

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31840 515 Permit No. G- 24061 District No.	Alfred C. Cordon Carlson Building Pocatello, Idaho
---	--

1. Name of Applicant: C. H. SWEETEN and MARY C. SWEETEN, Husband and wife.
 Postoffice address: Malad County: Oneida State: Idaho
2. Quantity of water claimed: Six and two fifths cubic feet per second for irrigation
 (a) Rate of withdrawal in cubic feet per second. 6 2/5 cubic feet per / or Idaho
 Miners' inches 320 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum 1600 acre feet per annum
3. Source of water supply: Subterranean water from well to be drilled
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section four
 Twp. 15 South , Rge. 33 East , B.M., County of Oneida, State of Idaho
5. Water is to be used for: irrigation of dry land
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: drilled well with motor and pump.
8. Estimated cost of works: \$ 6,500.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is two 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 onhand: \$
 - (b) Treasury stock: (c) Bonds to be issued:
 - (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (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.

ALFRED E. CORDON
ATTORNEY AND COUNSELLOR AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

April 27, 1953

State Reclamation Engineer
Mark Kulp
Boise, Idaho

Dear Sir:

RE: APPLICATION FOR PERMIT
C.H. AND MARY C. SWEETEN

I hand you herewith above named application and
check fo C.H.Sweeten & Sons for \$6.50 your fees.

Thanking you for issuance of permit and advice
of your requirements.

Very truly yours,

Alfred E. Cordon
Alfred E. Cordon
Attorney for Applicants

24061

RECEIVED
APR 28 1953
9 am
Department of Reclamation

NAME OF APPLICANT C.H. SWEETEN AND MARY C. SWEETEN, HUSBAND AND WIFE

Form No. 0

Xe Well

Sec. 5

Sec. 4

Permit Map No. 6-24061

As Approved

MAY 12 1953

MARK S. KULP

State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

#24061

May 18, 1953

RE: Permit No. Q-24061

Mr. Alfred C. Cordon
Carlson Building
Pocatello, Idaho

Dear Mr. Cordon:

We enclose Permit No. Q-24061 in the name of C. H. and Mary C. Sweeten, and direct their 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. 25855 for the \$6.50 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:op
Enc.

Q-24061

June 6, 1953

RECEIVED
JUN 10 1953
Department of Reclamation

Mr Mark R. Kulp, State Reclamation Engineer
Boise Idaho.

Dear Mr Kulp;

I recently applied for and received a permit to
drill a well for irrigation purposes in western Onieda
County. Permit no. G- 2406I Approved May 2, 1953.

The well has been drilled and since the first
tests indicate a successful irrigation well we would
like to drill another well while the drill rig is in
our territory if possible to receive permit in time.

Would you please send necessary forms or advise
where same may be obtained ? We would like to know
where we might obtain bullitons or information of the
requirements for proving under the new State law.

Our well is the first in our valley drilled for
irrigation of farm crops and we want to comply with
the law in securing our rights for future use of water.

Also how do we file on a smaller well drilled under
the old law and used for several years ?

Any help yuo can give us will be appreciated.

Sincerely,

C. H. Sweeten

C. H. Sweeten

24061

C 24061

June 10, 1953

Mr. C. H. Sweeten
142 Bannock St.
Malad, Idaho

Dear Mr. Sweeten:

In reply to your letter of June 5, 1953, we enclose a copy of Form 3 for your use in filing an application for water from another well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cp
Enc.

H 24061

RECEIVED
JUL 1 1953

Department of Reclamation

Malad, Idaho
June, 28, 1953

State Reclamation Engineer;

Dear sir.

My Father , C. H. Sweeten recently received a permit for drilling a well for irrigation. his application did not call for an overnight reservior for storage. We have since decided to use one and I wondered if it would require any change or adjustment with your office.

The storage would be less than 2500 acre feet and the fill less than ten feet. Please advise if there is any additional forms or fee to be taken care of.

Thank you

Colen H. Sweeten Jr.

Colen H. Sweeten Jr.

167 N. 100 W. Malad.

Per. # G-2406I

6.4 C.F. - well

325 acre feet

G-2406I

July 1, 1953

RE: Permit No. G-24061

Mr. Colsu H. Sweeten, Jr.
167 N. 100 W.
Malad, Idaho

Dear Mr. Sweeten:

A flow of 6.4 cubic feet per second, which is claimed in Permit No. G-24061, would produce only 12.8 acre feet in 24 hours, or 6.4 acre feet overnight and this amount would not require a storage permit.

You could request amendment to the permit to show your interest.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

24061

187 North 100 West
Malad, Idaho
September 24, 1954

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

RECEIVED
SEP 27 1954
Department of Reclamation

Dear Mr. Kulp:

We would like to take steps to prove up on well water on our farm in Holbrook. The permit was # G-24061 to Colen H. and Mary C. Sweeten and was approved May 2, 1953.

We have made benifical use of most of the water this summer and are in the process of getting more land ready. This is the first irrigation well in the valley. We would like to know how to proceed to prove up on the water. Would you please send us the necessary forms and directions.

I understand you will be in Malad in October. I would like to see you at that time if possible.

Please give specifications of weir if we are to prepare it.

Yours truly.,

Colen H. Sweeten Jr.

#24061

October 1, 1954

RE: Permit No. G-24061

Mr. Coleman H. Sweeten Jr.
167 North 100 West
Malad, Idaho

Dear Mr. Sweeten:

We have your letter of September 24 in regard to making proofs on the above numbered Permit.

As you will note, the terms of your Permit provide that both proof of completion of works and beneficial use be made at the same time and we are not sure from your letter whether you are prepared to make proof of beneficial use at present.

If so, you may complete the enclosed forms of notice which the law requires must be published once a week for four weeks in a county newspaper before the proofs are made.

This notice should be made in duplicate, setting the time and place and naming the notary public before whom the proof is to be made. The proofs may be made at any place convenient for you and your two witnesses and the time, of course, must be set far enough ahead to allow for four weeks publication.

Both copies of form 36 to be returned to this department together with form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making the proof.

24061

Mr. Colen H. Sweeten Jr.

-2-

October 1, 1954

It will not be necessary for you to install a weir to measure the water as the water is measured by an engineer from this department when inspection is made after your proofs have been submitted.

Mr. Kulp expects to be in Malad on October 27 and 28 and will be glad to meet you at that time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

#24061

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

December 18 1954

(P. O.)

142 Banrock St. Malad Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Idaho Enterprise

of

Malad

published in

the county in which the works are situated.

C H Sweeten

(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.

#24061

700004 -
155331

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 14
day of Feb, 1955, at Malad, County of
Oneida, State of Idaho, before John H. McAllister
proof will be submitted of the completion of works for the diversion of 6 2/5
cubic feet per second of the waters of Underground pump water
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. G-24061 heretofore issued by the
Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation Coleman H. and
holding said permit are Mary C Sweeten
142 Bannock St. Malad, Idaho

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of conveying
to the place of use, in accordance with the plans accompanying the application
for such permit, is 6 2/5 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
6 2/5 cubic feet per second.

4. The place where said water is used is Holbrook, Oneida
County Idaho N 2 NW - N 2 SW Sec 4
E 2 1/2. E 2 Sec 11 S

5. The date of priority which said user is prepared to establish is
June 1 1954

41-28-33

State Reclamation Engineer

#24061

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-24061

Date: January 8, 1955

Idaho Enterprise

Malad, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 14, 1955 the date set for proof, the expense of the publication to be paid by the applicant, Colen H. Sweeten of 142 Bannock St. 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

24061

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

Notice is hereby given that at 10:00 A., on the 11th day of February, 1955, at Malad, County of Oneida, State of Idaho, before John H. McAllister, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Underground source from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24061 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Colen W. and Mary C. Swenten - 142 Barnock St., Malad, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 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 6.4 cubic feet per second.

4. The place where said water is used is W1NW1, W1SW1 Section 4; E1NE1, E1SE1 Section 5, Township 15 South, Range 33 East B.M. and the well is located in the NW1NW1 Section 4, Township 15 South, Range 33 East B.M.

5. The date of priority which said user is prepared to establish is April 28, 1953.

MARK R. KULP

State Reclamation Engineer

24061

January 10, 1955

RE: Permit No. G-24061

Mr. Colen H. Sweeten, Jr.
167 N. 100 West Street
Malad, Idaho

Dear Mr. Sweeten:

We have sent to the Idaho Enterprise, notice for proof of completion of works and beneficial use to be made February 14, 1955 on Permit No. G-24061 in the name of Colen H. and Mary C. Sweeten with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

However, we are a little confused as to your correct address. You gave it in the notice as 142 Bannock Street but your envelope gave a different address as above. The notice we sent to the newspaper gave the address as 142 Bannock Street. If that is incorrect, please notify the newspaper of the correct address and also advise us.

At the time set for proof you should appear before John H. McAllister, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

24061

The IDAHO ENTERPRISE



CLYDE & MARION HANSON, PUBLISHERS

PHONE 40

31 COURT ST.

MALAD CITY, IDAHO

1-10-55

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:-

This will acknowledge
the Colen H. Sweeten notice
which will be published Jan. 13,
20, 27, Feb. 3. 1955.

Yours respectfully,

THE IDAHO ENTERPRISE

Clyde Hanson
Clyde Hanson

24061

Affidavit of Publication

State of Idaho
County of Oneida, ss.

Sylvia Stratton...being first duly sworn on her oath, states: That *she* is *principal 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 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 *13th* day of *January*, 195*5*... the date of the last publication being the *3rd* day of *February* 195*5*...

Sylvia Stratton.....

Subscribed and sworn to before me this *5th* day of *February* 195*5*...
[Signature]

Notary Public, residing at Malad, Idaho

My Commission expires the.... day of, 195...

Costs: *5.2* lines at 12c per line first insertion \$. *6.24*
6c per line each subsequent insertion \$. *9.36*
TOTAL \$ *15.60*

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 February, 1955, at Malad, County of Oneida, State of Idaho, before John H. McAllister, Notary Public, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Underground source from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24061 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Colen H. and Mary C. Sweeten, 142 Bannock St., Malad, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 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 6.4 cubic feet per second.
4. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 5, Township 15 South, Range 33 East B.M. and the well is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Township 15 South, Range 33 East B.M.
5. The date of priority which said user is prepared to establish is April 28, 1953.

MARK R. KULP
State Reclamation Engineer
1-13 2-3 t4

2406'

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

FEB 15 1955
Department of Reclamation

Permit No. G-24061

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

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

Ans. Colen H. & Mary C. Sweeten 142 Bannock St. Malad, 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. _____

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

Ans. G-24061 May 2, 1953 April 28, 1953

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

Ans. Underground Source NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 4, T $\frac{15}{2}$ S, R $\frac{33}{2}$ E, B.M.
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Tp. 15 S. Ra. 33 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. 150 ft 14 in. casing 150 ft. 8 in. casing, perforated. Depth of Well
300 Feet. Pump 6 second feet. Timed in filling concrete box.
Diesel Power and turbine pump.

(three main ditches plus sufficient laterals to handle all of
said water) (Also eighty sprinkler heads used in 1954, approx.
450 gals. a minute.)

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. Irrigation: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ Sec 5, Tp.
15 S. Ra 33 East, B.M.

G24061

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

Ans. _____

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

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. Water was used for irrigation for the 1954 irrigation season
for Wheat, barley, peas, beets, corn & Alfalfa and Potatoes

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. Small well used for garden purposes approx. 200 gals. per minute
Well has been in production approx. 9 years

Colin H. Sweeten
(Sign) Mary C. Sweeten

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 14th day of February, A. D. 1955.

John H. McAllister
Clerk of the District Court
By Leon Williams Deputy

My commission expires Jan'y 12, 1959

24061

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-24061

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Karl M. Smith, 47, Holbrook, Idaho, Farmer, Holbrook or
Malad, Idaho

Ques. 2. Are you acquainted with Colen H. Sweeten & Mary C. Sweeten, the holder of Permit No. G-24061? How long have you known him and where does he reside?

Ans. Yes; 47 years, He now resides at Malad, Idaho

Ques. 3. Have you read or heard read said Permit No. G-24061, and are you familiar with its provisions and conditions?

Ans. Yes; 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. Underground, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4, Tp. 15 S. Ra. 33 EBM.

Three main ditches, with laterals to handle all of the
water used. In 1954, Sprinklers were used.

Depth of Well is 300 feet. Diesel Power & Turbine pump

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. 15 Second feet; 6 Second feet;

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

Ans. 2800 gals. per minute, measured by concrete tank

24061

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

Ans. Irrigation purposes; $W\frac{1}{2}NW\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{2}$, Sec. 4; $E\frac{1}{2}NE\frac{1}{2}$, $E\frac{1}{2}SE\frac{1}{2}$,
 $W\frac{1}{2}E\frac{1}{2}$ Sec. 5, Tp. 15 S.R. 33 EBM.

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

Ans. none

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Class 2 land, previously dry farmed.
Approx. 8 gals per minute per acre.

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

Ans. no

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

Ans. As a neighbor, I witnessed the Irrigated land during the
season of 1954. Crops were much heavier than previously grown

(Signed)

Karl M. Smith

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 February,
A. D. 1955.

John H. McAllister

Clerk of District Court Notary Public.

By

Deputy

My commission expires Jan'y 12, 1959

24061

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-24061

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Stephen L. Smith, 51 yrs., Malad, Idaho, Merchant,
Malad, Idaho

Ques. 2. Are you acquainted with Colen H. Sweeten & Mary C. Sweeten, the holder of Permit No. G-24061? How long have you known him and where does he reside?

Ans. Yes, : 50 years ; Malad, Idaho ;

Ques. 3. Have you read or heard read said Permit No. G-24061, and are you familiar with its provisions and conditions?

Ans. Yes; 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. Underground, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4, Tp. 15 S. Ra 33 EBM.

Three main ditches, with latterals to handle all of
water. In 1954 Sprinklers used.

Depth of Well is 300 feet. Diesel Power & Turbine pump.

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. 15 second feet; 6 second feet;

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

Ans. 2800 gals. per minute, by concrete tank.

24061

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

Ans. Irrigation purposes, on $W\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, Sec. 4, $E\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$,
($W\frac{1}{2}E\frac{1}{2}$) Sec. 5, Tp. 15 S.R. 33 EBM.

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

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Class 2 land previously dry farmed.
Approx. 8 gals per minute per acre.

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

Ans. No

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

Ans. 1954, by observation as a neighbor I have witnessed the growth of the cultivated land irrigated and compared to the non-irrigated, the ~~crop~~ ground was much more productive.

(Signed)

Stephen L. Smith

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 14 day of February,
A. D. 1954.

John H. McAllister

~~Natary Public~~
Clerk of the District Court

My commission expires Jan'y 12, 1959

By & *Clarence* Deputy

24061



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

~~XXXXXXXXXX~~
GOVERNOR

BOISE

ROBERT E. SMYLLIE

February 15, 1955

RE: Permit No. G-24061

RECEIVED
FEB 21 1955
Department of Reclamation

Mr. Colen H. Sweeten, Jr.
167 N. 100 West Street
Malad, Idaho

Dear Mr. Sweeten:

We acknowledge receipt of the depositions of Colen H. and Mary C. Sweeten and two witnesses submitted in proof of completion of works and beneficial use on Permit No. G-24061.

However, none of these depositions give the depth of the well, nor the kind and power of the pump as called for in Question 5 of the deposition of the holder and Question 4 of the depositions of the two witnesses.

We, therefore, return the depositions for the necessary correction, and also call attention to the fact that the affidavit of publication is a necessary part of the proof. ✓

The Idaho Enterprise was instructed to send this to you and if you have not received it, we suggest that you take the matter up with them at once. ✓

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson

Chief Clerk

A:hll
Enc.

Correction made.

Thanks

CHS

G24061

February 21, 1955

RE: Permit No. G-24061

Mr. Colen H. Sweeten, Jr.
167 N. 100 West Street
Malad, Idaho

Dear Mr. Sweeten:

We now have corrected depositions in proof of completion of works and beneficial use on Permit No. G-24061 but we note that in all of them the $W\frac{1}{2}E\frac{1}{2}$ of Section 5, Township 15 South, Range 33 East, B.M. is included in the land upon which the water has been used.

This 160 acres is not included in the Permit nor in the published notice and therefore, cannot be accepted in your proof.

If the water has been applied on this additional land, you may amend the permit to include it and then republish and make the proof to include this additional acreage.

We shall await your further advice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

24061

167 North 100 West
Malad, Idaho
March 4, 1955

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

RECEIVED
MAR 7 1955
Department of Reclamation

Dear Sir:

In reply to your letter of Feb. 21, concerning Permit #G-24061; the water has been used on $W\frac{1}{2}E\frac{1}{2}$ of Section 5, partly by sprinkler irrigation. This 160 was not included in the Permit. If there is enough land to prove on approximately 6 sec. ft. of water without this land, we might as well finish it up. If not, we will try again. The $W\frac{1}{2}$ of Section 5 will also have some water used on it in the future through sprinkler application.

If there is enough land in the original application to justify said amount of water, that's all right. We would rather not ask the witnesses and Notary to do it all over again. If however, it would be necessary, it can be done right away.

This is all new to us here and we will depend on your suggestions.

Thanks for your patience and help.

Yours truly,

Colen H. Sweeten Jr.

Colen H. Sweeten Jr.

24061

March 7, 1955

RE: Permit No. 24061

Mr. Colen H. Sweeten Jr.
167 North 100 West
Malad, Idaho

Dear Mr. Sweeten:

Reference is made to your letter of March 4 in connection with proofs made by yourself and two witnesses on Permit No. G-24061.

The original application and also the published notice describe 320 acres of land and if it has all been irrigated that will be sufficient for the amount applied for or 6.4 cubic feet per second.

We have therefore filed your proofs but before final action is taken the law requires that a field examination be made by an engineer from this Department.

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

If you wish to apply for another water right to be used on the rest of the land described we shall be glad to send you the necessary form of application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou

24061

ALFRED C. CORDON
ATTORNEY AND COUNSELLOR AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

May 20, 1955

RECEIVED
MAY 23 1955
Department of Reclamation

Mark R. Kulp

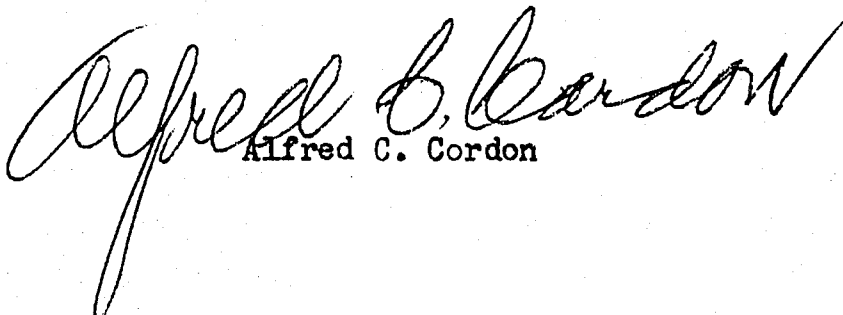
State Reclamation Engineer

Boise, Idaho

Dear Sir: RE: C.H.SWEETEN

Please send required blanks with extra copies for
final proof.

Sincerely,


Alfred C. Cordon

924061

me 5-2-55

924061

✓
May 23, 1955

RE: Permit No. G-24061

Mr. Alfred C. Gordon
Carlson Building
Pocatello, Idaho

Dear Mr. Gordon:

We have your letter of May 20 requesting forms for making final proof on Permit of C. H. Sweeten.

If this is Permit No. G-24061, our records show that final proof was made on this Permit February 14, 1955, and it is now awaiting inspection of our Field Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

P 24061

August 30, 1956

RE: Permit No. 24061

Colan H. and Mary C. Sweeten
142 Barnock Street
Malden, Idaho

Dear Mr. & Mrs. Sweeten:

State law requires an inspection to be made in connection with any permit, for the use of water, being brought to License in the State of Idaho.

I intend to make inspection in connection with your Permit on Tuesday, September 11, probably in the afternoon.

If I cannot contact you by phone when I arrive in Holbrook, I will drive to the farm where the well is located. I intend to make inspection on your permit right after I have inspected one for Karl M. Smith in Section 33, Township 14 South, Range 33 East, B.M.

Please be prepared to accompany me on this inspection or have someone there to represent you.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

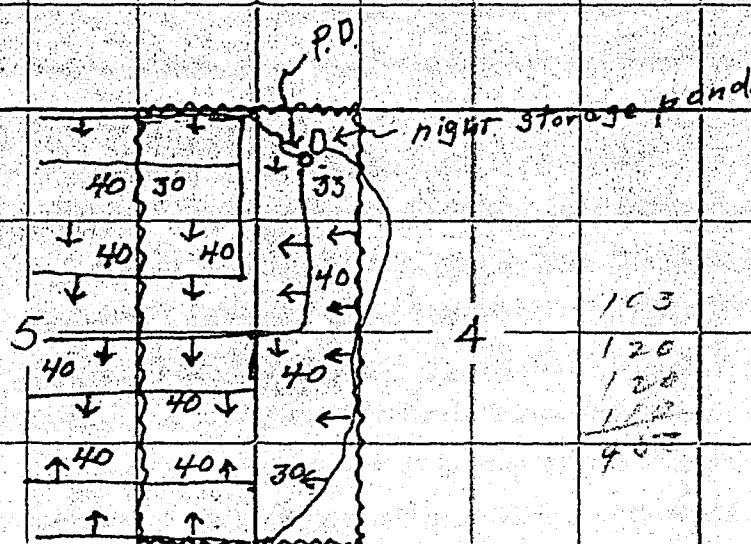
H:hl1

24061

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

R-33 E

T.
15
S

$$\begin{array}{r} 110 \\ 150 \\ \hline 143 \\ \hline 403 \text{ gms} \end{array}$$

$$\begin{array}{r} 103 \\ 120 \\ 128 \\ 1512 \\ \hline 400 \end{array}$$

150	
147	
275	

Sub divisions = 8

Area = 293a

$\phi = 293''$

$C/W = 306''$ three Sparling meter.

There are
concepts.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 24061

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

1. Name of applicant Colen H. and Mary C. Sweeten, 112 Bannock St., Malad, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4
T. 15 S. R. 33 E. County of Oneida
4. Describe works as they exist, giving dimensions and capacities of same: Well is 300' deep by 18" diameter, cased to the bottom, gravel packed. H=22', draw down un-known. D-318
Caterpillar Diesel power unit and a Fairbanks Morse Turbine serial No. PR 3865.
Delivery is into a large concrete regulating tank, which can deliver to the fields by gravity or to an overnight holding pond thence to the fields by gravity. Water was measured by a Sparling Meter at 306 inches.
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):
W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4;
E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5;
Twp. 15 South, Range 33 East, B. M.
See the Map.

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

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

Remarks: Irrigation is finished for the season and the pump had been turned off
for approximately a week.

This examination was made on the Sept 11 day of , 1956

24061

(Signed)

E. H. Humphrey
Examiner.

October 18, 1956

RE: Permit No. G-24061

Mr. Alfred C. Gordon
Carlson Building
Pocatello, Idaho

Dear Mr. Gordon:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-24061 in the name of Colen H. and Mary C. Sweeten which shows a Certificate of Completion of Works can be issued for 6.12 second feet of water and a License for 5.86 second feet. This water has been used to irrigate 293 acres of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5; and W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4, Township 15 South, Range 33 East, B.M., the well being located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4.

A Certificate of Completion of Works can be issued for 6.12 second feet upon receipt of the statutory fee of \$5.00; and a License can be issued for 5.86 second feet of water upon receipt of the \$16.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

24061

ALFRED C. CORDON
ATTORNEY AND COUNSELLOR AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

October 19, 1956

RECEIVED
OCT 22 1956
Department of Reclamation

RE: PERMIT No. G-24061

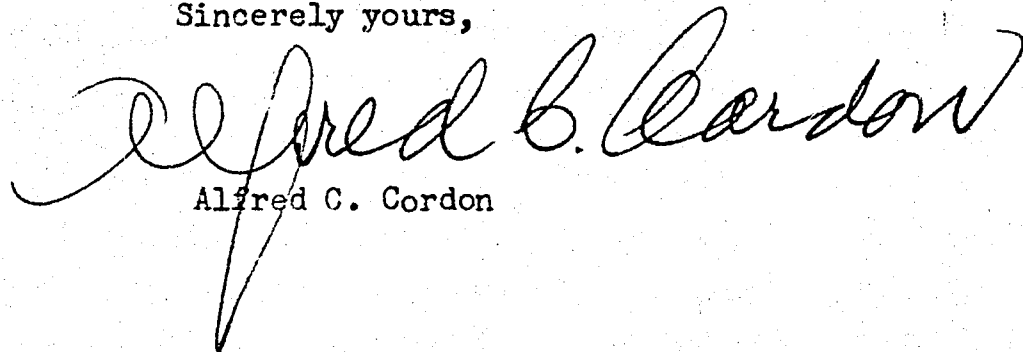
Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Attention R₁tlledge:

Thanks for your letter of the 18th.

I will endeavor to comply with your requirements
at an early date.

Sincerely yours,


Alfred C. Cordon

G-24061

ok 10/25/56

ALFRED C. CORDON
ATTORNEY AND COUNSELLOR AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

October 26, 1956

cf. Enc. #2/06
RECEIVED
OCT 28 1956
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Roy W. Thompson, Office Manager:

RE: C.H.SWEETEN

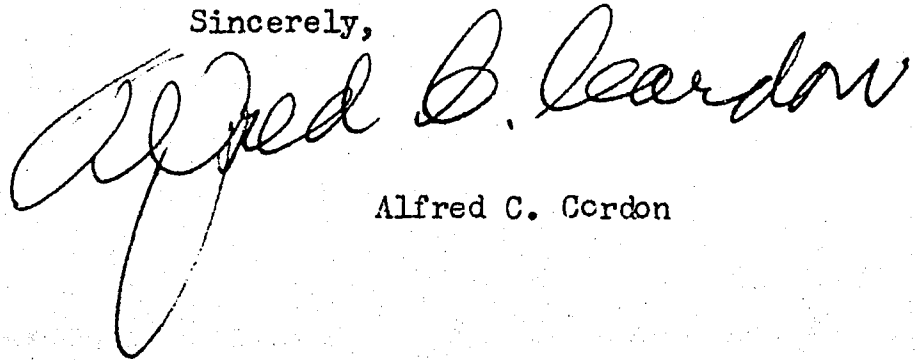
Complying with your letter of the 18th, I enclose
herewith check of applicant for \$21.00.

Please mail to the undersigned the following:

Certificate of Completion of Works and
License.

Thanking you,

Sincerely,



Alfred C. Cordon

~~3-25761~~
3-26642

A24061

November 1, 1956

RE: Permit No. G-24061

Mr. Alfred C. Cordon
Carlson Building
Pocatello, Idaho

Dear Mr. Cordon:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-24061 in the name of C. H. Sweeten and Mary C. Sweeten, confirming their right to the use of 5.86 second feet of the waters of a well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Township 15 South, Range 33 East, B.M., with priority of April 28, 1953, for irrigation of land in the W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, Township 15 South, Range 33 East, B.M.

We also enclose departmental receipt No. G-2208 for the \$21.00 completion of works and license fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

24061

October 18, 1961

RE: Permit No. G-26642
License No. G-24061

Colen H. Sweeten, Jr.
167 N 100 W Street
Malad, Idaho

Dear Mr. Sweeten:

Enclosed is receipt No. G-6617 for \$1.50 fee for copy of Permit No. G-26642. Also enclosed is Form 11.

The notice for publication of your proposed change in place of use is prepared in this office and mailed direct to the paper. You may complete the Form 11 showing the name of the county paper you wish to carry the notice. In your case it appears that the Malad paper is the only one in Oneida County.

Very truly yours,

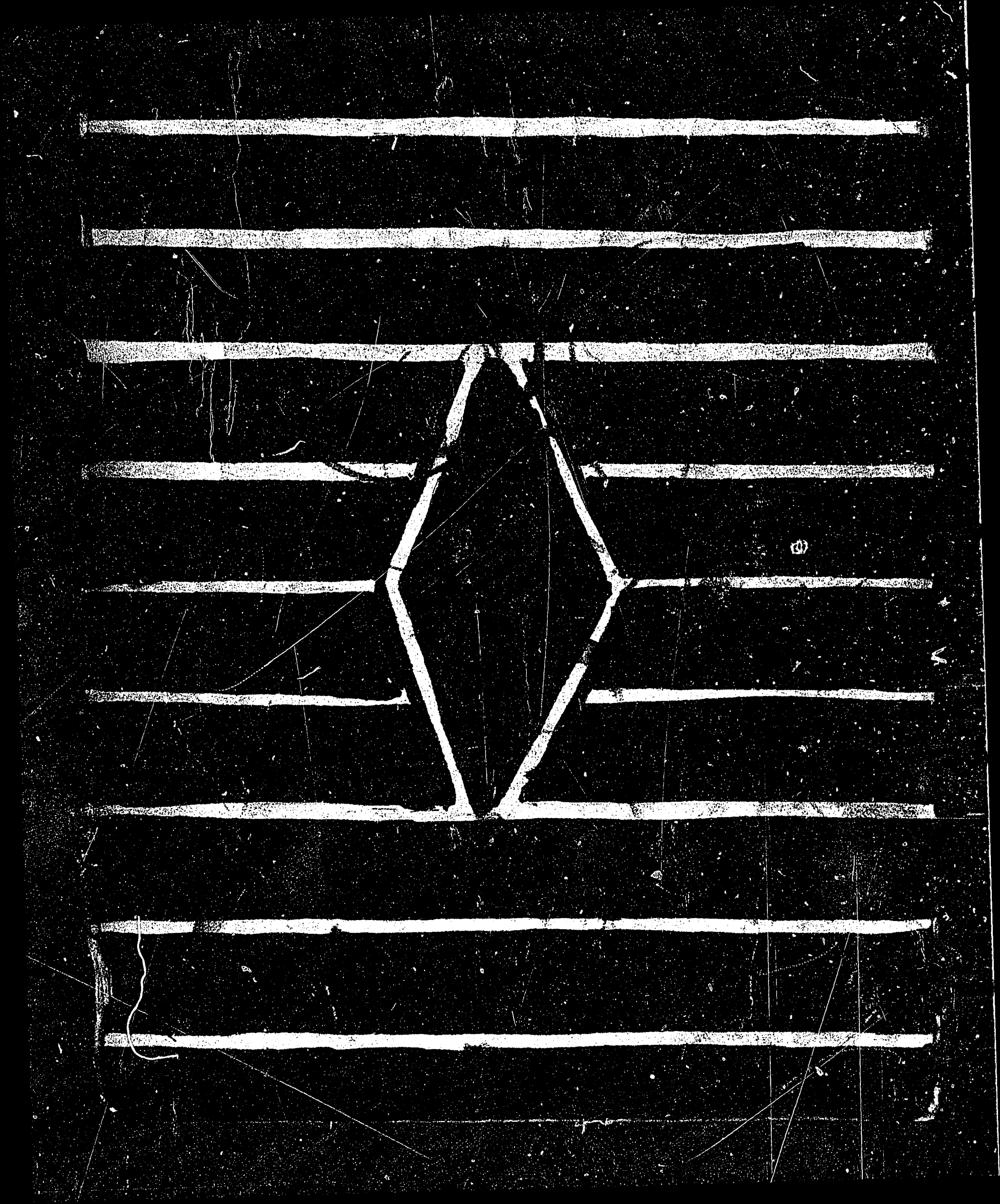
GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. Form 11
receipt

24061



December 4, 1961

Re: Permit No. G-26642; G-24061

Colen H. Sweeten
142 Barrock St.
Malad, Idaho

Dear Mr. Sweeten:

We have received your depositions and affidavit of publication in regard to Permit No. G-26642.

Your application for a change in place of use of water under Water License No. G-24061 has been approved and the certificate will be mailed to you as soon as it has been recorded in this office. That certificate makes the licensed water right appurtenant to the W²E¹, Sec. 4; E¹, Sec. 5, T. 15 S., R. 33 E., S. M.

Upon receipt of the statutory fee of \$13.00, we can issue the Certificate of Completion of Works (\$5.00 fee) and the License and Certificate of Water Right, fee \$8.00 (2.00 for each 40-acre subdivision for the W¹E¹, Sec. 5) under Permit No. G-26642 for 0.26 cubic feet per second from a well in NW¹NE¹, Sec. 4, for irrigation of 453 acres in W²E¹, Sec. 4; E¹, Sec. 5, T. 15 S., R. 33 E., S. M., with a priority of November 29, 1956.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Rf:ew

G24061

G26642

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

COLEN H. SWEETEN)
of)
167 N. 100 W. St.,)
Malad, Idaho)

ORDER GRANTING TRANSFER

NO. 971

For a Transfer of Water Right in the)
County of Oneida, State of Idaho)

WHEREAS, On the 10th day of November, 1961, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Colen H. Sweeten of 167 N. 100 W. St., Malad, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application, shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 13th day of November, 1961.

RALPH W. THOMAS

Deputy State Reclamation Engineer

T-971
17-2006

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 971

THIS IS TO CERTIFY, That Colen H. Sweeten, of 167 N. 100 W. St., Malad, Idaho, is the owner of and using a certain water right of 5.86 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-24061, issued by the State of Idaho, Department of Reclamation, dated October 29, 1956, bearing date of April 28, 1953, for the purpose of irrigating the following described lands situate, lying and being in the County of Oneida, State of Idaho, to-wit:

W $\frac{1}{2}$ W $\frac{1}{2}$, Section 4; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 5,
Township 15 South, Range 33 E.B.M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 9 of Licenses, at Page 5844 thereof;

And that Colen H. Sweeten of Malad, Idaho, is the owner of said right by statutory appropriation;

And that now, upon the application of Colen H. Sweeten, of Malad, Idaho, for the transfer of 5.86 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 5.86 cubic feet per second of the waters of subterranean source by well, upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

W $\frac{1}{2}$ W $\frac{1}{2}$, Section 4; E $\frac{1}{2}$, Section 5;
Township 15 South, Range 33 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

5.86 cubic feet per second of the waters of
subterranean source with priority of April 28,
1953;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 15 South, Range 33 E. B. M., and delivered through private ditch to place of use;

1-971
7-2026

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source through private ditches and pipes, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 13th day of November, 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer

T-971
12-2006

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

COLEN H. SWEETEN
of
167 N. 100 W. St.,
Malad, Idaho)

ORDER GRANTING TRANSFER

NO. 971

For a Transfer of Water Right in the
County of Oneida, State of Idaho)

WHEREAS, On the 10th day of November, 1961, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Colen H. Sweeten of 167 N. 100 W. St., Malad, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application, shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 13th day of November, 1961.

Ralph W. Thomas

RALPH W. THOMAS
Deputy State Reclamation Engineer

971
7-3026

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 971

THIS IS TO CERTIFY, That Colen H. Sweeten, of 167 N. 100 W. St., Malad, Idaho, is the owner of and using a certain water right of 5.86 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-24061, issued by the State of Idaho, Department of Reclamation, dated October 29, 1956, bearing date of April 28, 1953, for the purpose of irrigating the following described lands situate, lying and being in the County of Oneida, State of Idaho, to-wit:

W $\frac{1}{2}$ W $\frac{1}{2}$, Section 4; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 5,
Township 15 South, Range 33 E.B.M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 9 of Licenses, at Page 5844 thereof;

And that Colen H. Sweeten of Malad, Idaho, is the owner of said right by statutory appropriation;

And that now, upon the application of Colen H. Sweeten, of Malad, Idaho, for the transfer of 5.86 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 5.86 cubic feet per second of the waters of subterranean source by well, upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

W $\frac{1}{2}$ W $\frac{1}{2}$, Section 4; E $\frac{1}{2}$, Section 5;
Township 15 South, Range 33 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

5.86 cubic feet per second of the waters of
subterranean source with priority of April 28,
1953;

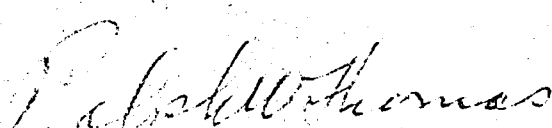
And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 15 South, Range 33 E. B. M., and delivered through private ditch to place of use;

971
17-2026

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source through private ditches and pipes, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 13th day of November, 1961.



RALPH W. THOMAS
Deputy State Reclamation Engineer

971
17-4/0016

November 14, 1961

Re: Transfer of Water Right
Transferred Right No. 971

Mr. Colan H. Sweeten,
167 N. 100 W. St.,
Malad, Idaho.

Dear Mr. Sweeten:

We enclose Transfer of Water Right Transferred
Right No. 971, together with Departmental Receipt No. 30843,
which was issued covering payment in the amount of \$1.00 for
the recording fee of the above mentioned transfer.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
BY

RALPH W. THOMAS
Deputy State Reclamation Engineer

Encl.
RWT:pmk

T-971
17-2026



ROBERT E. SUTLIE
Governor

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

November 6, 1961



RECEIVED
NOV 10 1961

Department of Reclamation

Re: Transfer of Water Right

Mr. Colen H. Sweeten,
167 N. 100 W. St.,
Malad, Idaho.

Dear Mr. Sweeten:

We are in receipt of the Affidavit of Publication in connection with your transfer of water right.

Upon the receipt of the statutory fee of \$1.00 for the recording of the transfer, we will issue you a Certificate of Transfer of Water Right.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas

RALPH W. THOMAS
Deputy State Reclamation Engineer

Encl.
RWT:pmk

Check enclosed

CHS.

*1-971
17-2026*

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

COLLEN H. SWEETEN)

of)

167 N. 100 W. St.,)

Malad, Idaho)

ORDER GRANTING TRANSFER

NO. 971

For a Transfer of Water Right in the)
County of Oneida, State of Idaho)

WHEREAS, On the 10th day of November, 1961, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Colen H. Sweeten of 167 N. 100 W. St., Malad, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application, shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 13th day of November, 1961.

RALPH W. THOMAS

Deputy State Reclamation Engineer

971
12-10-61

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 971

THIS IS TO CERTIFY, That Colen H. Sweeten, of 167 N. 100 W. St., Malad, Idaho, is the owner of and using a certain water right of 5.86 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-24061, issued by the State of Idaho, Department of Reclamation, dated October 29, 1956, bearing date of April 28, 1953, for the purpose of irrigating the following described lands situate, lying and being in the County of Oneida, State of Idaho, to-wit:

W $\frac{1}{2}$ W $\frac{1}{2}$, Section 4; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 5,
Township 15 South, Range 33 E.B.M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 9 of Licenses, at Page 5844 thereof;

And that Colen H. Sweeten of Malad, Idaho, is the owner of said right by statutory appropriation;

And that now, upon the application of Colen H. Sweeten, of Malad, Idaho, for the transfer of 5.86 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 5.86 cubic feet per second of the waters of subterranean source by well, upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

W $\frac{1}{2}$ W $\frac{1}{2}$, Section 4; E $\frac{1}{2}$, Section 5;
Township 15 South, Range 33 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

5.86 cubic feet per second of the waters of
subterranean source with priority of April 28,
1953;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 15 South, Range 33 E. B. M., and delivered through private ditch to place of use;

T-971
17-20026

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source through private ditches and pipes, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 13th day of November, 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer

T-991
17-0026

George Lincoln

George Nager - 4-5-11

Amherst 5-8-11

Private - Exile 4-5-1953

Date of Exile 10-29-51

Vol. 9 - page 5-5-11

Point of View

10-5, 30 E

10-5, 30 E

10-5, 30 E

10-5, 30 E

10-5, 30 E

10-5, 30 E

10-5, 30 E

1971
17-30-24

Application For Transfer of Water Right

RECEIVED
OCT 19 1961

STATE OF IDAHO

County of ONEIDA

ss.

Department of Reclamation

Colen H. Sweeten, being first duly sworn, deposes and says:

That his name is Colen H. Sweeten; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

111 Bannock st. Malad, Idaho

That he is the owner and using a certain water right, bearing date of priority of April 28 53, for 5.86 cubic feet per second of the waters of Subterranean flow, drilled Well County of Oneida, State of Idaho, decreed to by decree of Judge of the Judicial District of the State of Idaho, in and for the county of, in the case of vs. said decree bearing date of

(or obtained by virtue of License No. G-24061, issued by the State Department of Reclamation of the State of Idaho, dated October 29, 1956, bearing date of October 29, 1956) for the purpose of irrigating the following described lands situate, lying and being in Water District No. in the County of Oneida and State of Idaho, to-wit:

W $\frac{1}{2}$ E $\frac{1}{2}$ Section 4 and E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 5, Twp. 15 S., Rge. 33 E.B.M.

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 15 S., Range 33, B. M., and conducted to the above described lands through Ditches and pipes as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Oneida and State of Idaho, to-wit:

W $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 5, Twp. 15 S., Rge. 33 E.B.M. AND W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 4 and E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 5, Twp. 15 S., Rge. 33 E.B.M.

That reasons for desiring to make such transfer are as follows: for more efficient and Beneficial use of irrigation waters; To clarify right to use.

T-971
17-2026

That he intends to divert and convey said.....5.86.....second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

Ditches and pipes.....

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

NO CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section....., Township....., Range....., and thereafter conduct same to the above described land through the.....ditch, as per map appended.

That his reasons for desiring to make such change are as follows:.....

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Cole H Sweeting

Applicant.

Subscribed and sworn to before me this.....17th.....day of.....October....., 19.....61.....

J. M. Mott

Notary Public.

Residing at Malad City, Idaho

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?.....Underground.....

Where is the diversion point located?.....NW 1/4 NW 1/4 Sec. 4, Twp. 15 S. Rge. 33 E.B.M.....

Through what ditch is it now conducted?.....Private.....

How much land is now irrigated by the water sought to be transferred?.....320 acres.....

Give the description:.....W 1/2 W 1/2 Sec. 4, E 1/2 E 1/2 Sec. 5, Twp. 15 S. Rge. 33 E.B.M.....

What is the total amount of water in inches, or second feet, dedicated to said land?.....

What kind of crops are being raised?.....

How much water per acre is now required to irrigate said land?.....

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Give location of new point of diversion, if change is to be made.....

Through what ditch will it be conducted after transfer?

How much water will be required per acre to irrigate the land to which this water is transferred?.....

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source.....

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source.....

Signed.....
Applicant.

STATE OF IDAHO, }
County of..... } ss.

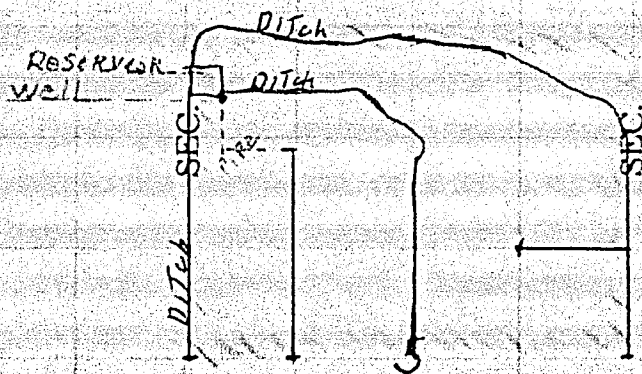
I, ..., Watermaster of.....
Water District No....., County of....., State of Idaho, whose postoffice address
is....., have read or heard read the foregoing affidavit and petition
of....., and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons:.....

Watermaster, District No.....

Dated at....., Idaho, this..... day of....., 19.....

T-971
17-2026

Name of Applicant Colen H. Sweeten



Scale: 2 Inches = 1 Mile. Draw Map in Ink.

November 6, 1961

Re: Transfer of Water Right

Mr. Colen H. Sweeten,
167 N. 100 W. St.,
Malad, Idaho.

Dear Mr. Sweeten:

We are in receipt of the Affidavit of Publication in connection with your transfer of water right.

Upon the receipt of the statutory fee of \$1.00 for the recording of the transfer, we will issue you a Certificate of Transfer of Water Right.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS
Deputy State Reclamation Engineer

Encl.
RWT:pmk

7-971
17-2036

RECEIVED
NOV 6 1961

Department of Reclamation

Affadavit of Publication

State of Idaho
County of Oneida, ss.

Mary A. Matthews being first duly sworn on
his oath, states: That he is *chief 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 2 successive weekly issues thereof the date of the first publication being the *26th* day of *October*, 19*61*, the date of the last publication being the *2nd* day of *November*, 19*61*.

Mary A. Matthews

Subscribed and sworn to before me this *3rd* day of
November, 19*61*.

Colen H. Sweeten

Clerk of the District Court Notary Public, residing at Malad, Idaho

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

Costs: *27* lines at 13c per line first insertion \$ *4.81*.

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

10c per line each subsequent insertion \$ *3.70*

TOTAL \$ *8.51*

(Rates for legal notices are fixed by Idaho law)

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Colen H. Sweeten of 167 N. 100 W. St., Malad, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to

change the place of use of the waters of subterranean well as follows: Amount: 5.86 cubic feet per second. Priority: April 28, 1953. Point of diversion: NW 1/4, Section 4, Township 15 S., Range 33 E., B.M. Place of Use: W 1/2 W 1/2, Sec. 4, E 1/2 E 1/2, Sec. 5, T. 15 S., R. 33 E.B.M.

To Be Transferred To
Place of Use: W 1/2 E 1/2, E 1/2 E 1/2, Sec. 5; W 1/2 W 1/2, Sec. 4, T. 15 S., R. 33 E.B.M.

And that on the 10th day of November, 1961, at 10:00 o'clock A.M., at Room 107 Statehouse, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER
State Reclamation Engineer
10-26 11-2 12

T-971
17-2026

RECEIVED

OCT 24 1961

DEPT. OF RECLAMATION

Proof

*T-971
17-3036*

**NOTICE OF PROPOSED
TRANSFER OF WATER
RIGHT**

Notice is hereby given that Colen H. Sweeten of 167 N. 10th W. St., Malad, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean well as follows: Amount: 1.86 cubic feet per second. Priority: April 28, 1953. Point of diversion: NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 4, Township 15 S., Range 33 E., B.M. Place of User: W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 4, E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 5, T. 15 S., R. 33 E.B.M.

To Be Transferred To

Place of User: W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 5; W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 4, T. 15 So. R. 33 E.B.M.

And that on the 20th day of November, 1961, at 10:00 o'clock A.M., at Room 107 Statehouse, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

10-26 11-2 12

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

October 19, 1961

Re: Transfer of Water Right
Colen H. Sweeten

Idaho Enterprise,
Malad, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to November 10, 1961 the date set for hearing; the expense of the publication is to be paid by the applicant Colen H. Sweeten of 167 N. 100 W. St., Malad to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

**If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.
RWT:pmk

T-971
17-20026

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Colen H. Sweeten of Idaho
167 N. 100 W. St., Malad, / has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of subterranean well as follows:
Amount: 5.86 cubic feet per second. Priority: April 28, 1953
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 15 S., Range 33 E., B. M.
Place of Use: W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 4, E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 5, T. 15 S., R. 33 E.B.M.

To Be Transferred To

~~Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 15 S., Range 33 E., B. M.~~
Place of Use: W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 5; W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 4, T. 15 So. R. 33 E.B.M.

And that on the 10th day of November, 1961, at 10:00 o'clock A. M.,
at Room 107 Statehouse, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

GEO. N. CARTER
State Reclamation Engineer

T-971
17-2056

RECEIVED
OCT 20 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Change in place of use
License G-24061

(Date) October 19, 1961

(P.O.) Malad, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Colen H. Sweeten
By Colen H. Sweeten

(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.

T-971
17-2036

State of Idaho

License and Certificate of Water Right

Water License No. G-24061

Amount 5.86 second feet

Water District No.

Priority April 28, 1953

THIS IS TO CERTIFY that

C.H. SWEETEN and MARY C. SWEETEN

of Malad, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated April 28, 1953; that Permit No. G-24061 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.12 second feet, was issued thereunder on October 29, 1956, showing that said works were completed on the 14th day of February, 1955; and that on the 14th day of February, 1955,

C. H. SWEETEN & MARY C. SWEETEN

of Malda

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

, tributary of (subterranean flow), for the purpose of irrigation

, under Use Permit No. G-24061 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5814, on the 29th day of October, 1956;

The right hereby confirmed dates from April 28, 1953;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 4, Tp. 15 S, R. 33 E., B. M. Oneida County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.86 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
15 S.	33 E.	4	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	33		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	30		
		5	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	30		
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40		
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40		
			Total Number of Acres Actually Irrigated - - -				293

Transfer #971

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

29th day of October, 1956

MARK R. KULP

State Reclamation Engineer.

(SEAL)

