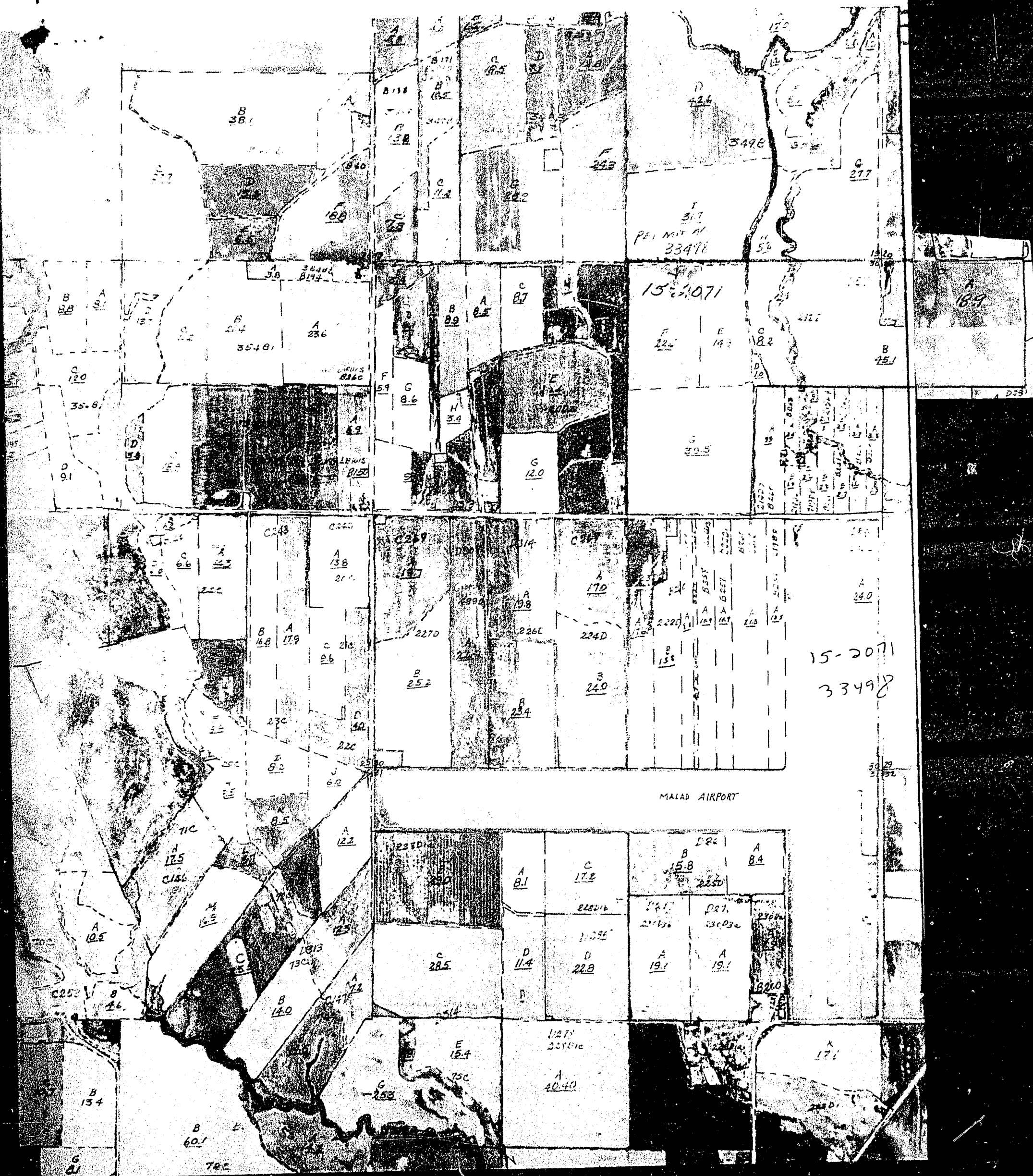
Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF/kh

33498

15-2071



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

River at

15-2071
33498

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

Source of supply Ground water
a tributary of —
Location of P.D.(s) NW NW Sec 29 14 33 E

Water is used for Irrigation

Quantity of water found —

How was the measurement made? Pump meter in open ditch

Measurement calculations —

Q measured 3.13 CFS $Vol = 2 \times 3.1 \times 210 = 1302.0$ acre ft

Q recommended 3.1 CFS $Vol = 155 \times 3.5 = 542.5$ acre ft

Volume 542.5 acre ft

Acreage —

Found 155

recommended 155

Subdv. 1

Amendments —

☒ None

☐ P.D.

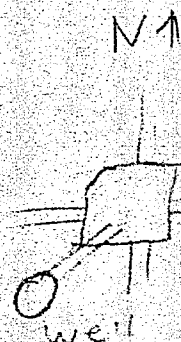
☐ Place of use

☐ —

Diversion works description and diagram

G.E. motor 60H.P. 500V, 60C5705496
Johnston pump 10" discharge to
cement diversion box. Open
ditches.

All open
ditches



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 155

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

Eugen Colton

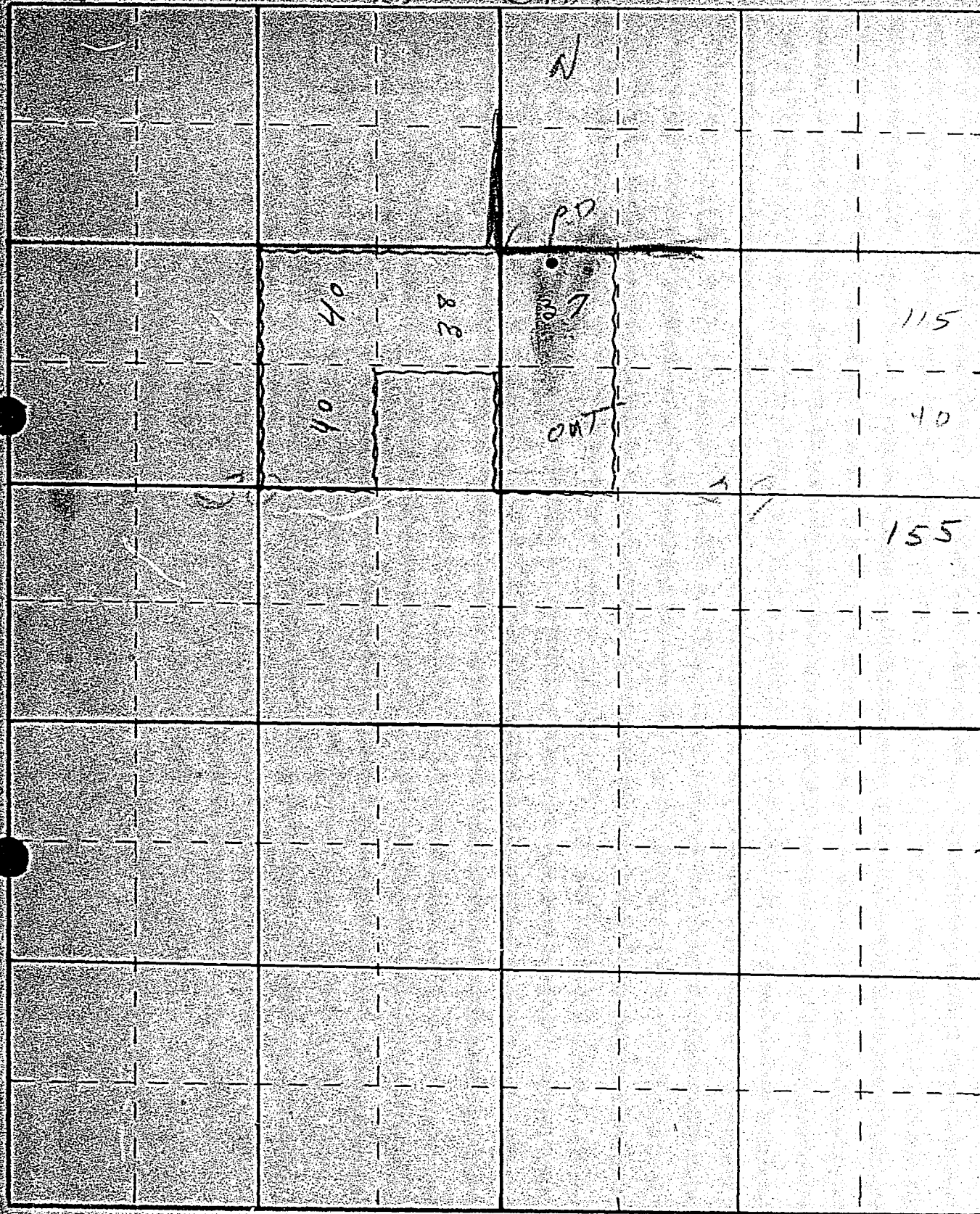
Recommended allowance for licensing —

Description of required amendments. Comments —

Report checked? —

Examination date 15 July 70

Signature [Signature]



Priority February 28, 1967

Permit No. G-33498/15-2071

Name of Applicant Roscoe Colton and Ethel L. Colton, 585 Bannock St.

Source of Water subterranean Malad City, Idaho

a tributary of _____

Location of P.D. NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 29, T. 14 S, R. 36 E, B.M.

Oneida County

Water is used for irrigation

Quantity of water claimed: Permit 3.8 c.f.s. Depositions 4.0 c.f.s.

Type of measuring device installed or method of measurement and general description
of diversion works deep well, cased with pump and motor and open ditches
320' x 16" / H-60' / 1600 gpm measured by Johnson Pump Co.

6.5 motor 6.5 hp

Johnson pump 10" discharge

See diagram

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
14 S	36 E	29	W $\frac{1}{2}$ NW $\frac{1}{4}$
		30	N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

Total acreage 190 (page)

Filed - February 28, 1967

Made - August 12, 1968

Due - March 2, 1972

Priority - February 28, 1967

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
acreage covered by subdivision; also show land covered on the map.)

none

224
rd

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse -- Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

August 11, 1970

Re: Permit No. G-33498/15-2071

Mr. Eugene L. Colton
P.O. Box 153
Malad, Idaho 83252

Dear Mr. Colton:

We are enclosing a copy of the assignment and a copy of the permit sheet for permit no. G-33498/15-2071.

We wish to advise you that the above referenced permit is in the process of being licensed. You will be advised at a later date as to further requirements.

If you have any questions, please contact us.

Very truly yours,

Donald W. McElldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES (2)

33498
15-2071

