

LEGAL NOTICE

Published in The Power County Press, March 28, April 4, 11, and 18, 1968.

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

Notice is hereby given that on April 29, 1968 at American Falls, County of Power, State of Idaho, before notary public W.C. Loofbourrow, 216 Idaho Street, American Falls, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cfs of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-32746 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Edward Rast, 720 Stevens, American Falls, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 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 3.2 cfs.
4. The point of diversion of said water is in the center of NE 1/4, Sec. 16, T. 7S, R. 30 E.B. M., Power County.
5. The place where said water is used is NE 1/4, Sec. 16, T. 7 S, R. 30 E.B.M.
6. The date of priority which said user is prepared to establish is February 23, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer



Affidavit of Publication

STATE OF IDAHO,
COUNTY OF POWER.

ss.

Department of Reclamation

Phyllis Ringe

being first duly sworn

on oath, states:

That she is the principal clerk of the printer

of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls 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 the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 4 successive weekly issues thereof, the date of the first publica-

tion being the 28th day of March, 1968

the date of last publication being the

18th day of April, 1968

(Signed)

Phyllis Ringe

Subscribed and sworn to before me this

26th day of April, 1968

W. C. Loofbourrow
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) 3d day of January, 1971

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6. The date of priority which said user is prepared to establish is February 23, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer

32746

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32746/35-2817 Priority Feb. 23, 1966 Amount 2.90 cfs

THIS IS TO CERTIFY, that EDWARD RAST
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 32746/35-2817 issued pursuant to Application for Permit dated February 23, 1966,
and has submitted proof to the Department of Water Administration on April 29, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.90 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 2.90 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 2.90 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, Twp. 7 S, Rge. 30 E, B.M.

in the county of Power; 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 553 acre feet per year or _____
3.5 acre feet per acre.

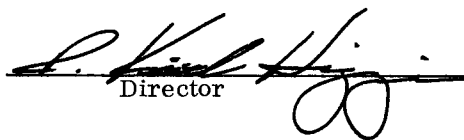
Description and location of place of use:

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 $\frac{1}{4}$	
7 S	30 E	16	39	39	40	40													158

Total number of acres irrigated 158

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 22 day of
March, 19 73.


Director

35 2817

✓ G-32746
35-2811

**Application For Permit
To Appropriate the Public Waters of the State of Idaho**

APPLICATION No. G-40914 (See Remarks)
PERMIT No. G-32746
DISTRICT No.

1. Name of Applicant: Edward Rast
Postoffice address: 720 Stevens
American Falls
County: Power 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) Bond to be issued:
(d) Other resources:
2. Quantity of water claimed: 3.2 cubic feet per second.
3. Source of water supply: Well which is a tributary of
4. Location of point of diversion: 1320' west and 1320' south feet distant from the Northeast corner of Section 16, T. 7 S, R. 30 E, B.M., and is in the center of the NE¼ of section 16, T. 7 S, R. 30 E, B. M., County of Power
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 of, 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: \$ 12,000.00
8. Kind of works: Well and sprinkler system
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 fee; 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 five years.
13. The time required for the complete application of the water to the proposed use is none 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: none

16. (a) Is reservoir to be used? no 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:

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.

s/ Edward Rast

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:30 A.M. February 23, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-32746

Recorded in Book 114 Page 32746 Approved February 25, 1966

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 permit holder has no control.

One-fifth of the work above specified to be completed on or before August 25, 1968

The whole of said work to be completed on or before February 25, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before February 25, 1971

WITNESS My hand this 25th day of February, 1966

s/ CARL E. TAPPAN

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 25th

day of February, 19 66.

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE

Governor.

REMARKS: (This permit was sent in on our Form #1 (Surface) and accepted, even though it was a subterranean application, and should have been on our Form #3)

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 $\frac{1}{4}$	
7 S	30 E	16	40	40	40	40												160	

LICENSE ISSUED FOR 2.90 SEC. FT.
LICENSE PAGE NO. _____

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5. The place where said water is used is NE 1/4, Sec. 16, T. 7S, R. 30 E.B.M.

6. The date of priority which said user is prepared to establish is February 23, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer



March 23, 1973

Re: Permit No. 32746/35-2817

**Mr. Edward Rast
720 Stevens
American Falls, Idaho 83211**

Dear Mr. Rast:

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

Also enclosed is receipt No. 10062 in the amount of \$13.00 covering the licensing fee.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enc: Copy of license
Receipt #10062**

35 2817

March 9, 1973

Mr. Edward Rast
American Falls,
Idaho 83211

Dear Mr. Rast:

A representative of this department has made an examination of the works covered by your Permit No. 32746/35-2817 and has found the following:

Quantity of water diverted: 2.90 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.90 cfs

The maximum quantity of water diverted shall not exceed 553 acre feet per season.

Beneficial Use: Irrigation of 158 acres within the NE $\frac{1}{4}$, Sec. 16.
Twp. 7S, Rge. 30E, B.M.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp. 7S, Rge. 30E, B.M.

The priority date established is : Feb. 23, 1966

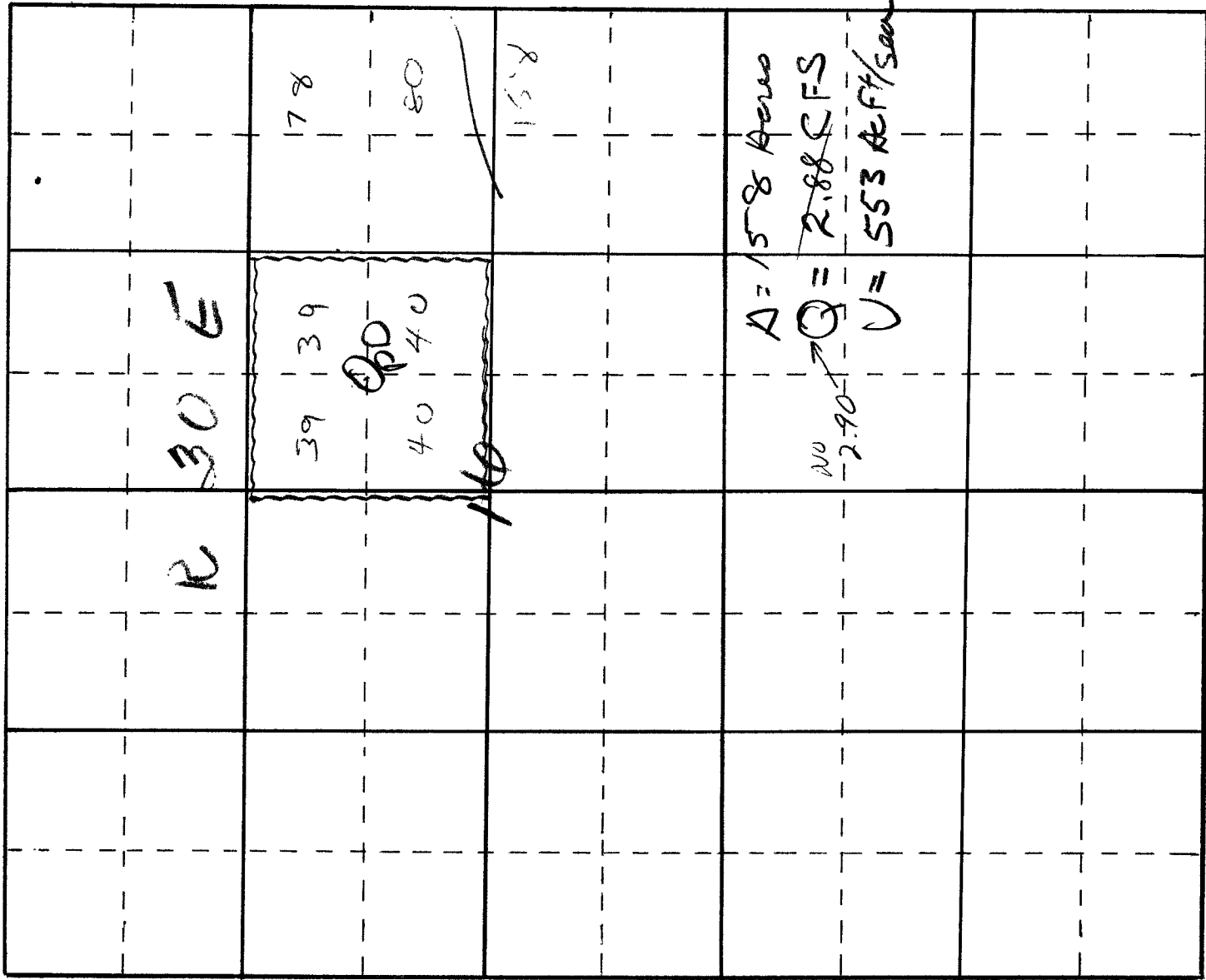
A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

74-2362062
G-32746/35-2817- (REV 1A) 1968



Permit No. G-32746/35-2817- (REV 1A) 1968
Name of Applicant Edward Rast, 720 Stevens, American Falls, Idaho
Source of Water Subterranean
a tributary of _____
Location of P.D. Center of NE 1/4, Sec. 16, T. 7 S, R. 30 E, E.M.,
Power County _____

Water is used for Irrigation
Quantity of water claimed: Permit 3.2 c.f.s. Depositions 3.2 c.f.s.
Type of measuring device installed or method of measurement and general description
of diversion works Pipes and sprinkler system - 350' x 16"
H. 160' - Q. 3.2 c.f.s. 198 - 11/64 - 60 lb.

Land to be irrigated or place of use:			Description	
TWP.	RGE.	SEC.		
7 8	30 E	16	NE 1/4, Sec. 16	

Total acreage 160
Filed February 23, 1966
Made April 29, 1968
Due c/w February 25, 1971
Priority: February 25, 1971
b/u February 25, 1971
Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
acreage covered by subdivision; also show land covered on the map.

None

Source of supply Ground
a tributary of _____

Location of P.D.(s) Center NE 1/4 Sec 16

Water is used for irrigation

Quantity of water found 2.9 CFS

How was the measurement made? Plot Gauge

Measurement calculations _____

$$\begin{array}{r} 198 \\ 656 \\ \hline 1298.8 \text{ gpm} \\ 1380 \\ \hline 4180 \end{array}$$

6 lines 33 heads each 600 psi
1164 nozzle

Division works description and diagram

185 Motors 4'0" head shaft

150 HP 440 Volts 1720 RPM

302 # 1388450

1200 220 Amp 120V 48 T 521 WRD

12 discharge gate 40' x 8'

buried mainline North and South

System operated

at 88 psi

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 158

35 2817

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

irrigation of 158 acres

There are 6 laterals with 33 heads each. They have 11/2" not and operate at an average of 60 psi

Who represented the permit holder at the examination?

Mr Reed

Recommended allowance for licensing 2.9 CFS

Description of required amendments. Comments.

and is presently planted in beet and grain

Considering the pressure at the pump station this system could easily put out more water. The pump station 198 mwg - psi is the answer. This gate valve is only partly open

Report checked? _____

Examination date 7/7/70

Signature

Sam B. Boy

FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT

P. O. BOX 72, 188 WEST JUDICIAL BLACKFOOT, IDAHO 83221

TELEPHONE: 785-0820



BLAIR W. ARCHIBALD, MANAGER

January 22, 1970

2303
26610
3-462
3-2746

Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Rast Mountain View Farm Corporation

Gentlemen:

We have an application for a loan from the Rast Mountain View Farm Corporation, which consists of Edward Rast, Ervin Rast and Harold Rast on the following described property:

E $\frac{1}{2}$, SW $\frac{1}{4}$ Section 16, Township 7 S Range 31 EBM in Power County. (480 acres)

There are three wells located on this property but the applicants cannot seem to be able to locate any of the water licenses. Could you please furnish us information as to the amount of inches, priority of each of these wells?

Thank you.

Yours truly,

Blair W. Archibald
Blair W. Archibald
Manager

BWA:bmh



"OWNED BY FARMERS : FOR FARMERS"

32746
35-2817

January 25, 1970

RE: License No. 35-2247
35-2483
Permit No. 35-2817

Blair W. Archibald, Manager
Federal Land Bank Association
P. O. Box 72
Blackfoot, Idaho 83221

Dear Mr. Archibald:

This is in reply to your letter of January 22, 1970, regarding water rights for Rast Mountain View Farms Corp. If the description on your letter is right, all but one small 5 acre section is under water in American Falls Reservoir. I thought perhaps you may have meant the description to be 30 East, B.M., therefore, listed below are three wells in that area.

35-2247 - License issued to Edward Rast for 2.0 c.f.s. from a well in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, with a priority of September 11, 1952.

35-2483 - License issued to Edward Rast for 2.0 c.f.s. for a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, with a priority of November 9, 1956.

35-2817 - Permit issued to Edward Rast for 3.2 c.f.s. for a well in the Center of the NE $\frac{1}{4}$, Section 16, T 7 S., R 30 E., B.M. with a priority of February 23, 1966.

This permit will be licensed as soon as our field exam is completed. Let us know if we can help your office further.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

35-2817

May 6, 1968

Re: Permit No. G-32746

Edward Rast
720 Stevens
American Falls, Idaho 83211

Dear Mr. Rast:

We acknowledge receipt of the depositions and affidavit of publication in the
Power County Press submitted as proof of completion of works and beneficial use on Permit G-32746.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

32746
WAM
typical

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-32746

RECEIVED
MAY 1 1966
Department of Reclamation

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

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____
~~Edward Rast~~
~~Clarence Kohl~~, American Falls, Idaho, residence; farmer, post office
American Falls, Idaho.

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

Ques. 3. State number, approval date of permit, and date of priority: _____
No. G-32746, February 25, 1966 Was applied to beneficial use June 1, ^{1966,} ~~1956,~~ which
is the date of priority. 2-23-66

Ques. 4. State source of water supply: Well
Give location of point of diversion, showing subdivision, section, township and range
center of NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30, E. B.M.

Ques. 5. Describe your works of diversion: pipe and sprinkler system
_____; state amount of water they are capable of conveying from point of diversion to place of use: 3.2 cubic feet per second; Give name of canal or ditch or other works by which water is conducted to such place of use: pipes and sprinkler system
330' x 16"
_____; if a well, state depth of well 330'; depth and size of casing 130' deep; 16"; depth to water 160'; if pump is used, state discharge of pump: 3.2 cubic feet per second; tell how it was measured or determined
estimate of well driller; if sprinkler irrigation, give number and size
of nozzles and operating pressure: 198 nozzles, 11/64" size, ^{sixty} ~~fifty~~ pounds

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:
40 acres in each forty of ~~Sec~~ NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30, E.B.M.

George Vallmer

32746

6.

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

Done some levelling

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: George Vollmer, American Falls, Idaho

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

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

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Early June, 1966 - Time used since first use:

Practicall yevery day of the irrigation seasons.

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

none

(sign) Edward Rast

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

American Falls, County of Power

State of Idaho, on this 29th day of April, A. D. 19 68.

My commission expires: Jan. 3, 1971

W. Chodbourrow
Notary Public, Residing at
American Falls, Idaho.

32744

RECEIVED
MAY 1 1968
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-32746

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:

Clarence Gohl, 34 years old, American Falls, Idaho, Farmer, Post Office

American Falls, Idaho

Ques. 2 Are you acquainted with yes, the holder of
Permit No. G-32746? How long have you known him and where does he reside?

known him 34 years, resides in American Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-32746 read, and are you familiar
with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range
center of NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30, E. B. M.

Describe works for conveying water to place of use:

pipes and sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3.2 feet per second How much water have you seen being so
conveyed? 3.2 feet per second

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description: for acres in each forty of the
NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30, E. B. M.

327460

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

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

rolling surface and sandy loam 3.2 cubic feet per second

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

Ques. 10. When did you first see this water used? early in June, 1966

Other times you have seen such use: have seen it practically every day since

(Signed):

Clarence Stahl

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

American Falls, County of Power, State of Idaho, on this 29th day of April, A. D. 1968

W. C. Loofbourn

Notary Public for the State of Idaho
Residing American Falls, Idaho.

My commission expires Jan. 3, 1971.

RECEIVED
MAY 1 1965
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-32746

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:

Emil E. Bauer, 53 years old, American Falls, Idaho, occupation farmer:

Post Office Address, American Falls, Idaho

Ques. 2 Are you acquainted with Yes, the holder of

Permit No. G 32746? How long have you known him and where does he reside?

53 years

He lives in American Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-32746 read, and are you familiar with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: Well in center of NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30 E.B.M.

Give location of place of diversion, showing subdivision, section, township and range
center of NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30, E.B. M.

Describe works for conveying water to place of use:

pipes and sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 3.2 feet per second How much water have you seen being so conveyed? 3.2 feet per second

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: 40 acres in each forty of the NE $\frac{1}{4}$ Sec. 16, T. 7, So., R. 30 E.B.M.

32746

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.
rolling surface and sandy loam - 3.2 $\pm$ cubic feet per second

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

Ques. 10. When did you first see this water used? first part of June, 1966.

Other times you have seen such use: I live next to this land, and see the water in use all during the irrigation season.

(Signed):

Emil E. Bauer

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

American Falls, County of Power, State of Idaho, on this 29th day of June, A. D. 19 68.

W. P. Loofbouson

Notary Public for the State of Idaho

Residing American Falls, Idaho

My commission expires Jan. 3, 1971

32746

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ringe being first duly sworn

on oath, states:

That she is the principal clerk of the printer

of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls 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 the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 4 successive weekly issues thereof, the date of the first publica-

tion being the 28th day of March, 1968

the date of last publication being the

18th day of April, 1968

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

20th day of April, 1968

W. C. Loofbourrow
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) 3d day of January, 1971

Published in The Power County Press, March 28, April 4, 11, and 18, 1968.

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

Notice is hereby given that on April 29, 1968 at American Falls, County of Power, State of Idaho, before notary public W.C. Loofbourrow, 216 Idaho Street, American Falls, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cfs of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-32746 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Edward Rast, 720 Stevens, American Falls, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 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 3.2 cfs.

4. The point of diversion of said water is in the center of NE 1/4, Sec. 16, T. 7S, R. 30 E.B. M., Power County.

5. The place where said water is used is NE 1/4, Sec. 16, T. 7 S, R. 30 E.B.M.

6. The date of priority which said user is prepared to establish is February 23, 1966.

R. KEITH HIGGINSON

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

April 29, 1968

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
107 State House
Boise, Idaho 83701

Sir:

Re: Permit No. G-32746

Edward Rast

Please refer to yours of March 19, 1968.

Enclosed

Affidavit of principal Clerk of the printer of Power County Press,
on publication of Notice of Proof of Completion of works and
application to beneficial use.

Deposition of Holder
and

Depositions of witnesses, Emil E. Bauer and Clarence Gohl.

Yours truly,



Edward Rast

Enc's 4

3-74/68

Re: Permit No. G-32746

March 19, 1968

Edward Rast
720 Stevens Street
American Falls, Idaho 83211

Dear Mr. Rast:

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

G-32746.

We have mailed the notice to the Power County Press to be published once a week for four consecutive weeks prior to April 29, 1968, which is the hearing date when the permit holder _____

Edward Rast

and two disinterested witnesses must appear before _____

W. C. Loofbourrow, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Edward Rast.

Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

32746

March 19, 1968

Re: Permit No. G-32746
Edward Rast

The Power County Press
American Falls, Idaho 83211

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to April 29, 1968. The expense of the publication is to paid by Edward Rast, 720 Stevens Street, American Falls, Idaho,

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

32746

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

RECEIVED
Department of Reclamation

Notice is hereby given that on April 29, 1968, at American Falls,
County of Power, State of Idaho, before notary public (name & address) _____
J. C. Boothbourn, 210 Idaho St., American Falls, Idaho,, proof will be
submitted of the completion of works for the diversion of 3.2 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-32746, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Edward Rast, 720 Stevens,
American Falls, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
3.2 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 3.2 c.f.s.
4. The point of diversion of said water is in the center of NE $\frac{1}{4}$, Sec. 16,
T. 7 S, R. 30 E, B.M., Power County.
5. The place where said water is used is NE $\frac{1}{4}$, Sec. 16, T. 7 S, R. 30 E, B.M.

6. The date of priority which said user is prepared to establish is _____
February 23, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer

32746

RECEIVED
FEB 29 1968
Department of Reclamation

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

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Power County Press of American Falls, Idaho 83221; published in the county in which the works are situated.

Edward Rast
(signature)

720 Stevens St.,
American Falls, Idaho
(address)

February 27, 1968.
(date)

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

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

Engineer

22746

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

RECEIVED
FEB 23 1968

Department of Reclamation

February 21, 1968

State Reclamation Engineer
State House
Boise, Idaho

Sir:

Re: Permit No. G 32746 - Application No. G-40914

The water represented by the above Application for Permit
has been applied to beneficial use and am ready to make proof.

Please send the necessary papers to
W. C. Loofbourrow
American Falls, Idaho.

Yours truly,

Edward Rast

Edward Rast

L

*for memo
2-23-68
or*

32746

July 25, 1966

RE: Permit No. G-32746
Edward Rast

W. C. Loofbourrow
Lawyer
American Falls, Idaho

Dear Mr. Loofbourrow:

We appreciate your prompt attention to the matter of the discrepancy of the location of the point of diversion on the above numbered permit as it was shown on the well log.

It will not be necessary to contact the driller. We will correct the error on the log and file it in the usual manner.

Very truly yours,

R. KEITH HIGGINSON
Deputy State Reclamation Engineer

RKH:mr

32746

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

RECEIVED
JUL 25 1966
Department of Reclamation

July 22, 1966

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

Sirs:

Re: Edward Rast - Permit No. G-32746

Yours of 14th instant addressed to Edward Rast is before me.
It states well drillers log shows well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T. 7 S., R. 30, E. B. M.
by George Vollmer.

Application for Permit Approved February 25th, 1966, shows
this well 1320' west and 1320' south of the Northeast corner of
Section 16, T. 7, So., R. 30, E. B. M. and is in the center of the NE $\frac{1}{4}$ of
Section 16, T. 7 So., R. 30, E. B. M., Power County, Idaho.

Mr. Rast insists that the location described in the application for
Permit is correct, and that the well driller is in error in his description.

What do we do now? Must we catch up with the well driller and
have him file a corrected log? If so, do you have forms for this?

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

L
enc

Margaret
I think we can change
the log & let Mr. Loofbourrow
know - OK.
JS

32746

July 14, 1966

C
O
P
Y

Edward Rast
American Falls, Idaho

Dear Mr. Rast:

We have received a log on a well drilled for you in the NW/NE 1/4, Sec. 21, T. 7 S., R. 30 E., B.M. by George Vollmer. The log indicates that the well will be used for irrigation purposes.

Idaho Code, 42-229, as amended by the 1963 Session of the Legislature, provides that a permit must be obtained from this office in all cases except where less than 13,000 gallons per day will be diverted for use for domestic purposes. We find no record of a permit for this well.

Idaho Code, 42-237a, provides that the State Reclamation Engineer may commence action to enjoin the illegal opening or excavation of wells, or withdrawal or use of water therefrom.

Form 3, Application for Permit to Appropriate Subterranean Water, and Instructions, are enclosed. May we hear from you?

Very truly yours,

R. KEITH HIGGINSON
Deputy State Reclamation Engineer

RKH:mr

Enc. Form 3, Instructions

32740

March 9, 1966

Re: Permit No. G-32746
Edward Rast

Mr. W. C. Loofbourrow,
American Falls, Idaho.

Dear Mr. Loofbourrow:

G-32746

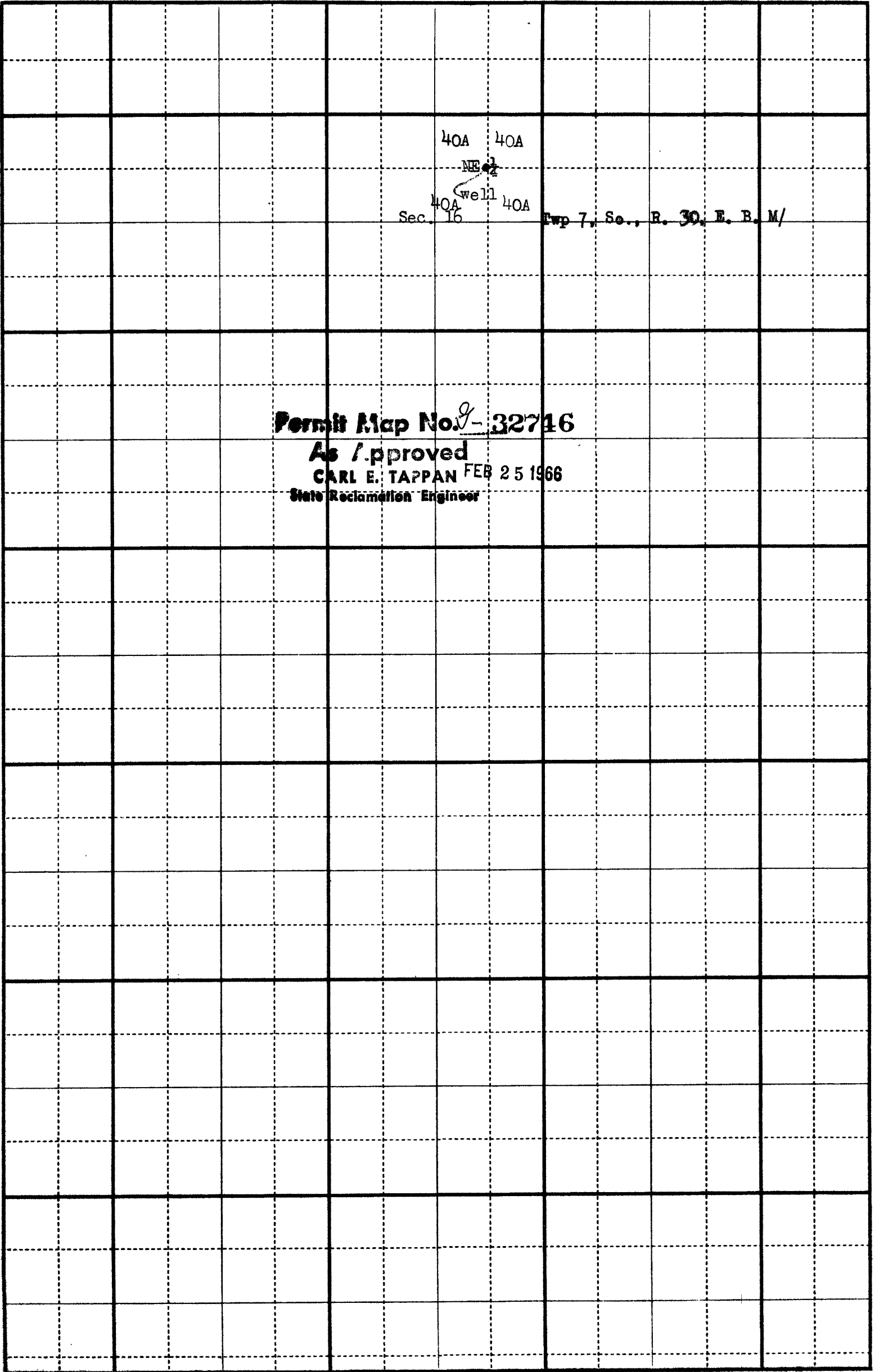
We enclose Permit No. _____ in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

We also enclose Departmental Receipt No. G-10170
5.75
which was issued covering payment in the amount of \$ _____
for the filing fee of the above mentioned permit.

Very truly yours,

(MRS.) EDNA P. RULE
Chief Clerk

Enc:
EPR:pmk
cc: Edward Rast
720 Stevens
American Falls, Idaho



W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

RECEIVED
FEB 23 1966
Department of Reclamation

Feb. 21, 1966

State Reclamation Engineer
State House
Boise, Idaho

Sir:

Re: Edward Rast, American Falls, Idaho, application for
well to irrigate NE $\frac{1}{4}$ Sec. 16, Twp. 7, So., R. 30, E. B.M.

Enclosed is application for water to beneficial use.
Please acknowledge receipt.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

L
enc's 3

P. S. Have taken the usual five years for completion of works. He hopes to have
system completed in two or three months so as to water crops this season.

3 2 746