

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

Application No. G- 35881
Permit No. G-27928
District No.

Chester Eliason
Holbrook, Idaho

1. Name of Applicant: Chester Eliason

Postoffice address: Holbrook

County: Oneida

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second Three or Idaho
Miners' inches 150 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 SE $\frac{1}{4}$ of Section 9
Twp. 14 S. , Rge. 32 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
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: Deep well, cased, with pump

8. Estimated cost of works: \$ 8,000.00

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 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

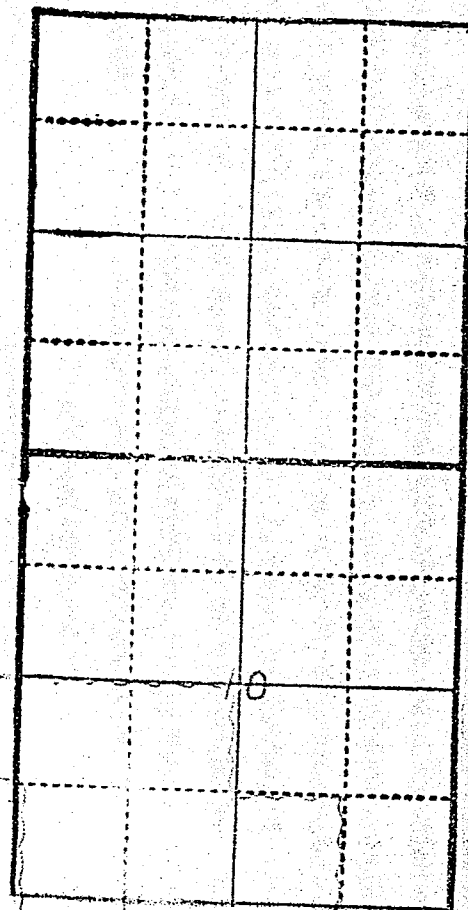
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Rock Springs

(a) Three C.F.S. (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.



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

By _____ *Agent.*

Corrected application received:

The number of this permit is G- 27928

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 November 15, 1961

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 May 15, 1964

Witness my hand this 15th day of May, 1959 s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLEE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th
day of May, 1959.

Countersigned:

STATE OF IDAHO

By s/ ARNOLD WILLIAMS

By ROBERT E. SMYLLIE
Governor

BY: PAULA L. FLEENOR
Deputy Secretary of State

12.

[illegible]

Ray & Scott
Attorneys
Malad City
Idaho

RECEIVED
MAY 1 1959
Department of Reclamation

May 8, 1959

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

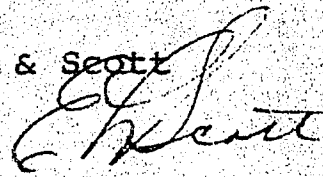
Please find enclosed application for permit to appropriate the Subterranean waters of the State of Idaho, of Chester Eliason, together with his check in sum of \$5.50 filing fee.

Please issue Permit and oblige.

Thanking you kindly, I remain,

Very truly,

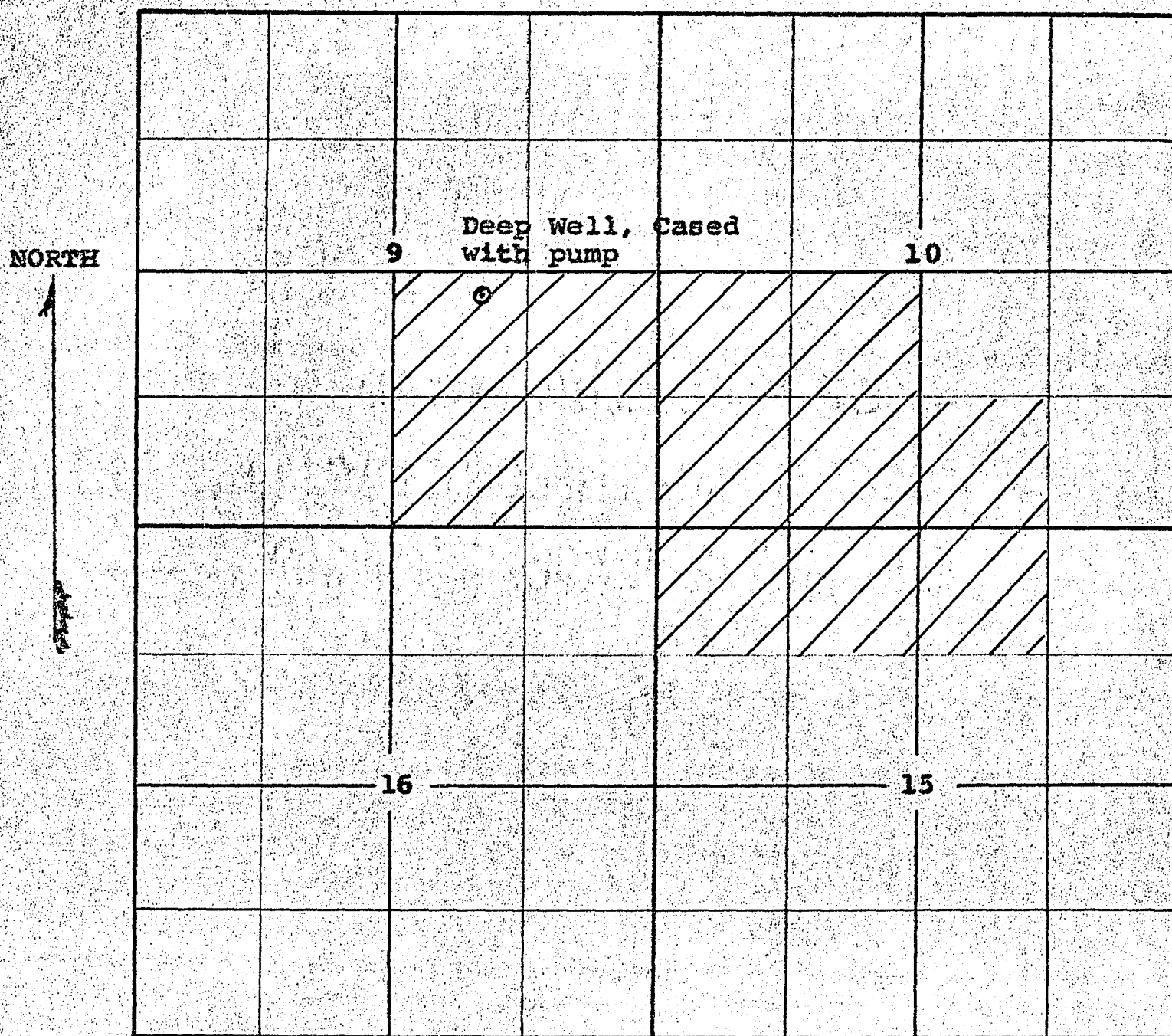
Ray & Scott

By 

NAME OF APPLICANT:

Chester Eliason
Holbrook, Idaho

Township 14 South, Range 32 East, Boise Meridian
Oneida County, Idaho



Scale: 1 inch = 1760 Feet

Permit Map No. 9-27928

As Approved MAY 15 1959

GEO. N. CARTER
State Reclamation Engineer

May 18, 1959

Re: Permit No. G-27928

Mr. Chester Eliason,
Holbrook, Idaho.

Dear Mr. Eliason:

We enclose Permit No. G-27928 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-4014 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

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

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.(2)

EPR/pak

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho
March 16, 1964

Re: Permit No. G- 27928

Chester Eliason
Holbrook, Idaho

Dear Mr. Eliason:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 27928 are due not later than May 15, 1964.

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

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

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

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

Very truly yours,

Carl E. Tappan

State Reclamation Engineer

Enclosures Form 36 2
11

27928

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27928 June 26, 1964

To Chester Eliason
Holbrook, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G-27928 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works & Beneficial Use Proofs which were due May 15, 1964

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code
that said Permit No. G- 27928 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 27928 claims the use of 3.0 cubic feet
per second of the Subterranean Waters a well with point of diversion
located: NW 1/4 Sec. 9., Twp. 14 S., Rge. 32 E.B.M.

and was approved **May 15, 1959**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 26th day of June, 19 64.

Carl E. Tappan

State Reclamation Engineer

279.28

INSTRUCTIONS TO DELIVERING EMPLOYEE



Deliver *ONLY* to
addressee



Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

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

Chester E. Hanson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

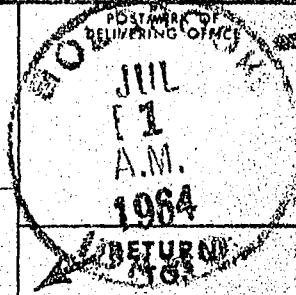
7-1-64

C55-16-71540-5-F GPC

6-27-28 - 27928

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**



INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends; attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

REGISTERED NO.	NAME OF SENDER State Department of Reclamation
CERTIFIED NO. 19093	STREET AND NO. OR P. O. BOX Room 107 Statehouse
INSURED NO.	CITY, ZONE AND STATE Boise, Idaho

C55-16-71548-S-F

27928

POD Form 3811 Apr. 1962

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

RECEIVED
JUL 2 1964
Department of Reclamation

July 1, 1964

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

Re: Permit No. G-27928
Chester Eliason

Dear Mr. Tappan:

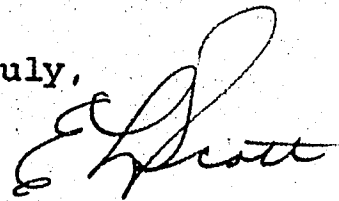
Mr. Eliason is in concerning your notice to him dated June 26, 1964, notifying him that the above permit is being held for cancellation under the provisions of Sec. 42-234, Idaho Code.

Mr. Eliason was completely unaware that the time for proving up on the well had run out until your registered notice came to him. He is desirous of showing cause why the Permit should not be cancelled, and further would prefer to submit final proof under the terms of the permit.

I would appreciate having you advise me as to the necessary steps to be taken by Mr. Eliason to accomplish his goals.

Thanking you kindly, I remain,

Very truly,



27928

July 7, 1964

RE: Permit No. G-27928
Chester Eliason

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

Dear Mr. Scott:

Enclosed are Forms 36 and 11.

Mr. Eliason was furnished the forms and notice by letter dated March 16, 1964. The letter was not returned on account of non-delivery.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:et

Enc. Forms 36 and 11

27928

RECEIVED
JUL 16 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 9, 1964

(P. O.) Holbrook, 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 City published in the
county in which the works are situated.

X Chester E. Mason

(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

Delay in mailing the attached publication notice was due to the fact that a letter regarding Permit No. G-25370 and License No. 20964 was clipped to the Publication Notice and placed in Mr. Hamilton's basket. This was not noticed until today, July 28, 1964.

FMK

27928

RECEIVED
JUL 16 1964
10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 11:00 A.M., on the 27th day of August 1964, at Malad City, County of Oneida, State of Idaho, before E. L. Scott, Notary Public, at (address) 26 Court Street, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 27928, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Chester Eliason, Holbrook, 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 is 3 cubic feet per second.

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

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp. 14 S., R. 32 E.B.M.

5. The place where said water is used is N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10; N $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15; all in Twp. 14 S., R. 32 E.B.M.

6. The date of priority which said user is prepared to establish is May 15, 1959

CARL E. TAPPAN

State Reclamation Engineer

27928

Re: Permit No. G-27928
Chester Eliason

Date: July 28, 1964

Idaho Enterprise,
Malad City, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to August 28, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant Chester Eliason
of Holbrook, 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 or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** 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

Re: Permit No. G-27928

July 28, 1964

Mr. Chester Eliason,
Holbrook, Idaho.

Dear Mr. Eliason:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-27928. The proofs are to be made at 11:00 o'clock A.M., on the 28th day of August, 1964, before E. L. Scott, 26 Court Street, Malad City, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

P.S. You will note that we have changed the date for making proof from August 26th to August 28th. Due to an oversight, publication notice was not sent out until today. If the above date does not meet with your approval, kindly notify the Idaho Enterprise, as well as this office, of a satisfactory date.

27928

September 1, 1964

RE: Permit G-27928
Chester Eliason

Chester Eliason
Holbrook,
Idaho

Dear Mr. Eliason:

Enclosed please find new forms # 16, Deposition of Holder, and 17A, Deposition of Witness. These forms must be made out to agree with the Legal Notice as published in the IDAHO ENTERPRISE.

The original Forms were received with the following discrepancies:

Question 3 - shows Permit G-24259 with the approval date and priority date of July 3, 1953 and July 3, 1953. It should read Permit G-27928 May 15, 1959, and May 11, 1959.

Question 4 point of diversion listed as the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9-11S, 32E. It should read NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, T14S-R32EBM.

We suggest that you follow the original information as advertised unless changes have been made, in which case amendments are necessary and a new publication will be required.

Please complete the enclosed forms and return to this office promptly.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. PETRI
State Water Rights Clerk

HP:ot

Enc. Forms 16 and 17A

27928

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G. 27928 24259

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: _____

Chester Eliason, Holbrook, Idaho ; Stockman & Farmer - - Holbrook, 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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G. 24259; July 3, 1953 also July 3, 1953

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 14 South, Range 32 East, Boise Meridian

Ques. 5. Describe your works of diversion: 160' Deep well, cased, electric motor and pump; 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 160 ft.; depth and size of casing: 160 ft; 16" casing; depth to water 20 ft.; if pump is used,

state discharge of pump: 1 c.f.s.; tell how it was measured or determined measured by

manufacturer's representative; if Sprinkler irrigation, give number and size of nozzles and operating pressure: No

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 : _____

N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 - 20 acres: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 - 180 acres

N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 - 50 acres: all in Township 14 South, Range 32

East, Boise Meridian

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

Land levelled and new ditches built

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Larry Dalton - Salt Lake City, Utah

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

50 miners inches of water from the well

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: May, 1954 Time used since first use:

Each irrigation season each year since

Ques. 11. Describe all other water rights appurtenant to same place of use:

Meadow Creek Spring; diminishing from 100 miners inches

in the Spring to about 50 miners inches

(sign) Arthur Elason

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 I,aho, on this 28th day of August, A.D. 19 64.

E. L. Smith

My Commission expires: May 19, 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G, 24259

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Work

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:

Vernal W. Nalder-52 years of age; Holbrook, Idaho; Farmer-Holbrook, Idaho

Ques. 2. Are you acquainted with Chester Eliason, the holder of

Permit No. G 24259 ^{yes?} How long have you known him and where does he reside:

at least 40 years. He resides North of Holbrook, Idaho

Ques. 3. Have you read or heard said Permit No. Yes read, and are you familiar

with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: underground water source

State place of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 14 South, Range 32 E.B.M.

Describe works for conveying water to place of use: open ditches capable of
conveying 4 or 5 c.f.s.

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

conveyed: Varying from 3 or 4 c.f.s. to 2 c.f.s

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

N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 - 20 acres; SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 - 180 acres

N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 - 50 acres; all in Township 14 South, Range
32 East, Boise Meridian

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Heavy black loam; something less than a miners inch to the acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No

Ques. 10. When did you first see this water used? When well was first used in July, 1954

Other times you have seen such use: Each year I have seen the water used on numerous occasions during the irrigation season.

(Signed)

Uenael W. Nelder

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 28th day of August,

A. D., 1964

E. J. Scott

Notary Public for State of Idaho

Residing: Pocatello, Idaho

My commission expires: May 19, 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G.24259

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:

Rollin Showell - 60 years of age; Stone, Idaho; Farmer-Stone, Idaho

Ques. 2. Are you acquainted with Chester Eliason, the holder of

Permit No. G.24259? How long have you known him and where does he reside:

at least 40 years. He resides North of Holbrook, Idaho

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

Ques. 4. State source of water supply: underground water source

State place of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 14 South, Range 32 E.B.M.

Describe works for conveying water to place of use: open ditches capable of conveying 4 or 5 c.f.s.

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

conveyed: Varying from 3 or 4 c.f.s. to 2 c. f. s.

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

N $\frac{1}{2}$ SE $\frac{1}{4}$.SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 - 20 acres; SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 - 180 acres

N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 - 50 acres; all in Township 14 South, Range 32 East, Boise Meridian

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Heavy black loam; something less than a miners inch to the acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No

Ques. 10. When did you first see this water used: When well was first used in July, 1954

Other times you have seen such use: Each year I have seen the water used on numerous occasions during the irrigation season.

(Signed)

Rollie Shonell

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 28th day of August,

A. D., 1964

E. H. Scott

Notary Public for State of Idaho

Residing: Pocatello, Idaho

My commission expires: May 19, 1967

RECEIVED
SEP 1 1964

Department of Reclamation Affadavit of Publication

NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M., on the 28th day of August, 1964, at Malad City, County of Oneida, State of Idaho, before E. L. Scott, Notary Public, at 26 Court Street, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 27928, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Chester Ellason, Holbrook, 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 is 3 cubic feet per second.

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

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp. 14 S., R. 32 E.B.M.

5. The place where said water is used is N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10; N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15; all in Twp. 14 S., R. 32 E.B.M.

6. The date of priority which said user is prepared to establish is May 11, 1959.

CARL E. TAPPAN
State Reclamation Engineer
7-30 8-20 t4

State of Idaho
County of Oneida, ss.

Clyde Hanson being first duly sworn on his oath, states: That ...he is *Co. publisher*

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 *30th* day of *July*, 1964, the date of the last publication being the *20th* day of *August*, 1964.

Clyde Hanson

Subscribed and sworn to before me this *28th* day of

August, 1964. *E. L. Scott*

Notary Public, residing at Malad, Idaho

My Commission expires the *19th* day of *May*, 1967.

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

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

10c per line each subsequent insertion \$*1560*.

TOTAL \$*222.36*

(Rates for legal notices are fixed by Idaho law)

27928

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

RECEIVED

SEP 4 1964

Department of Reclamation

September 3, 1964

Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

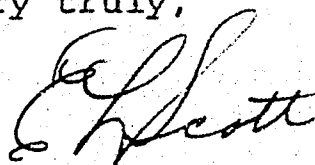
Dear Mr. Tappan:

Thank you for your kind letter directed to Mr. Chester Eliason, September 1, 1964, concerning Permit No. G-27928.

Apparently, Mr. Eliason has had two permits issued to him, proof was made erroneously on the wrong one without reference to the notice published in the Idaho Enterprise.

Please send new forms, in order that we might conform to your requirements set forth in your letter.

Very truly,



ELS:GT

27928

September 4, 1964

Re: Permit No. G-27928
Chester Eliason

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

Dear Mr. Scott:

In accordance with your request of September 3rd,
we are enclosing one Form 16, Deposition of Holder, and
Form 17-A, Deposition of Witness, in duplicate.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RUIE
Chief Clerk

Encl. - Depositions
EPR:pmk

September 23, 1964

RE: Permit G-27928
Chester Eliason

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

Dear Mr. Scott:

Receipt of your letter of September 21, 1964 is hereby acknowledged. However, you stated you had notarized the depositions as of August 28, the forms were filled out but you neglected to sign and seal them. Also, please refer to our letter of September 1, 1964, paragraph #3. The priority date should be May 11, 1959 as published. This date is established by the time a permit is received in our office.

Please correct the date of priority on the enclosed depositions, attach the Publisher's Affidavit, sign, seal, and return promptly.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. PETRI
State Water Rights Clerk

HP:ct

Enc. Proofs

27928

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

RECEIVED
SEP 23 1964
Department of Reclamation

RECEIVED
SEP 25 1964
September 21, 1964
Department of Reclamation

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

Re: Permit No. G 27928
Chester Eliason

Dear Mr. Tappan:

Please find enclosed Deposition of Holder and Depositions of two witnesses in connection with the proof of completion of works of the above Permit.

These Depositions were actually signed within the last week by these persons. I have notarized the depositions as of August 28th, the date set forth in the Notice which was published. This is done on a nunc-pro-tunc basis (now for then) to conform with the Notice and to keep your file in proper order.

Also, I notice by the published notice which I have, that under paragraph 6, the date of priority which said user is prepared to establish is May 11, 1959. Actually the Permit was approved on May 15, 1959, and I have shown this date in the Proofs enclosed. I don't know how the 11th was shown in the notice, but believe this was in error.

If I can be of further service in this, please advise.

Sincerely yours,

E. L. Scott

27928

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

September 23, 1964

RECEIVED
SEP 25 1964

Department of Reclamation

RE: Permit G-27928
Chester Eliason

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

Dear Mr. Scott:

Receipt of your letter of September 21, 1964 is hereby acknowledged. However, you stated you had notarized the depositions as of August 28, the forms were filled out but you neglected to sign and seal them. Also, please refer to our letter of September 1, 1964 paragraph #3. The priority date should be May 11, 1959 as published. This date is established by the time a permit is received in our office.

Please correct the date of priority on the enclosed depositions, attach the Publisher's Affidavit, sign, seal, and return promptly.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

A handwritten signature in cursive script, appearing to read "H. Petri".

H. PETRI
State Water Rights Clerk

HP:ct

Enc. Proofs

27928

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-27928

RECEIVED
SEP 23 1964
Department of Reclamation
RECEIVED
SEP 25 1964
Department of Reclamation

* * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL
and Completion of Works

DEPOSITION OF HOLDER

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

Chester Eliason; Reside at Holbrook, Idaho; Occupation: stockman and farmer;
P.O. Address; Holbrook, 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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G-27928; Approval Date of Permit: May 15, 1959;
Date of priority of May 11, 1959

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

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; Twp. 14 South, Range 32 East, Boise Meridian

Ques. 5. Describe your works of diversion: Deep well, cased, with electric motor and pump, discharging into open ditch

_____ ; state amount of water they are capable of conveying from point of diversion to place of use 5 c.f.s. ; Give name of canal or ditch or other works by which water is conducted to such place of use: Open ditch into Rock Springs Creek ; if a well, state depth of well 260 feet ; depth and size of casing: 260 feet of 16 inch casing ; depth to water 20 feet ; if pump is used, state discharge of pump: 50 miners inches how it was measured or determined: Pump rated by manufacturer ; 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 :
Sec. 9: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. . . 120 acres
Sec. 10: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. . . 200 acres
Sec. 15: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$. . . 120 acres

Situated in Township 14 South, Range 32 East, Boise Meridian

State nature of all improvements which have been made as a direct result of said use:
Land levelled, some irrigation structures made

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Larry Dalton, Salt Lake City, Utah

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

50 miners inches

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: April, 1960 Time used since first use:

Each irrigation season continuously thereafter

Ques. 11. Describe all other water rights appurtenant to same place of use:

on Rock Springs Creek flowing through the premises which would have an average flow of some 75 miners inches of water

(sign) Cluster Chason

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 28th day of August, A.D. 1964.

E. J. Scott
Notary Public

My Commission expires: May 19, 1967

RECEIVED
SEP 23 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO
Permit No. G-27928

RECEIVED
SEP 25 1964
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:

Orvil Tubbs; 36 years of age; reside at Holbrook, Idaho; farmer by occupation;

P. O. Address: Holbrook, Idaho

Ques. 2. Are you acquainted with Chester Eliason, the holder of

Permit No. G-27928 ^{Yes.}? How long have you known him and where does he reside:

I have known him all of my lifetime. He resides in Oneida County, Idaho.

Ques. 3. Have you read or heard said Permit No. G-27928 ^{Yes} read, and are you familiar with its provisions and conditions: Yes: Yes. No:

Ques. 4. State source of water supply: Underground water

State place of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; Twp. 14 S., R. 32 E.B.M.

Describe works for conveying water to place of use: Water is pumped into open ditch and joins water of ~~main~~ Rock Springs Creek to place of usage.

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

conveyed: approximately 5 c.f.s.

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

Sec. 9: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. . . 120 acres

Sec. 10: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. . . 200 acres

Sec. 15: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$. . . 120 acres

All in Township 14 South, Range 32 East, Boise Meridian

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Land is heavy black loam, and requires all water available, including the 50 inches from the well.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No.

Ques. 10. When did you first see this water used: May of 1960

Other times you have seen such use: Each year I have had occasion to see the water pumped and used on the lands during the irrigating season each year.

(Signed)

Orvil Tullis age 36

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 28th day of August,

A. D., ~~1960~~ 1964

E. J. Reed

Notary Public for State of Idaho

Residing: Malad, Idaho

My commission expires: May 19, 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-27928

RECEIVED
SEP 23 1964

Department of Reclamation

RECEIVED
SEP 25 1964

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:

Vernal Nalder; age 52 years; reside in Oneida County, Idaho;
occupation, a farmer; P.O. Address: Holbrook, Idaho

Ques. 2. Are you acquainted with Chester Eliason, the holder of
Permit No. G-27928 / yes. How long have you known him and where does he reside:

I have known Mr. Eliason all of my lifetime. He resides in Oneida County,
Idaho.

Ques. 3. Have you read or heard said Permit No. G-27928 read, and are you familiar
with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: Underground water

State place of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; Twp. 14 S., R. 32 E.B.M.

Describe works for conveying water to place of use: Electric pump discharging water
into open ditch which joins Rock Springs Creek through premises

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

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

Sec. 9: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. . . 120 acres

Sec. 10: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$. . . 200 acres

Sec. 15: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$. . . 120 acres

All situated in Township 14 South, Range 32 East, Boise Meridian

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Heavy black loam soil, which requires all water available . . . at least
one miners inch per acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no

Ques. 10. When did you first see this water used: May of 1960

Other times you have seen such use: Each irrigation season since May of 1960
the well has been pumped and the water used on the lands

(Signed)

Vernal Halder

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 28th day of August,

A. D., ~~1964~~ 1964

E. J. Scott

Notary Public for State of Idaho

Residing: Malad, Idaho

My commission expires: May 19, 1967

RECEIVED
SEP 25 1964

NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M., on the 28th day of August, 1964, at Malad City, County of Oneida, State of Idaho, before E. L. Scott, Notary Public, at 26 Court Street, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 27928, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Chester Elason, Holbrook, 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 is 3 cubic feet per second.

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

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp. 14 S., R. 32 E.B.M.

5. The place where said water is used is N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10; N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15; all in Twp. 14 S., R. 32 E.B.M.

6. The date of priority which said user is prepared to establish is May 11, 1958.

CARLE E. TAPPAN
State Reclamation Engineer
7-30 8-20 t4

Affadavit of Publication

State of Idaho
County of Oneida, ss.

Mary 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 successive weekly issues thereof the date of the first publication being the *30th* day of *July*, 19*64* the date of the last publication being the *20th* day of *August* 19*64*.

Mary Matthews

Subscribed and sworn to before me this *28th* day of *August*, 19*64* *E. L. Scott*

Notary Public, residing at Malad, Idaho

My Commission expires the *19* day of *May*, 19*67*.

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

.....lines tabulated at 20c per line ~~\$15.60~~

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

TOTAL \$ *22.36*

(Rates for legal notices are fixed by Idaho law)

27728

1M April 1962

September 30, 1964

Re: Permit No.
G-27928
Chester Eliason

Chester Eliason
Holbrook,
Idaho

Dear Mr. Eliason:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the _____, all submitted in proof of completion of works and beneficial use on Permit No.

G-27928

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

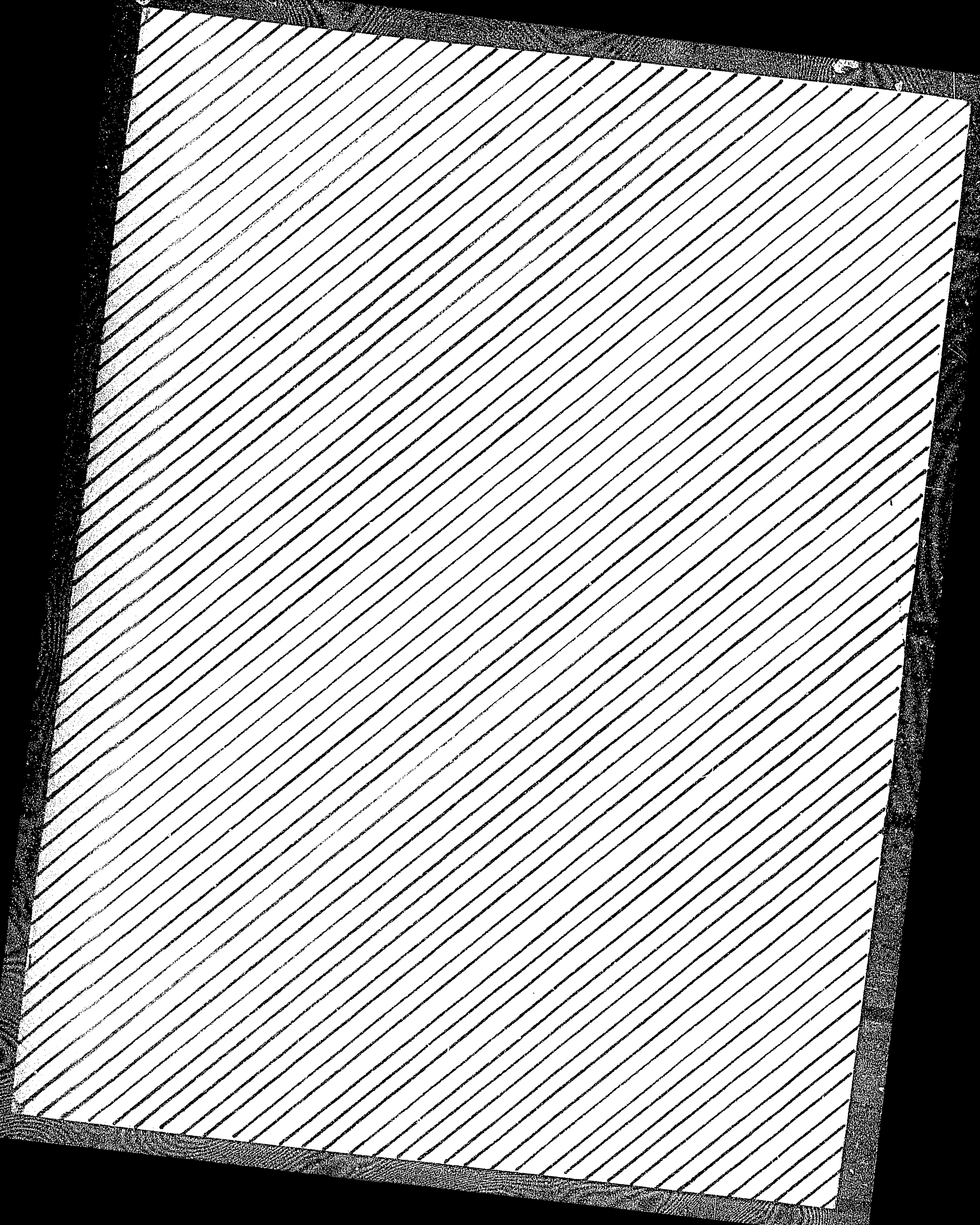
By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:et

cc: E.L. Scott

27928



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

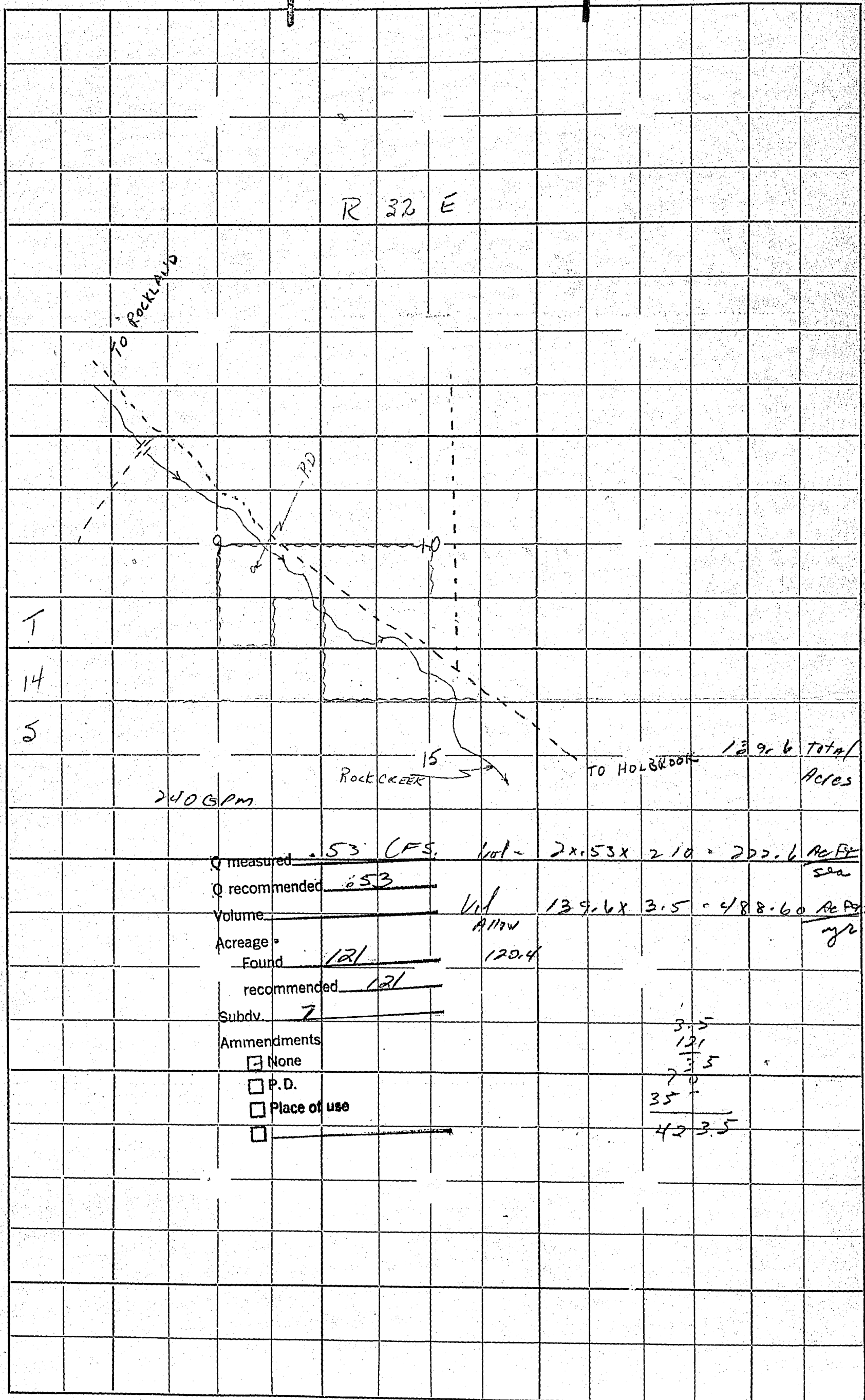
REPORT OF ENGINEER

PERMIT NO. G-27928 /17-2044

REPORT ON PROOF OF Completion of Works & Beneficial Use

Chester Eliason
Holbrook,
Idaho

17 2044



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

17 2044

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G27928 /17-2044

This proof is for Comp. of Works & Bene. Use

In Water District No. 47
45
92
20
12

1. Name of applicant Chester Eliason
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9
T. 14S R. 32E County of Oneida
4. Describe works as they exist, giving dimensions and capacities of same: 4.5 motors 10 HP
Serial no. 2977270 1800 R.P.M. Pump Layne Bowler
300 GPM @ 1260 R.P.M. and 100 Ft. Pump model 8CM
Serial no. 27420. 6" discharge 60' Ft to open creek.
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):
DRISTON SW
N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9, SW $\frac{1}{4}$, Section 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 15
making a total of 140 acres to be irrigated. all in T14S-32E

REPORT TYPED WRONG - PENCIL CORRECT

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

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

Remarks: Chester Eliason 10 gal in 24 hours was the average flow measured.
Well water supplements creek water and other
licensed wells.
Water surges from well. For 1 1/2 minutes it will
run full flow then for about 1 min it will hardly run
any water at all

This examination was made on the 17 day of July, 1970(Signed) William Salmer

Examiner.

17 2044

my
8-30-70

INSTRUCTIONS TO EXAMINERS

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

17 2044

OP
240' 11" 12"
1.56 177
Chester Eliason
Holbrook Idaho...

Permit No. G-27928 /17-2044

Examination for Comp. of Works & Ben. Use

County Oneida

Quantity: 3.0 Sec. 9 T. 14S R. 32E

Source: Well

P.D.: NWSE-9-145-32E

Use: Irrigation

Time:

Due: 15 May 67

Extension: —

Protest: —

Completion of Works: —

Other Rights: G-24259

1.2 CES from WELL

Made: August 28, 1964

September 29, 1972

Mr. Chester Eliason
Holbrook,
Idaho 83243

Dear Mr. Eliason:

A representative of this Department has made an examination of the works covered by your Permit No. 27928/17-2044 and has found the following:

Quantity of water diverted: 0.53 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.53 cfs

The maximum quantity of water diverted shall not exceed 225 acre feet per season.

Beneficial use: Irrigation of 123 acres within the SW $\frac{1}{4}$ (96), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (10), Sec. 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$ (1), N $\frac{1}{2}$ NW $\frac{1}{4}$ (16), Sec. 15; Twp. 14 S, Rge. 32 E, B. M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 14 S, Rge. 32 E, B. M.

The priority date established is: August 24, 1959 (late proof)

Our field examination indicates the point of diversion to be within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, whereas your permit lists the point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9; therefore it will be necessary to amend your permit before a license can be issued. We are enclosing a partially completed amendment application for your use. Please sign the application and return it to this office with a \$10.00 filing fee.

A licensing fee in the amount of \$21.00 must be received within 30 days of the date of this letter in order that we can issue you a Water License as set forth above. Therefore, please submit a total fee of \$31.00 along with the application for amendment. If you do not concur with these findings, please advise us by return mail.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: App. for amendment

17 2044

November 3, 1972

Re: Permit No. 33042/17-2054

C
Mr. Chester Eliason
Holbrook,
Idaho 83243

O
Dear Mr. Eliason:

O
Enclosed please find a copy of the approved application for amendment for your Permit No. 33042/17-2054. Also enclosed is departmental receipt No. 8977 in the amount of \$10.00 covering the amendment filing fee for this permit.

P
We have enclosed a copy of our letter dated September 29, 1972, in connection with your Permit No. 27928/17-2044. You will note that there is a \$21.00 licensing fee due under this permit. We also require an amendment application and \$10.00 amendment fee under this permit before a water license can be issued. We have also enclosed, for your convenience, another application for amendment for your signature. Please return the amendment form with the proper fees as soon as possible in order that we may issue this water license.

Y
If you have any questions regarding the above matters, please let us know.

Y
Sincerely,

BOBBY D. FLEENOR
Assistant Director

Rec'd # 9038

BDF:DR
Enclosures

17 2044

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



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

November 3, 1972

Re: Permit No. 33042/17-2054

Mr. Chester Eliason
Holbrook,
Idaho 83243

Dear Mr. Eliason:

Enclosed please find a copy of the approved application for amendment for your Permit No. 33042/17-2054. Also enclosed is departmental receipt No. 8977 in the amount of \$10.00 covering the amendment filing fee for this permit.

We have enclosed a copy of our letter dated September 29, 1972, in connection with your Permit No. 27928/17-2044. You will note that there is a \$21.00 licensing fee due under this permit. We also require an amendment application and \$10.00 amendment fee under this permit before a water license can be issued. We have also enclosed, for your convenience, another application for amendment for your signature. Please return the amendment form with the proper fees as soon as possible in order that we may issue this water license.

If you have any questions regarding the above matters, please let us know.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures

a \$31.00 check was sent to you on Application for Amendment. It was returned and you wanted only \$10.00. Permit no was 17-2054. It appears to be a licensing fee. \$21.00. Please explain.

*Ray Eliason
17 2044 Holbrook Idaho*

November 15, 1972

Re: Permit No. 27928/17-2044

Mr. Chester Eliason
Holbrook,
Idaho 83243

Dear Mr. Eliason:

We received the amendment form and the fees due for your permit 27928/17-2044. However, since the permit is in your name only, the application for amendment must be signed by you, or you may give Ray the power of attorney to act in your behalf.

Enclosed is the amendment form which you should sign and return as soon as possible. Or, if you prefer, you may complete the enclosed Power of Attorney form and return it along with the amendment application.

The confusion mentioned in the last letter from Ray was caused by amendments being submitted on two permits, No. 17-2044 and 17-2054, and a licensing fee due on No. 17-2044. The fees are now all in order.

If you have any further questions, please contact me.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Amendment form
Power of attorney form

17 2044

December 8, 1972

Re: Permit No. 27928/17-2044

Mr. Chester Eliason
Holbrook,
Idaho 83243

Dear Mr. Eliason:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment in connection with this permit along with departmental receipt No. 9038 in the amount of \$31.00 covering the licensing and amending fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of license
Copy of amendment
Receipt #9038

17 2044

December 8, 1972

Re: Permit No. 27928/17-2044

Mr. Chester Eliason
Holbrook,
Idaho 83243

Dear Mr. Eliason:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment in connection with this permit along with departmental receipt No. 9038 in the amount of \$31.00 covering the licensing and amending fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of license
Copy of amendment
Receipt #9038

17 2044

Receipt # 9038

RECEIVED
NOV 30 1972
Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR AMENDMENT

RECEIVED
NOV 8 1972
Rec'd # 9038
Department of Water Administration

Comes now Chester Eliason of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 27928/17-2044, and requests that the permit and permit map be changed as follows:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

3. Place of use or land to be irrigated:

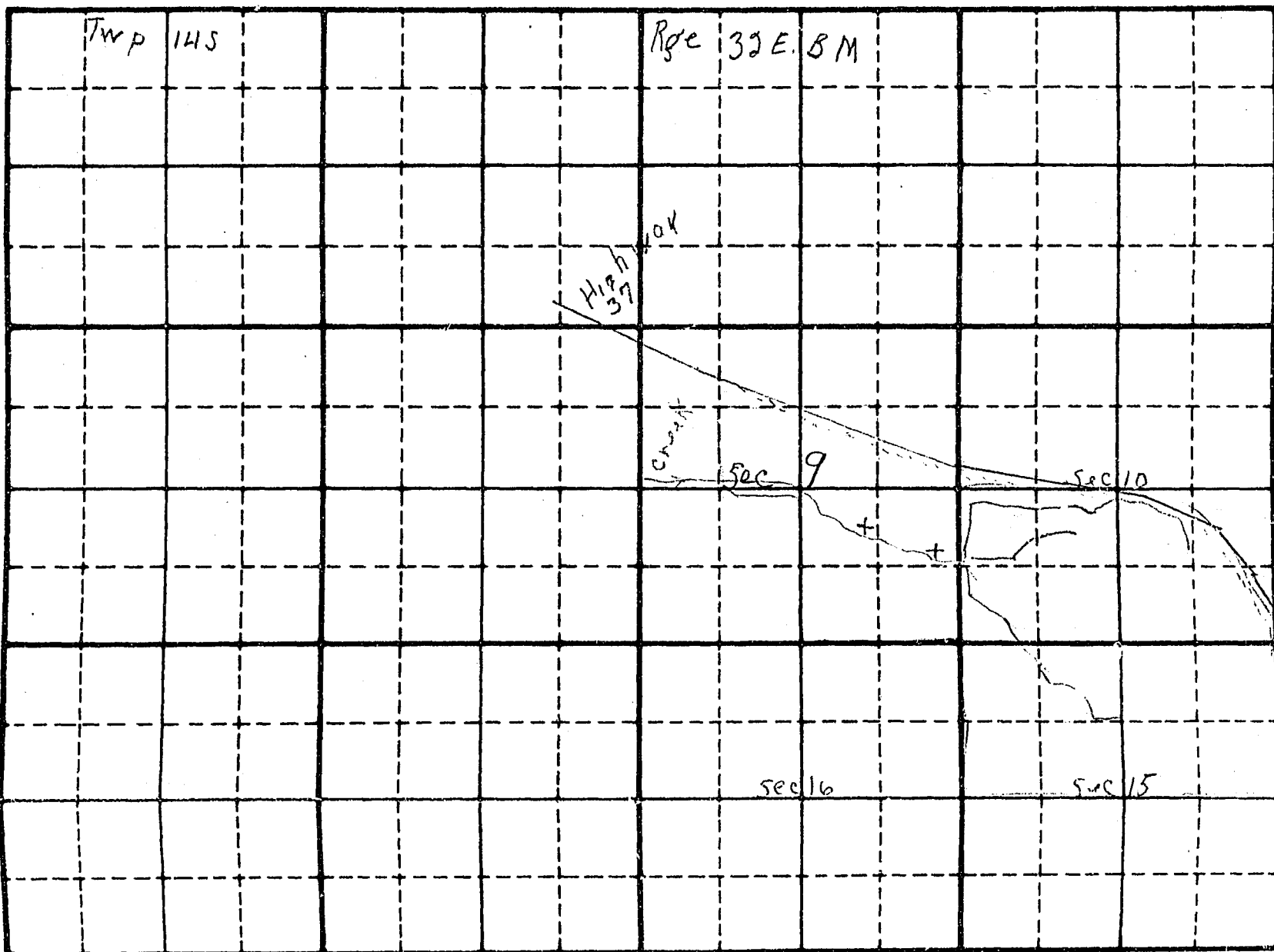
[illegible]

x marks the spot of the two wells. Which one are you referring to?

17 2044

17 2044

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

x marks spot of well.

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Helbrook Idaho, this 6 day of November, 19 72.

Signed: Charles Eliason (signature) Charles Eliason 693-2462

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 27928/17-2044.

Witness my hand this 4 day of December, 19 72.

R. Keith Higgins
Director

Witness to signature of
Charles Eliason
693-2462

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 27928/17-2044 Priority Aug. 24, 1959 Amount 0.53 cfs
(late proof)

THIS IS TO CERTIFY, that CHESTER ELIASON
of Holbrook, Idaho, has complied with the terms and conditions of Permit
No. 27928/17-2044 issued pursuant to Application for Permit dated May 11, 1959,
and has submitted proof to the Department of Water Administration on August 28, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.53 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of , is hereby confirmed in the following amounts:

Amount 0.53 cfs for irrigation from April 1 to Nov. 15 (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 0.53 cfs of water be diverted at
any one time, said waters to be diverted within the

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp. 14 S, Rge. 32 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 225 acre feet per year or
3.5 acre feet per acre.

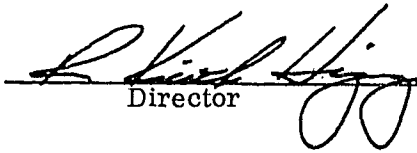
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S	32 E	10									15	30	26	25			10		106
		15		1			14	2											17

Total number of acres irrigated 123

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 4 day of
December, 19 72.


Director

17 2044

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 27928/17-2044 Priority Aug. 24, 1959 Amount 0.53 cfs
(late proof)

THIS IS TO CERTIFY, that CHESTER ELIASON
of Holbrook, Idaho, has complied with the terms and conditions of Permit
No. 27928/17-2044 issued pursuant to Application for Permit dated May 11, 1959,
and has submitted proof to the Department of Water Administration on August 28, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.53 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.53 cfs for irrigation from April 1 to Nov. 15 (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 0.53 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp. 14 S, Rge. 32 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 225 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	32E	10									15	30	26	25			10		106
		15		1			14	2											17

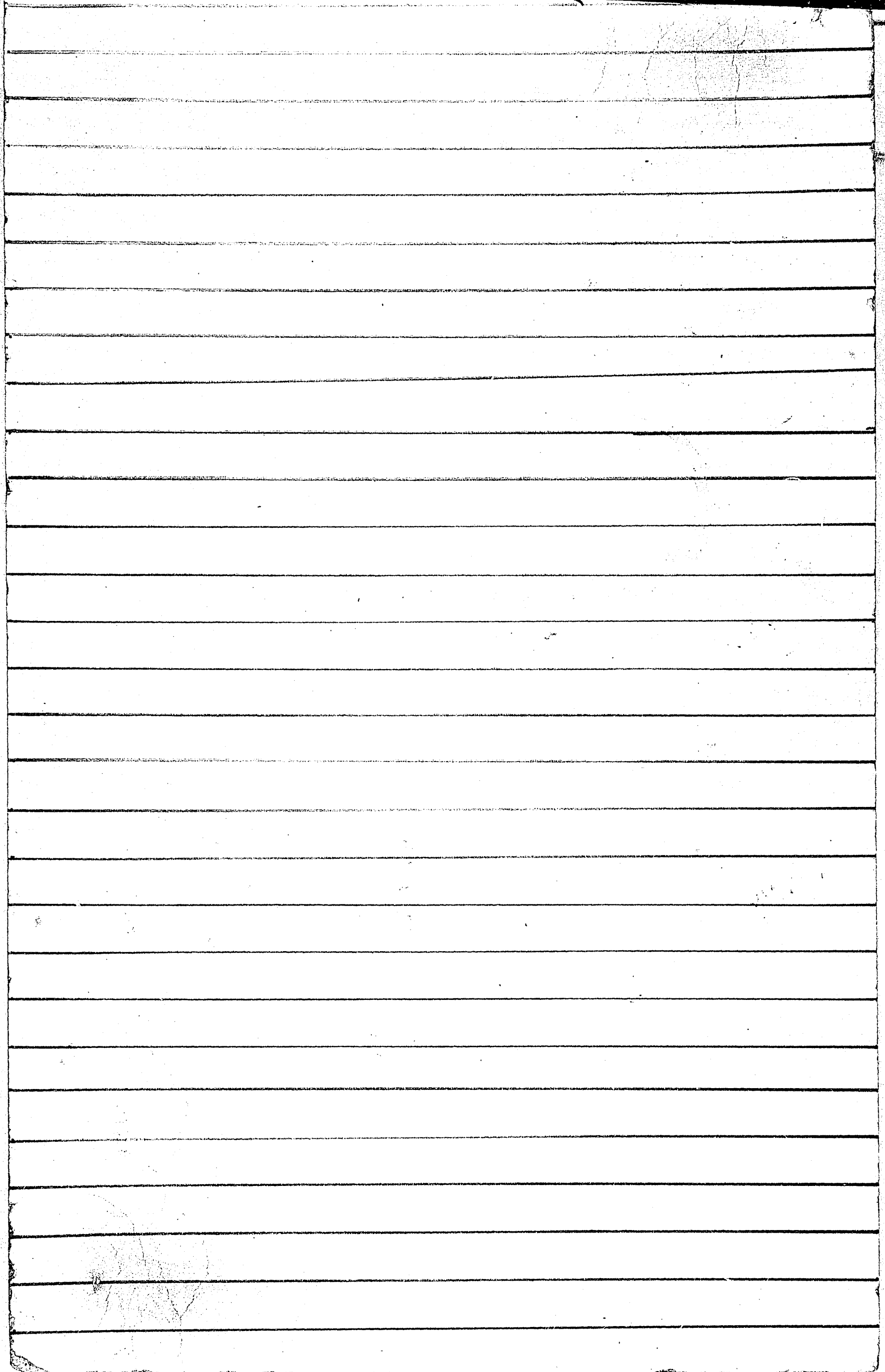
Total number of acres irrigated 123

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 4 day of
December, 19 72.

Director

17 2044



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70958

This is to certify that: ELIASON LIVESTOCK LLC
23370 W OLD HWY 37
HOLBROOK ID 83252

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
17-2027	WR/License	07/02/1953	1.20 cfs	N/A	N/A	170.0	GROUND WATER
17-2044	WR/License	08/24/1959	0.53 cfs	225.0 af	N/A	123.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

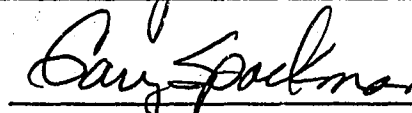
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
17-2027	NO	YES	YES	NO	NO	NO
17-2044	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
17-2027	17-2027	1.20 cfs	510.0 af	170.0	189.0		N/A	N/A	N/A	N/A
17-2044	17-2044	0.53 cfs	225.0 af	123.0	189.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		1.73 cfs	661.5 af	189.0	189.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of February, 2004



Chief, Water Allocation Bureau

SCANNED
FEB 19 2004

WATER RIGHT NO. 17-2044
As Modified by Transfer No. 70958

In accordance with the approval of Transfer No. 70958, Water Right No. 17-2044 is now described as follows.

Right Holder: ELIASON LIVESTOCK LLC
23005 W OLD HWY 37
HOLBROOK ID 83252

Priority Date: August 24, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/15	0.53 CFS	225.0 AF
			0.53 CFS	225.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 9 Twp 14S Rge 32E ONEIDA County
GROUND WATER	NESE	Sec. 9 Twp 14S Rge 32E ONEIDA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S 32E 9				4.0									19.0			1.0	24.0
14S 32E 10									15.0	31.0	25.0	40.0			20.0		131.0
14S 32E 15	6.0	12.0			15.0	1.0											34.0

Total Acres: 189

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 17-2027 and 17-02044 shall not exceed 1.73 cfs, nor a total combined annual volume of 661.5 af.
2. Rights 17-2027 and 17-2044 when combined shall not exceed a total irrigation of 189 acres.
3. This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
FEB 19 2004

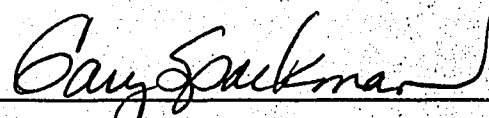
WATER RIGHT NO. 17-2044
As Modified by Transfer No. 70958

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of February, 2004


Chief, Water Allocation Bureau

SCANNED
FEB 19 2004

WATER RIGHT NO. 17-2027
As Modified by Transfer No. 70958

In accordance with the approval of Transfer No. 70958, Water Right No. 17-2027 is now described as follows.

Right Holder: ELIASON LIVESTOCK LLC
23005 W OLD HWY 37
HOLBROOK ID 83252

Priority Date: July 02, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	1.20 CFS	510.0 AF
			1.20 CFS	510.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 9 Twp 14S Rge 32E ONEIDA County
GROUND WATER NESE Sec. 9 Twp 14S Rge 32E ONEIDA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	32E	9				4.0									19.0			1.0	24.0
14S	32E	10									15.0	31.0	25.0	40.0			20.0		131.0
14S	32E	15	6.0	12.0			15.0	1.0											34.0

Total Acres: 189

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 17-2027 and 17-02044 shall not exceed 1.73 cfs, nor a total combined annual volume of 661.5 af.
2. Rights 17-2027 and 17-2044 when combined shall not exceed a total irrigation of 189 acres.
3. This right is limited to the irrigation of 123 acres within the place of use described above in a single irrigation season.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
FEB 19 2004

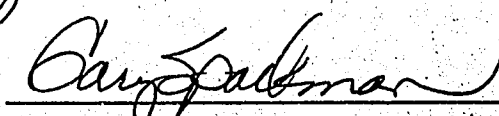
WATER RIGHT NO. 17-2027
As Modified by Transfer No. 70958

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of February, 2004



Chief, Water Allocation Bureau

SCANNED
FEB 19 2004

Transfer 70958 Reference Sheet

DATE: February 18, 2004

TO: File(s) 17-2044

**Original Transfer Application form,
correspondence and review documents
regarding Transfer 70958 are located within
Water Right file 17-2027.**

SCANNED
FEB 19 2004

Transfer 70958 Reference Sheet