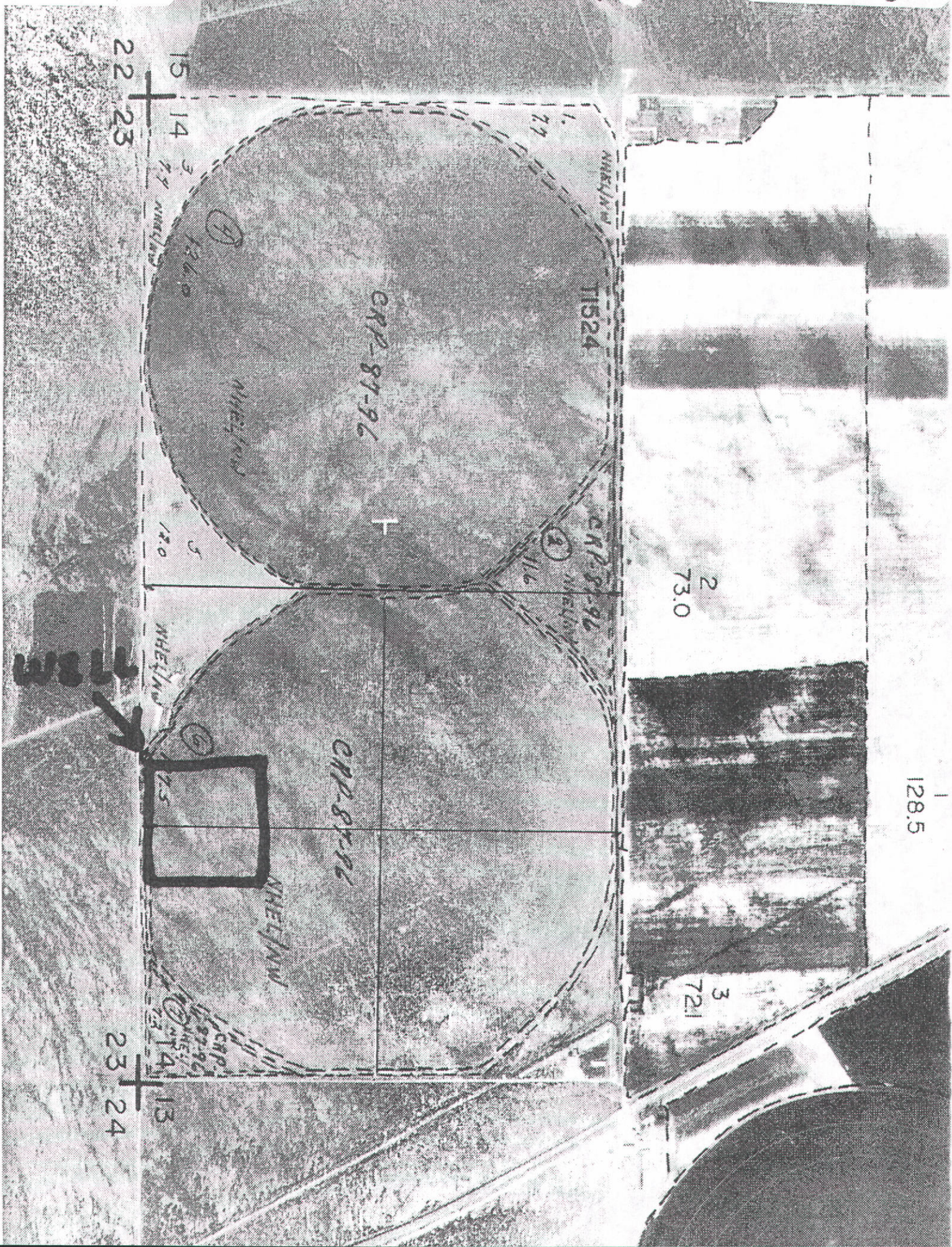


T#5708



R-19 E.

U.S. HWY. No. 50
RAIN FALLS

T.
II
S.

12



house.
P.D.

1/4 sec. 20a

Sub divisions = Two

Area = 20 acres

Q = 20 inches

~~c/w for .672 cfs.~~

State of Idaho

License and Certificate of Water Right

Water License No. 21777Amount 0.4 second foot

Water District No. _____

Priority August 31, 1952THIS IS TO CERTIFY that MIKE GRAFF

of Murtaugh, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 27, 19 50; that Permit No. 21777 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .52 second foot, was issued thereunder on September 29, 19 52, showing that said works were completed on the 23rd day of September, 19 52; and that on the 14th day of September, 19 55,

MIKE GRAFF

of Murtaugh, 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, ~~contributory of~~ (subterranean flow), for the purpose of irrigation use, under Use Permit No. 21777 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 5764, on the 24th day of July, 19 56;

The right hereby confirmed dates from August 31, 19 52;

The Point of Diversion is located

in the SE 1/4 NE 1/4, Sec. 12, Tp. 11 S. R. 19 E., B. M. Twin Falls 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 .04 cubic ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	12	SE $\frac{1}{4}$ NE $\frac{1}{4}$	20	17
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	3
			Total Number of Acres Actually Irrigated		20

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

24th day of July, 19 56.MARK R. KULP

State Reclamation Engineer.

(SEAL)

45 2354

State of Idaho
License and Certificate of Water Right

Water License No. 21474
Water District No.

Amount 3.8 second feet
Priority May 31, 1950.

THIS IS TO CERTIFY that RALPH BOYCE
of Pingree, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 26, 19 50 ; that Permit No. 21474
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4 second feet, was issued thereunder on July 13, 19 53 , showing that said works
were completed on the 6th day of May, 19 53 ; and that on the 6th
day of January, 19 56 ,

RALPH BOYCE
of Pingree, 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,
, ~~subterranean flow~~ (subterranean flow), for the purpose of irrigation and domestic
uses, under Use Permit No. 21474 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 5763, on the 19th day of July, 19 56 ;
The right hereby confirmed dates from May 31, 19 50 ;

The Point of Diversion is located
in the NE 1/4, NE 1/4, Sec. 14, Tp. 3 S., R. 32 E., B. M. Bingham 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 3.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S.	32 E.	14	NE 1/4 NE 1/4	20	37
			NW 1/4 NE 1/4	30	35
			SW 1/4 NE 1/4	25	15
			SE 1/4 NE 1/4	25	38
			NE 1/4 NW 1/4	30	38
			NW 1/4 NW 1/4	20	40
			SW 1/4 NW 1/4	20	30
			SE 1/4 NW 1/4	30	15
			Total Number of Acres Actually Irrigated - - - 248		

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
19th day of July, 1956 .

(SEAL) MARK R. KULP
State Reclamation Engineer.

N^o 21777
45-2354

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29481
PERMIT No. 21777
DISTRICT No.

MIKE GRAFF

Murtaugh, Idaho

1. Name of Applicant: MIKE GRAFF

Postoffice address: Murtaugh

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

(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:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: One (1)

cubic feet per second.

3. Source of water supply: Subterranean flow (well)

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 12 , T. 11 S. , R. 19 E. , B.M., County of Twin Falls

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the

of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: Deep well and turbine pump

9. Height of dam feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height

feet.

11. Ditch: Width at bottom feet; width at water line

feet; depth of water

feet;

dimensions of flume:

Diameter of pipe

inches; length of conduit

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is One (1)

additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

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

Water right in Twin Falls
Canal Company system

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

By J. Edwin True Agent.

Corrected application received:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
11 S.	19 E.	12	20	20		40	80
TO ALL WHOM IT MAY CONCERN:			CERTIFICATE OF COMPLETION OF WORKS This is to certify that MIKE GRAFF of Murtaugh, County of Twin Falls, and State of Idaho, the holder of No. 21777, issued upon Application No. 29481 bearing date of priority of October 27, 1950, authorizing the diversion of the second foot of the waters of a well (subterranean flow) County of Twin Falls, State of Idaho, for irrigation purposes, fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of use 0.52 second foot of the waters of said well; that the point of diversion of said waters is about 2280 ft. South and West from the Northeast corner of Section 12, Township 11 South, Range 19 East, B.M., and in the SE$\frac{1}{4}$ NE$\frac{1}{4}$ of said Section 12, Twp. 11 South, Range 19 East, B.M., and that the lands proposed to be irrigated by the use of said water are described in said Permit, to-wit: E$\frac{1}{2}$ S$\frac{1}{2}$ SE$\frac{1}{4}$ NE$\frac{1}{4}$ and NE$\frac{1}{4}$ SE$\frac{1}{4}$ Section 12, Township 11 South, Range 19 East, B.M. Witness my hand this 29th day of September, A.D. 1952. MARK R. KULP State Reclamation Engineer Proof of completion of works made September 23, 1952. Certificate of completion of works issued September 29, 1952. LICENSE NO. 29481 FOR 0.52 SEC. FT. Page 5764				

5708
RECEIVED

MAR 30 2000

Department of Water Resources
Northern Region

~~RECEIVED~~

APR 20 2000

Department of Water Resources

st Office address 22 N. Yale Rd. Declo Idaho 83323

EXISTING

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT RIGHT L-S.

Describe the reason for the proposed changes we have land that is farmable
and would like to put it into production

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-02354 B</u>	<u>09/17/1954</u>	<u>2.57 cfs</u>	<u>IRRIGATION</u>	<u>03/15</u> to <u>11/15</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

Total amount of water being transferred 2.57 cfs cubic feet per second and/or _____ acre-feet per annum.

Source of water GROUNDWATER tributary to _____

Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	36	10S	27E	CASSIA	EXISTING WELL
		SE	SE	01	11S	27E	CASSIA	" "
		SE	NE	12	11S	27E	CASSIA	" " "
		SE	SE	12	11S	27E	CASSIA	" "
		NW	NW	6	11S	28E	CASSIA	" "

Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system FIVE EXISTING WELLS WITH COMMON
MAWLINE TO SPRINKLER SYSTEM

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

171 ACRES WILL NO LONGER BE IRRIGATED

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No: _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 43-02354 issued by the Idaho Department of Water Resources.

c. Claim No. A43-02354 on file with the Idaho Department of Water Resources.

d. Transfer No. 2277 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 09/17/1954

5. Water is used for the following purpose:

amount 2.72 cfs for IRRIGATION purposes from 03/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.72 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	14	12S	26E	CASSIA	
		SW	SE	14	12S	26E	CASSIA	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	26E	14									24			24	33	33	33	33	~~180~~
											24.5			24.5					181 *

9. Describe any other water rights used for the same purpose as described above NONE Total acres 181 *
* NOTE TRANSFER #2271 SHOWS 181 ACRES.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No yes If yes, describe. Discribed Property Has been in CRP**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.57 cfs for IRRIGATION purposes from 03/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	14	12S	26E	CASSIA	
		SW	SE	14	12S	26E	CASSIA	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	26E	14									24			24	33	33	28	28	171
											243			29.3					

Total acres 171**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.15 cfs for IRRIGATION purposes from 03/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	14	12S	26E	CASSIA	
		SW	SE	14	12S	26E	CASSIA	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	26E	14															5	5	10

Total acres 10

PART 2

TRANS NO.

T#5708

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-02354

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	2.72 CFS

SOURCE

GROUNDWATER

Priority: 09/17/1954

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 12S, Range 26E
 SWSE , Sec. 14, Township 12S, Range 26E
 CASSIA County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE																			
				NENE	NWNE	SWNE	SENE	: NENW				NWNW	SWNW	SENW	: NESW				NWSW	SWSW	SESW	: NESE				NWSE	SWSE	SESE	:						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM				
12S	26E	14	:									:									:	24						24	:	33	33	33	33	:	180.0
																												TOTAL ACRES	180.0						

CONDITIONS/REMARKS:

1. AC. IRR. = 181.
2. TRANS. 2277.

Describe any other water rights used for the same purpose as described above:

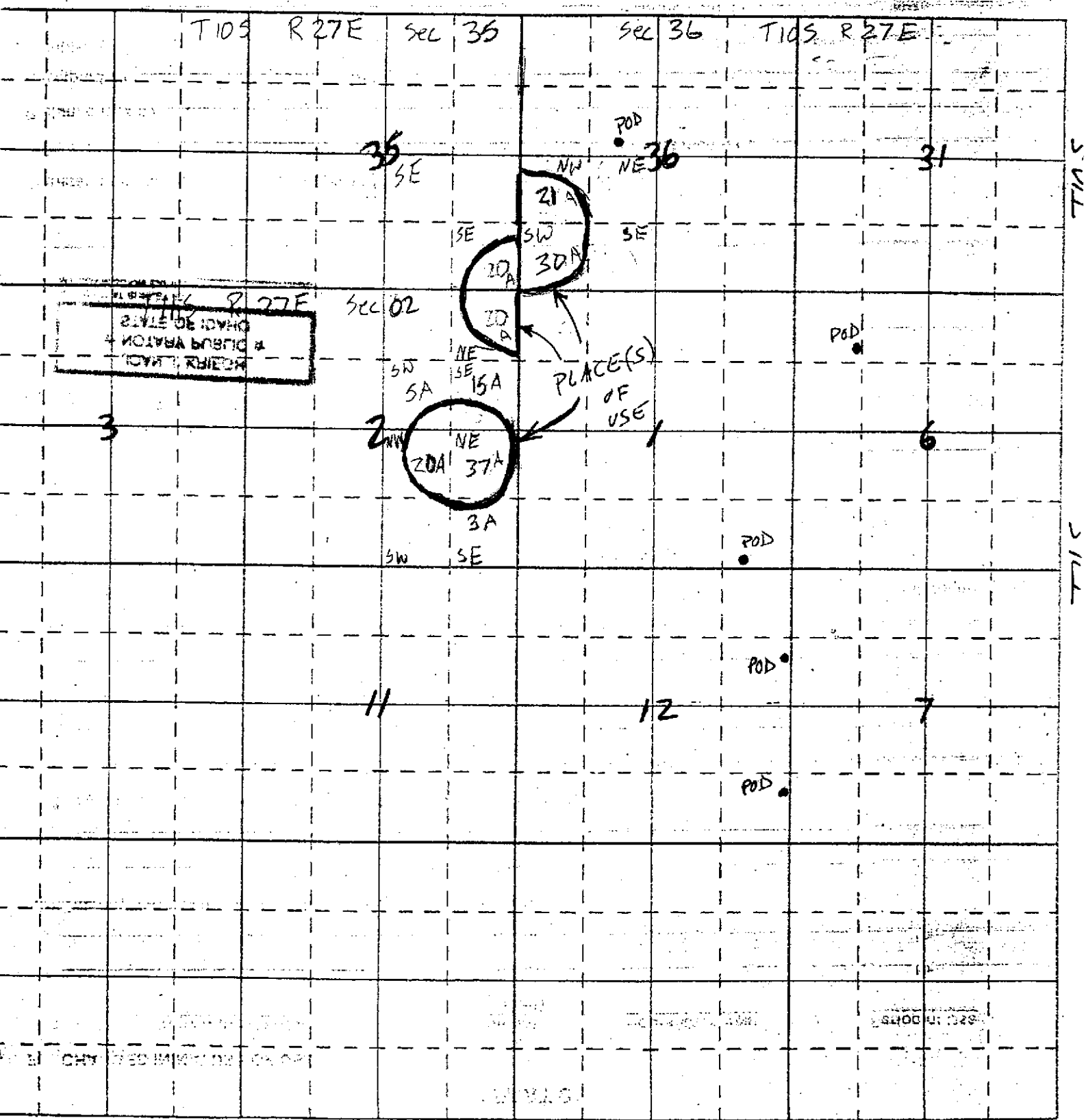
To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
(cfs/ac-ft)

_____ to _____
_____ to _____

2. Quantity and quality of return flows and location of discharge:

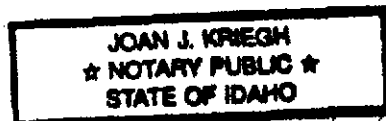
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Webb Brothers Dairy LLC
by Mark Webb
(Signature of Applicant)

Subscribed and sworn to before me this 28 day of March, 192000



Joan J. Krieger
(Notary Public)

My commission expires 1-1-2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by J. G. Stanton Date 3-28-00 Protest filed by _____

Prelim. check by _____ Fee \$100.5022927

Receipted by JG Date 3-28-00

Published in Idaho Press Copies of protest forwarded by _____

Pub. dates 7/24 + 5/1/00 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

128.5

2
73.0

3
72.1

22 23

23 24



1. Property is presently being purchased by John Larson from Thelma Sexton, on a contract.

2. Webb Brothers will purchase property from Larson for cash.
Thelma Sexton will be paid and will release all obligations and issue a warranty deed.

3. Webb Brothers will transfer water to other property presently owned and sell the land and 10 acres of water back to Larson on contract.

Memorandum

To: Transfer 5708 file

From: John Freitag, Water Resource Agent

Re: Transfer 5708

Date: 04/03/00

This memo is to clarify possible overlaps regarding transfer 5708.

Numerous rights and claims appear to overlap the proposed POD's, but there are no overlapping rights at the proposed POU.

Research of POU where the water is coming from shows several possible overlaps. A43-04189 domestic/stock, A43-10001 domestic and A43-10002 domestic. Claim A43-02115B and WR 43-02115B shows 1 acre of irrigation from Cassia Creek in T12S, R26E, S14 SESE. This is most likely in the corner of the SESE ¼. WR 43-02114 shows 20 acres of irrigation in T12S, R26E, S14 SESE. No claim has been filed on right 43-02114..

T # 5708

July 25, 1956

RE: Permit No. 21777

Mr. Mike A. Graff
Murtaugh
Idaho

Dear Mr. Graff:

We enclose License and Certificate of Water Right issued under Permit No. 21777 confirming your right to the use of 0.4 second foot of the waters of a well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 11 South, Range 19 East, B.M., with priority of October 27, 1950, for irrigation of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 11 South, Range 19 East, B.M.

We also enclose departmental receipt No. 28067 for the \$4.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

21777

July 5, 1956

RE: Permit No. 21777

Mr. Mike Graff
Murtaugh
Idaho

Dear Mr. Graff:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21777 which shows that you have irrigated 20 acres of land in the SE¹/₄NE¹/₄ and NE¹/₄SE¹/₄ Section 12, Township 11 South, Range 19 East, B.M., with the waters of a well located in the SE¹/₄NE¹/₄ Section 12.

A License can, therefore, be issued for 0.4 second foot of water upon receipt of the license fee amounting to \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Rshll

21777



ROBERT E. SMYLIE
GOVERNOR

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

BOISE

July 5, 1956

RECEIVED
JUL 23 1956
Department of Reclamation

RE: Permit No. 21777

Mr. Mike Graff
Murtaugh
Idaho

Dear Mr. Graff:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21777 which shows that you have irrigated 20 acres of land in the SE¹/₄NE¹/₄ and NE¹/₄SE¹/₄ Section 12, Township 11 South, Range 19 East, B.M., with the waters of a well located in the SE¹/₄NE¹/₄ Section 12.

A License can, therefore, be issued for 0.4 second foot of water upon receipt of the license fee amounting to \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge
Chief Clerk

R:hll

21777

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21777

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant. Mike Graff, Murtaugh, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12

T. 11 S. R. 19 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: 5 hp. Fairbanks Morse
Motor # F 91234 # PL 8315 - F.M. Turbine
Delivery to East thru 4" pipe 25' long in concrete
head box - Delivery N. - E. - S. To fields by gravity

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):

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Twp. 11 South, Range 19 East, B. M.

See 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: Supplemental water

This examination was made on the 5th day of June, 19 26

(Signed)

E. N. Humphrey

Examiner.

21777

Log
 35' rock
 47' bl. lava
 47 1/2' opening
 56.5' Hard lava
 570' Bl. & red cinders
 5101' Bl. & red lava with
 soft seams
 h = 45' (bit
 water @ 51')

[D] switch on pole

240 gpm Capry

Q.33 "

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.

RECEIVED
 JUN 28 1956

Department of Reclamation

Mike Graff
 Murtaugh, Idaho
 Permit No. 21777
 Work 42935

Examination for Beneficial Use

County Twin Falls

12-11S.-19E.

Q = 1.0 c.f.s.

S = Well.

P.D. = SE. NE, Sec. 12, T. 11S. - R. 19E

Use = Irrigation

Priority = Oct. 27, 1950
 Date = Nov. 10, 1953

C/W = 9-29-52

Cip V notch = .59 = h.
 '672 cfs.

8" x 10' ccd to rock 36'
 10" csg

60' x 5" ccd.
 3 stage 8" pump

F. Morse Winddrive

5 hp. 1750 rpm.

110/220 v. 64/32 a

F 91234

PL 8315 hand pump

Cone. base 3' x 3'

No protect

25' x 4" dcd. to 3 into

Cone. head box

R-19 E.

U.S. HWY. No. 3
70
FALLS

T.
||
S.

12

house
-P.D.

Sub-divisions = Two

Area: 20 acres

Q = 20 inches.

~~2/10 Jan 67 2:45~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21777

REPORT ON PROOF OF Beneficial use

MIKE GRAFF, Murtaugh, Idaho

app.	1 cfs
gpm	0.52 cfs
Sub.	2
acres	20

0.4 cfs
met

(Form No. 1)

MIKE GRAFF
P. O. MURTAUGH, IDAHO

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.

Permit No.

District No.

1. Name of applicant: MIKE GRAFF
Post office address MURTAUGH County TWIN FALLS State IDAHO

I. If applicant is a corporation, give:

- (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:

2. Quantity of water claimed: ONE cubic feet per second.
3. Source of water supply: SUBTERANEAN WELL

which is tributary of

4. Location of point of diversion: SE 1/4 NE 1/4 feet distant from the corner
of Section 12 T 11 S R 19 E B.M., and is in the
of Section T R B.M., County of TWIN FALLS
5. Water is to used for: IRRIGATION

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T R B.M., in the of Section T R B.M.
(b) Amount of power generated: H.P., under feet head
(c) Water is to be returned to at a point feet
distant from the corner of Section T R B.M. in the
..... of Section T R B.M.

7. Estimated cost of works: \$ 3000*

8. Kind of works: DEEP WELL & TURBINE PUMP.
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet;
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)
feet; material used in dam

10. Size of headgate: Width feet; Height feet.

11. Ditch. Width at bottom feet; Width at water line feet; Depth of water feet;
Dimensions of flume; Diameter of pipe inches;
Length of conduit miles. Average grade per mile feet.

21777

11-5 19-50M 12

20 20

40

80

2

1

21777

16. (a) Is reservoir to be used?.....(If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant.

Remarks:

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

MIKE GRAFF. Applicant
By [Signature] Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____ County of _____

....., State of, do hereby certify that I am the owner

of the land on which the spring mentioned in the application of [REDACTED] is

located, to-wit:

and that I do hereby grant unto the said permission to file on the said spring

as set forth in the foregoing application.

STATE OF IDAHO

County of San Diego

On this day of, 194..... before me, a Notary Public for the State of Idaho, residing
at personally appeared

known to me to be the person..... whose name..... subscribed to the foregoing certificate, and acknowledged to me that..... he..... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires 12/31/2011

21777

Approval of State Reclamation Engineer

21777

The number of this permit is

Recorded in Book Page 21777 Approved NOV 10 1950

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

Bond in the sum of \$..... to be filed before

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

The whole of said work to be completed on or before

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

Witness my hand this day of, 194....

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... Governor of the State of Idaho,

and 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 day of, 194....

Countersigned:

STATE OF IDAHO

By
Secretary of State.

By
Governor

21777

No.

PERMIT

Date of first receipt at office of State

Reclamation Engineer

9:00 A.M. Oct. 27, 1950

Returned to applicant for correction

Corrected application received

Fees, \$5.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or fraction

thereof 25

21777

May 28, 1956

RE: Permit No. 21777

Mr. Mike Graff
Murtaugh
Idaho

Dear Mr. Graff:

State law requires an inspection on any permit being brought to license within the State of Idaho.

I intend to make inspection in connection with your Permit on Tuesday, June 5 in the morning.

Please be prepared to accompany me on the inspection. I will attempt to contact you as soon as I arrive in that area but in case I do not, I will drive to the place where the well is located.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Hurphrey
Deputy State Reclamation Engineer

H:hll

21777

September 16, 1955

RE: Permit No. 21777

Messrs. Stephan, Stephan and Heap
Bank and Trust Co. Building
Twin Falls, Idaho

ATTENTION: Mr. Edward H. Heap

Dear Mr.Heap:

We have your letter of September 13 enclosing depositions of Mike Graff and two witnesses also affidavit of publication in the Twin Falls Times News all in proof of beneficial use on Permit No. 21777.

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 Mr. Graff at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
cc - Mr. Mike Graff

21777

STEPHAN, STEPHAN AND HEAP

ATTORNEYS AT LAW

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

September 13, 1955

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

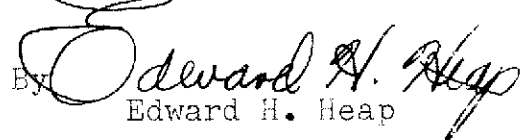
Dear Mr. Kulp: Re: Permit No. 21777
Mike Graff

We are enclosing herewith the deposition of holder and depositions of two witnesses, William E. Egbert and Eldred J. Goodman, in connection with Proof of Application of Water to Beneficial Use on the above numbered permit.

We are also enclosing herewith Affidavit of Publication of Notice on said matter.

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By 
Edward H. Heap

EHH:bb

Enc. 4

RECEIVED
SEP 15 1955

Department of Reclamation

21777

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 5809

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 14th day of September, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before Edward H. Heap, Notary Public, proof will be submitted of the application to beneficial use of .52 cubic foot per second of the waters of a well pumping subterranean water in accordance with the terms and conditions of Permit No. 21777 heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Mike Graff, Murtaugh, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is .52 cubic feet per second.

The place where said water is used is E $\frac{1}{2}$ S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 11 South, Range 19 E. B. M., Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditches.

The right to take water from such works is based upon Permit No. 21777.

The source of supply from which such water is diverted is subterranean water from a well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 11 S., Range 19 E., B. M.

The date of priority which said user is prepared to establish is August 31, 1952.

21777 MARK R. KULF
State Reclamation Engineer
Publish: Aug. 18, 25, Sept. 1, 8, 1955

I, Mark R. Kulf, being first duly sworn upon oath depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four consecutive Thursdays, commencing with the issue dated August 18, 1955, and ending with the issue dated September 8, 1955.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily paper, except Saturday, under said name in said city and county continuously, and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each week has been designated as the day on which legal notice required by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Mark R. Kulf
Subscribed and sworn to before me this 9th day of September, 1955



21777
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21777

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. MIKE GRAFF, residence and postoffice address, Murtaugh, Idaho;
occupation - farmer.

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. Permit No. 21777 dated Nov. 10, 1950; date of priority Oct. 27, 1950.

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

Ans. Water from a well located about 2280' south and 20' west from the NE corner of Sec. 12, Twp. 11 S., Rge. 19 E.B.M., Twin Falls County, Idaho.

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. 101 foot well; 8 inch hole with 40 feet of 8 inch steel casing, 60 feet 5 inches of suction column and 3 stages of 8" bowls, equipped with a Fairbanks Morse Turbine pump and 5 H.P. motor. Depth to water 45 feet. Pump discharges 26 inches of water measured over a weir. Pump has about 10 feet of steel pipe connected to it which discharges water into open ditches to convey water to place of use.

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. Water is used for irrigation of about 12 acres of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ AND for irrigation as supplemental water in conjunction with other water of NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12-11-19. All land is cultivated - none is natural meadow land. Supplemental water from well used in conjunction with other water right has increased production of crops. Water is used on 40 acres of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ in conjunction with other water.

21777

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. One inch to the acre.

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. Used all water available from said well for the irrigation seasons of 1952 to and including 1955 upon the above described land.

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. Applicant has a water right for his land under Twin Falls Canal system which provides 5/8ths of one inch of water per acre. Water from said well is used as supplemental water.

(Sign) Mike Groff

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 Twin Falls, County of Twin Falls,

State of Idaho, on this 14th day of September, A. D. 1955,

Edward H. Hap
Notary Public for Idaho,
Residing at Twin Falls, Idaho

My commission expires 11-24-55.

21777

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21777

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. ELDRED J. GOODMAN, 30 years, residence and post office address
Murtaugh, Idaho; occupation - farmer.

Ques. 2. Are you acquainted with Mike Graff, the holder of Permit No. 21777? How long have you known him and where does he reside?

Ans. I have known him as long as I can remember. He resides on a farm near Murtaugh, Idaho, about $\frac{1}{4}$ of a mile south of where I reside.

Ques. 3. Have you read or heard read said Permit No. 21777, and are you familiar with its provisions and conditions?

Ans. Yes, I have heard the Permit read and am familiar with its terms.

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. Water is from a drilled well located in the E $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, Twp. 11 South, Range 19 E. B. M. - Works consist of drilled well, pump and open ditches to place of use. Point of diversion is well.

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. Works will handle about 100 inches of water. I have seen approximately 26 inches of water from said well being conveyed through said ditches, along with other water appurtenant to said premises.

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. I have seen the pump deliver approximately 26 inches of water. I estimated that amount from my experience in handling irrigation water. I grew up on a farm and have used irrigation water for many years.

21777

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. Water from said well is used for irrigation on 12 acres of S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and also in conjunction with other water for irrigation of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12-11-19. All of said land is cultivated - none is meadow land. Said water from well has increased production of crops by reason of supplemental water for said premises.

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. Land is volcanic ash and requires 1 inch of water to the acre for profitable cultivation.

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.

On several occasions during each of the irrigation seasons of 1951
Ans. to and including the irrigation season of 1955 I have seen said water produced from said well used for irrigation of approximately 12 acres of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and used as supplemental water in conjunction with other water upon the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, Twp. 11 S., Rge. 19 E. B. M.

(Signed) Eldred J. Goodman

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 Twin Falls, County of Twin Falls, State of Idaho, on this 14 day of September, A. D. 1955.

Edward H. Wapp
Notary Public.
Residing at Twin Falls, Idaho.

My commission expires 11-24-55.

21777

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21777

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. William E. Egbert, age 54, residence and postoffice address -
Murtaugh, Idaho; occupation - farmer.

Ques. 2. Are you acquainted with Mike Graff, the
holder of Permit No. 21777? How long have you known him and where does
he reside?

Ans. Yes, I have known him for about 10 years. He resides on a farm
near Murtaugh, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21777, and are you
familiar with its provisions and conditions?

Ans. Yes, I have heard it read and am familiar with its provisions.

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Water is from a drilled well located in the E $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12
Twp. 11 South, Rge. 19 E.B.M. - point of diversion is the well. Works
consist of the drilled well, pump and open ditches to convey water to
place of use.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Works will convey to place of use 100 inches of water. I have seen
Ans. about 25 or 26 inches of water from said well being conveyed through
said ditches, with other water appurtenant to Mr. Graff's land.

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. I have seen the pump deliver about 25 or 26 inches of water. I have
not seen the water measured but estimate the flow of water from the well
from my experience in handling irrigation water.

21777

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. Water from said well is used for irrigation on 12 acres of S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and also in conjunction with other water for irrigation of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12-11-19. All of said land is cultivated - none is natural meadow land. Said well and water from it has improved production of crops on Mr. Graff's land by reason of supplemental water being available from it to increase water available for irrigation of said land.

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. Soil is volcanic ash and should have one inch of water to the acre for profitable production.

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, sir. _____

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.

I am a close neighbor to Mr. Graff and take delivery of water for my place very close to said well. I have seen the water produced from said well on numerous occasions during each of the irrigation seasons of 1951, 1952, 1953, 1954 & 1955 being used on about 12 acres of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and as supplemental water in conjunction with other water upon the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12-11-19.

(Signed) Wm E. Egbert

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 Twin Falls County of Twin Falls, State of Idaho, on this 14 day of September, A. D. 1955.

Edward H. Weg
Notary Public.
Residing at Twin Falls, Idaho.

My commission expires Nov. 24, 1955.

21777

Memo

From
The TIMES-NEWS
TWIN FALLS, IDAHO

August 10, 1955

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

This is to acknowledge receipt of the notice for legal publication regarding Proof Application of Water, etc, naming Mike Graff of Murtaugh as applicant.

This has been scheduled to begin publication on August 18 and once a week on Thursdays for four publications. We shall send a tear sheet of the first publication to your office.

Thank you.

Sincerely,

Times-News

M. Clark

RECEIVED
AUG 11 1955

Department of Reclamation

21777

August 19, 1955

RE: Permit No. 21777

Twin Falls Times-News
Twin Falls
Idaho

Gentlemen:

We have checked the notice on Permit No. 21777 of Mike Graff appearing in your issue of August 18 and find one typographical error as follows:

The word second in the seventh line is misspelled.

Please make this correction in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

21777

August 9, 1955

RE: Permit No. 21777

Messrs. Stephan, Stephan & Heap
Bank and Trust Co. Building
Twin Falls, Idaho

ATTENTION: Mr. Edward H. Heap

Dear Mr. Heap:

We have your letter of August 5, 1955, enclosing notice for Beneficial Use proof on Permit No. 21777 in the name of Mike Graff.

This proof was due on or before November 10, 1953, and if an Extension had been applied for at that time it could have been granted, but it is now too late to approve an Extension of Time for making proof of Beneficial Use on this Permit.

However, the only effect will be that the original priority will be as much later as the original priority as this proof is past due, in other words the priority that can now be established will be August 31, 1952, instead of October 27, 1950.

We have sent a copy of the notice to the Twin Falls Times-News with instructions to publish it once a week for four weeks prior to September 14 and to send Mr. Graff the Affidavit of Publication together with costs.

We enclose the forms of deposition to be executed by Mr. Graff and two disinterested witnesses in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

21777

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21777

Date: August 9, 1955

Twin Falls Times-News

Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 14, 1955 the date set for proof, the expense of the publication to be paid by the applicant, Mike Graff of Murtaugh 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

21777

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

Notice is hereby given that at 10 A. M. on the 14th day of September, 1955,
at Twin Falls, County of Twin Falls, State of Idaho, before
Edward H. Heap, Notary Public, proof will be submitted of the
application to beneficial use of .52 cubic feet per second of the waters of a well pumping
subterranean water in accordance with the terms and conditions of Permit No. 21777
heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Mike Graff, Murtaugh, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is .52 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the land irrigated)
E $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 11 South, Range 19
E. B. M., Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
private ditches

The right to take water from such works is based upon Permit No. 21777

The source of supply from which such water is diverted is subterranean water from a well.
located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 11 S., Range 19 E., B.M.

The date of priority which said user is prepared to establish is October 27, 1950 August 31, 1952

MARK R. KULP

State Reclamation Engineer.

21777

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

STEPHAN, STEPHAN AND HEAP
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

August 5, 1955

RECEIVED
AUG 8 1955
Department of Reclamation

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Attention: Mrs. Jeanne Anderson

Dear Sir:

Re: Permit No. 21777
Mike Graff

We are enclosing herewith form No. 11 and two copies of notice of proof application of water to beneficial use in the above matter. The permit in question asks for one cubic foot per second, but the well produces only .52 cubic feet per second, so I have used that figure in the notice to be published.

Will you please advise me whether Mr. Kulp as State Reclamation Engineer could extend the time for proof of beneficial use within the five years from date of filing, pursuant to Section 42-234 Idaho Code.

Thanking you and kind regards, we are

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By

Edward H. Heap
Edward H. Heap

EHH:bb
Enc.3

c/w - 2-52

B/b done 11-10-53

21777

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) ~~Twin Falls, Idaho~~ August 5, 1955

(P. O.) Murtaugh, 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

TIMES-NEWS of Twin Falls, Idaho published in

the county in which the works are situated.

Mike Gussiff

(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.

21777

July 22, 1955

RE: Permit No. 21777

Messrs. Stephan, Stephan & Heap
Bank and Trust Co. Building
Twin Falls, Idaho

ATTENTION: Mr. Robert W. Stephan

Dear Mr. Stephan:

Reference is made to your letter of July 21 in regard to the above numbered Permit in the name of Mike Graff.

Beneficial use proof can still be made on this Permit but the priority will be as much later than the original priority as this proof is past due.

We enclose forms for notice in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21777

STEPHAN, STEPHAN AND HEAP

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

July 21, 1955

MR. MARK R. KULP
State Reclamation Engineer
State Capitol Building
Boise, Idaho

Att: Mrs. Jeanne L. Anderson Re: Permit No. 21777

Dear Mrs. Anderson:

We represent Mr. Mike Graff of Murtaugh, Idaho, with regard to his Application to appropriate the public waters of the State of Idaho and in going through the file I note that Proof of Beneficial Use should have been made November 10, 1953. This has not been done and I am wondering if we may make our Proof now on the Application heretofore filed or whether another Application will be necessary. Certificate of Completion of Works was filed September 23, 1952.

Will you please advise us in this matter? Thanking you, we are

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By

Robert W. Stephan
Robert W. Stephan

RWS:edb

B/W 11-10-53

filed 10-27-50

21777

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Mr. Mike Graff
Murtaugh
Idaho

Boise, Idaho

September 1, 1953

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21777. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than November 10, 1953, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

FRANK W. KULP

State Reclamation Engineer

21777

October 1, 1952

RE: Permit No. 21777

Messrs. Stephan, Stephan and Heap
Bank and Trust Co. Building
Twin Falls, Idaho

ATT: Mr. Robert W. Stephan

Dear Mr. Stephan:

We enclose Certificate of Completion of Works issued under Permit No. 21777 for the diversion of 0.52 second foot of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 11 South, Range 19 East, B.M., for irrigation of land in the E $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 24924 for the \$5.00 filing fee.

Before making proof of beneficial use, the statutes require publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting time and place and naming the Notary Public before whom proof is to be made. Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at permit holder's 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 the proof is to be made by the permit holder and two witnesses on forms enclosed under separate cover.

In reply to your request, we are sending you, under separate cover, a small supply of the forms requested.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21777

FRANK L. STEPHAN
ROBERT W. STEPHAN
EDWARD H. HEAP

STEPHAN, STEPHAN AND HEAP
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

RECEIVED
SEP 25 1952
Department of Reclamation

September 24, 1952

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

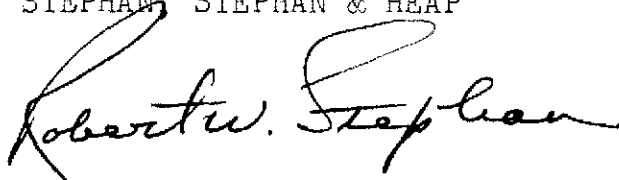
Enclosed find Proof of Completion of Works for Mike Graff and a check made payable to your department in the sum of \$5.00. If said proof is not properly made out we would appreciate it if you would so advise us and we will make the necessary corrections or additions.

Mr. Graff has completed said well and is pumping water therefrom and is desirous of making Proof of Beneficial Use. It would be appreciated if you would send us the necessary forms to make said proof and also any information in regard to same.

We would also appreciate it if you would mail us a few additional Applications for Permit, Proof of Completion of Works, and Proof of Beneficial Use.

Very truly yours,

STEPHAN, STEPHAN & HEAP



By:

Robert W. Stephan

RWS:df
Encls. 2

91777

Permit No. 21777

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of TWIN FALLS

MIKE GRAFF

ss.

MIKE GRAFF, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21777, and that his postoffice address is Murtaugh

State of Idaho

Second: That the name of the stream ^{FROM} which said water is to be ~~directed~~ is

Subterranean waters

Third: That the point of diversion of said water is ^{about} 2280' South and 20' West from NE Corner of Section 12, Township 11 South, Range 19 E.B.M., Twin Falls County, State of Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by November 10, 1952.

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: 101' well with 8' steel casing and electric pump; water level stands at 49'.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use .52 second feet of water.

Eighth: That water appropriated under said permit is available for 10 acres of land described as follows: E $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 12, Township 11 South, Range 19 E.B.M., Twin Falls County, State of Idaho; and the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 12, Township 11, South, Range 19 E.B.M., County of Twin Falls, State of Idaho.

Ninth: Remarks: That said well has been completed, the pump installed and water is being pumped from the same and is being used for irrigation purposes at this time.

Mike Graff
(Sign Here)

Subscribed and sworn to before me this 23rd day of September, 1952

My commission expires Nov. 24, 1955

Edward H. Heap
Notary Public.

21777

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Mike Graff

Murtaugh, Idaho

Boise, Idaho

September 2, 1952

Dear Sir:-

Under the terms of your Permit No. 21777 you are required to complete your diversion works on or before November 10, 1952. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

Mark R. Kulp

State Reclamation Engineer

21777

21777
STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 21777

Date November 17, 1950

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Mike Graff
Murtaugh, Idaho

MARK R. KULP
State Reclamation Engineer

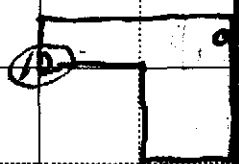
Enc. Departmental Receipt No. 22773

21777

NAME OF APPLICANT MIKE GRAFF

FORM No. 0

Twp-11-S
Range 19-EBM.
TWIN FALLS COUNTY
IDAHO



Permit Map No. 21777
As Approved
NOV 10 1950
MARK R. KULP
State Reclamation Engineer

21777



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 30, 1950

Re: Application No. 29481

RECEIVED
NOV 3 1950
Department of Reclamation

Mr. J. Edwin True
Box 465
Twin Falls, Idaho

Dear Mr. True:

We acknowledge receipt of your letter of October 26, 1950, enclosing the application of Mike Graff for Permit to appropriate one (1) second foot of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 11 South, Range 19 East, B.M., together with your check for the \$5.00 filing fee.

However, Mr. Graff did not answer Question 15 in regard to existing water rights. Please advise if there are any other water rights or valid permits appurtenant to the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 11 South, Range 19 East, B.M., for which this water is applied.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

A:bh

Mrs Anderson,

Mr. Graffs' land is all under the Twin Falls Canal system so that he has at present that water right. Sorry I neglected to answer that question for you.

Regards,

J. Edwin True

October 30, 1950

Re: Application No. 29481

Mr. J. Edwin True
Box 465
Twin Falls, Idaho

Dear Mr. True:

We acknowledge receipt of your letter of October 26, 1950, enclosing the application of Mike Graff for Permit to appropriate one (1) second foot of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 11 South, Range 19 East, B.M., together with your check for the \$5.00 filing fee.

However, Mr. Graff did not answer Question 15 in regard to existing water rights. Please advise if there are any other water rights or valid permits appurtenant to the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 11 South, Range 19 East, B.M., for which this water is applied.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21777

PUMP SERVICE CO.

FAIRBANKS-MORSE :: POMONA

1806 KIMBERLY ROAD — PHONE 1065

TWIN FALLS, IDAHO

October 26, 1950

Mr. Roy Thompson,
State Reclamation Engineer Office
Boise, Idaho

Dear Mr. Thompson:

One of my neighbors out at Murtaugh is
drilling for a little supplementary water.

Attached is application for permit together
with my personal check for \$5.00.

When the permit is issued, kindly mail it
to Mike Graff at Murtaugh together with receipt, etc.

Mr. Graff will reimburse me at his con-
venience.

Yours very truly,

PUMP SERVICE COMPANY

BY

J. Edwin True

JET:CIT

21777