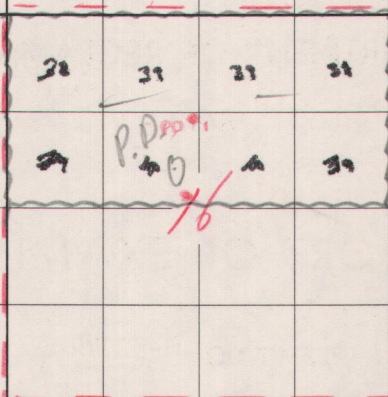


Rge. 30E

To Aberdeen

Trp. 6S.



154

158

312

DRWA - 312 ACRES

SUBD - 8 <sup>EST AS PERMIT LIMITS</sup>

Q - 4.44 <sup>cf.s.</sup>

VOL - TOTAL QUANTITY DIVERTED

SHALL NOT EXCEED 1092 AF / SEASON

(BASED UPON IRRIGATION REQUIREMENT OF 3.5 AF/ACRE)

2.2

C-2

~~F 584 (1-2)~~

595-1-2

0.2

T Power

4857

*Shuman*

FA. 230.40  
CA. 236.25

T. P. A. W. e. v.

32258

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

Notice is hereby given that on the 19th day of July, 1966, at Blackfoot, County of Bingham, State of Idaho before Jay H. Stout at 145 West Idaho Street, proof will be submitted of the completion of works for the diversion of 4.44 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-32288, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is Behrend Farms Incorporated, Route #1, Box 236, Aberdeen, 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 4.44 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 4.44 cubic feet per second.

4. The point of diversion of said water is SE1/4 of the NW 1/4 of Section 16, Township 6 South, Range 30 E.B.M., Bingham County, Idaho.

5. The place where said water is used is N 1/2 of Section 16, Township 6 South, Range 30 E.B.M., Bingham County, Idaho.

6. The date of priority which said user is prepared to establish is March 22, 1965.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. June 17 - 24 - July 1-8

RECEIVED  
JUL 20 1966

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham )  
State of Idaho ) ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 4 consecutive

weeks, the first publication having been made on

the 17 day of June, 1966,

and the last publication having been made on the

8th day of July, 1966; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

*Drury R. Brown*

Subscribed and sworn to before me this 8th

day of July, 1966

*Marjorie Flint*

Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
January 10th, 1967.

632288

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

Notice is hereby given that on the 19th day of July, 1966, at Blackfoot, County of Bingham, State of Idaho before Jay H. Stout at 145 West Idaho Street, proof will be submitted of the completion of works for the diversion of 4.44 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-32288, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is Behrend Farms Incorporated, Route #1, Box 236, Aberdeen, 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 4.44 cubic feet per second.

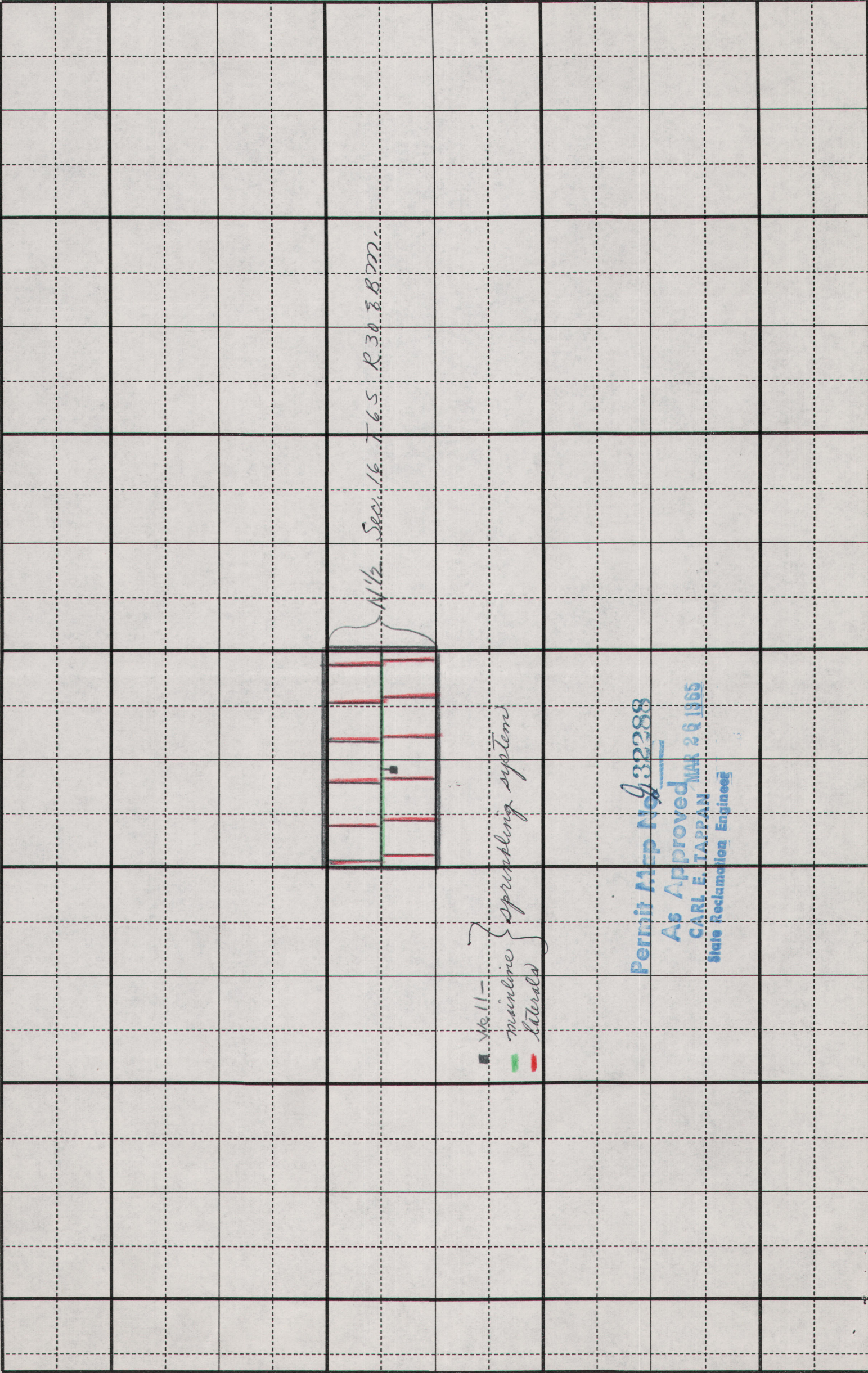
3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 4.44 cubic feet per second.

4. The point of diversion of said water is SE1/4 of the NW 1/4 of Section 16, Township 6 South, Range 30 E.B.M., Bingham County, Idaho.

5. The place where said water is used is N 1/2 of Section 16, Township 6 South, Range 30 E.B.M., Bingham County, Idaho.

6. The date of priority which said user is prepared to establish is March 22, 1965.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. June 17 - 24 - July 1-8



Permit Map No. 32288  
As Approved  
CARL E. TAPPAN  
State Reclamation Engineer

WATER LICENSE

Water License No. G-32288/35-2769 Priority March 22, 1965 Amount 4.44 c.f.s.

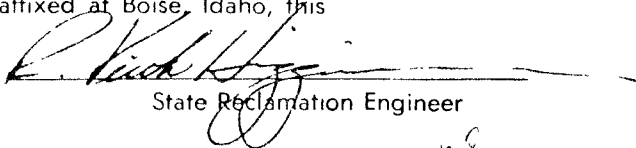
THIS IS TO CERTIFY, that Behrend Farms, Incorporated, an Idaho Corporation  
of Aberdeen, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated March 22, 1965; that Permit G-32288-35-2769 was issued pursuant  
to said application; that the proposed works were completed on or about May 1962,  
with a storage/or carrying capacity of 4.738 c.f.s., said works consisting of  
well, pump, motor, and sprinkler system; and that on July 19, 1966,  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1092  
acre feet per season, with a maximum rate of diversion of 1.44 cubic feet per second of the waters  
of ground water, tributary of \_\_\_\_\_,  
for the purpose of Irrigation from April 1 to October 31;  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
located in SE 1/4 NW 1/4, Sec 16, T. 6 S, R. 30 E, B.M., and  
other additional points \_\_\_\_\_, in the County of  
Bingham, and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 1092 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 6 S  | 30 E  | 16   | 38     | 39     | 40     | 39     | 39     | 38     | 39     | 40     |        |        |        |        |        |        |        |        | 312    |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 312

The right to the use of the water 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  
15th day of September, 19 69.  
  
State Reclamation Engineer  
32288  
35-2769  
35 SEP

APPLICATION FOR PERMIT 25- n76: John H. Hume  
2769  
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40434  
Permit No. G- 32288  
District No.

1. Name of Applicant: Behrend Farms, Incorporated, and Idaho Corporation  
Route #1, Box 236  
Postoffice address: Aberdeen County: Bingham State: Idaho
2. Quantity of water claimed: 4.44 cubic feet per second  
(a) Rate of withdrawal in cubic feet per second 4.44 or Idaho  
Miners' inches 222 or gallons per minute  
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE 1/4 of the NW 1/4 of Section 16  
Twp. 6 S., Rge. 30 E., B.M., County of Bingham
5. Water is to be used for: agricultural purposes
6. If for municipal, industrial or recreational purposes, give:  
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.  
Rge. , B.M.  
(b) Waste water or sewage effluent is to be returned to  
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. . B.M.
7. Kind of works: Well with pump and sprinkling system
8. Estimated cost of works: \$42,898.00
9. (a) Is reservoir to be used? No  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5  
years. Finished in June of 1962 by applicant's predecessor in interest.
11. If applicant is a corporation, give:  
I. (a) Date and place of incorporation: January 14, 1965 at Aberdeen, Bingham County, Idaho  
(b) Amount of capital stock: \$ 25,000.00 (c) Amount paid in: \$ 25,000.00  
(d) Names and addresses of directors: Charles M. Behrend, Route #1, Box 236, Aberdeen, Idaho;  
Donna J. Behrend, Route #1, Box 236, Aberdeen, Idaho; Math R. Behrend, Box 567, Blackfoot,  
Idaho.  
II. The financial resources of the applicant are (a) Cash on hand: \$ 10,000.00  
(b) Treasury stock: none (c) Bonds to be issued: none  
(d) Other resources: Approximately \$45,000.00 in real estate and personal property, plus  
receivables in excess of \$50,000.00
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: See Remarks  
(a) none (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-  
mental to the existing water rights.  
(b) 4.44 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

s/ BEHREND FARMS, INCORPORATED *Applicant.*

Date of first receipt at Department of Reclamation: 8:00 A.M. March 22, 1965

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 32288

Recorded in Book 113      Page 32288      Approved      March 26, 1965

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

Bond in the sum of \$ \_\_\_\_\_ to be filed on or before \_\_\_\_\_

Work to begin on or before \_\_\_\_\_ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no contrôl.

One-fifth of the work above specified to be completed on or before September 26, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 26, 1970 -/ CARL E. TAPPAN

Witness my hand this 26th day of March, 1965

IN TESTIMONY WHEREOF, We, \_\_\_\_\_ ROBERT E. SMYLLIE \_\_\_\_\_, 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 \_\_\_\_\_ 26th \_\_\_\_\_  
day of \_\_\_\_\_ March \_\_\_\_\_, 19 65 \_\_\_\_\_

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS  
*Secretary of State.*

By s/ ROBERT E. SMYLIE  
Governor

12.

| Twp.  | Range | Sec. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|-------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|       |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 6 So. | 30 E. | 16   | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             |                                |                                |                                |                                |                                |                                |                                | 320                            |        |

LICENSE ISSUED FOR 4.44 SEC. FT.  
LICENSE PAGE NO. \_\_\_\_\_

September 15, 1969

Re: Permit Nos. G-32288/35-2769 and G-31868/35-2738

C  
O  
P  
Y  
  
Behrend Farms  
Route 1, Box 236  
Aberdeen, Idaho 83210

Attn: Charles M. Behrend

Dear Mr. Behrend:

Enclosed you will find your Water Licenses issued on the above numbered permits.

Also enclosed is departmental receipt No. 3595 in the amount of \$42.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh  
Enclosures  
cc. Mr. Jay H. Stout  
Attorney at Law  
P.O. Box 688  
Blackfoot, Idaho 83221

35-2769  
32288

JAY H. STOUT  
785-1940

*Stout & Moss*

Attorneys at Law  
145 West Idaho Street  
Box 688  
BLACKFOOT, IDAHO 83221

THOMAS E. MOSS  
785-4516

September 4, 1969

State of Idaho  
Department of Reclamation  
Statehouse - Annex 2  
Boise, Idaho 83707

ATTENTION: Mr. C. Stephen Allred  
Assistant State Reclamation Engineer

In re: Permits Numbered G-31868 and  
G-32288, Charles M. Behrend and  
Behrend Farms Incorporated  
Our File No. X-1256-9

Dear Mr. Allred:

On September 3rd, 1969 two letters were received from your office.

The first letter related to Permit No. 35-2738. Checking your Permit number designation out, this corresponds to our number G-31868. The permit approved by Department of Reclamation was checked, and all of the information on your letter of September 2nd, 1969 in respect to Permit 35-2738 pertains to our Permit No. G-31868.

In your letter concerning Permit No. 35-2769, this was checked out, and corresponds to our Permit No. G-32288.

I am wondering if your Department has renumbered their permits, or if a mistake has been made in the permit number designation.

Will you please give me an explanation of this difference in the permit numbers in order that we may be assured a mistake has not been made.

You will find enclosed herewith Behrend Farms' check in the amount of \$42.00 in payment for issuance of appropriate licenses.

Thank you very much for your attention to this request.

Yours very truly,

Stout & Moss

  
Jay H. Stout

JHS:ep

30388  
35-2769

September 2, 1969

Re: Permit No. 35-2769

Behrend Farms  
Route 1, Box 236  
Aberdeen, Idaho 83210

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit 35-2769 and has found the following:

Quantity of water diverted: 4.738 c.f.s.

Amount of water 4.44 c.f.s. that can be recognized as beneficially used under Idaho Law: \_\_\_\_\_

The maximum quantity diverted shall not exceed 1092 acre feet per season.

Purpose of use: Irrigation of 312 acres in N $\frac{1}{2}$  Sec. 16, T. 6 S., R. 30 E., S. M.

The priority date established is: March 22, 1965

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh  
cc. Mr. Jay H. Stout  
Attorney At Law  
P.O. Box 688  
Blackfoot, Idaho 83221

35-2769  
22288

September 2, 1969

Re: Permit No. 35-2769

Behrend Farms  
Route 1, Box 236  
Aberdeen, Idaho 83210

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit 35-2769 and has found the following:

Quantity of water diverted: 4.738 c.f.s.

Amount of water 4.738 c.f.s. be recognized as beneficially used under Idaho Law: \_\_\_\_\_

The maximum quantity diverted shall not exceed 1092 acre feet per season.

Purpose of Use: Irrigation of 312 acres in N $\frac{1}{2}$  Sec. 16, T. 6 S., R.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

March 22, 1965

The priority date established is: 21.00

A fee totaling \$ \_\_\_\_\_ must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh  
cc. Mr. Jay H. Stout  
Attorney At Law  
P.O. Box 688  
Blackfoot, Idaho 83221

*Fee Paid  
9-8-69  
35-2769  
22288*

December 6, 1968

Re: Permits G-31868 & G-32288  
Charles M. Behrend &  
Behrend Farms, Inc.

Mr. Jay H. Stout  
Attorney At Law  
P. O. Box 688  
Blackfoot, Idaho 83221

Dear Mr. Stout:

In reference to your request for the status of the above referenced permits (your file X 1556-9) in your letter of December 3, 1968, please be advised that a representative of the Department conducted field examinations on July 15, 1968. They found 4.74 cubic feet per second being beneficially used upon 312 acres from a well located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 16, T. 6 S, R. 30 E, B.M. as covered by Permit G-32288.

In addition, as covered by Permit G-31868, the examiner measured 4.13 cubic feet per second from a well located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 9, T. 6 S, R. 30 E, B.M. being beneficially used upon 316 acres within the W $\frac{1}{2}$ , Sec. 9, T. 6 S, R. 30 E, B.M.

The examiner's reports are presently pending consumptive use computation and review by the Assistant State Reclamation Engineer prior to issuance of the fee letter. Tentatively, the license fee letters will be mailed within 30 days.

Very truly yours,

Dean R. Reynolds  
Field Examiner

DRR:dfj

32288

*John Hancock*  
MUTUAL LIFE INSURANCE COMPANY  
BOSTON, MASSACHUSETTS

RECEIVED

DEC 5 1968

Department of Reclamation

H. K. DIXON, Loan Agent  
Suite A, South 178 Stevens Street  
SPOKANE, WASHINGTON 99204

J. N. MARSHALL, Assistant Loan Agent  
Hasbrouck Building  
362 Park Ave.  
P. O. Box 29  
IDAHO FALLS, IDAHO 83402

November 22, 1968

Mr. Charles M. Behrend  
Behrend Farms Inc.  
Route #1, Box 114  
Auerdeen, Idaho 83210

Dear Mr. Behrend:

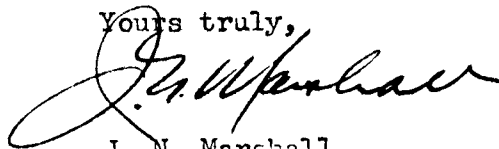
Re: Loan #153363 - Behrend Farms Inc.

We wish to call to your attention the State of Idaho Water Permit No. G 31868 pertaining to property covering the above numbered loan. This water permit provides for filing of proof of beneficial use of the water and completion of works before May 8, 1969.

We assume that you have previously taken steps to file the necessary proof and obtain the license for this permit. If you have not already done so, immediate steps should be taken.

Will you kindly advise us what is being done toward filing the necessary proof? We are enclosing a stamped, self-addressed envelope for your convenience in replying.

Yours truly,



J. N. Marshall  
Assistant Loan Agent

Enc. as noted

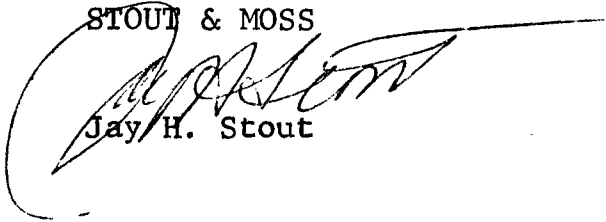
Mr. M. Russell Bosch  
December 3, 1968  
Page 2.

Could you give me some information as to the reason for the delay in the issuance of the licenses.

Thank you very much for your attention to this request.

Yours very truly,

STOUT & MOSS



Jay H. Stout

JHS/pz

Encl.

CC: Mr. Charles M. Behrend  
John Hancock Mutual Ins. Co.  
Idaho Falls, Idaho

32285

RECEIVED

DEC 5 1968

Department of Reclamation

December 3, 1968

John Hancock Mutual Life Insurance Company  
J. N. Marshall, Assistant Loan Agent  
Hasbrouck Building  
362 Park Avenue  
Post Office Box 29  
Idaho Falls, Idaho 83402

In re: Loan No. 153363 - Behrend Farms, Inc.  
Water Permit No. G31868.  
Our File No. X 1556-9.

Dear Mr. Marshall:

Your letter of November 22, 1968 has been referred to this office by Behrend Farms.

On July 19, 1966 final proof of application of water to beneficial use and completion of works was sent to the Department of Reclamation in Boise.

The state acknowledged receipt of this proof on July 28, 1966, and advised that before final action was taken, a field examination would be made by an engineer from the State Reclamation Engineer's office.

I shall check with the state to see what the delay has been in respect to the issuance of the water license.

I note from the Behrend Farm files that you are also interested in Permit No. G32288.

The same procedure was followed in respect to that permit, and final proof depositions, etc., were acknowledged by the Department of Reclamation on July 28, 1966, issuance of license being dependent upon field examination by a department engineer.

32258

Mr. J. N. Marshall  
December 3, 1968  
Page 2.

I shall also check with the Department of Reclamation in respect to that particular license.

I am sending you a copy of my correspondence with the Department of Reclamation so that you may keep informed as to the status of this problem.

Yours very truly,

STOUT & MOSS

Jay H. Stout

JHS/pz

Encl.

CC: Mr. Charles M. Behrend  
State Reclamation Engineer  
Boise, Idaho

32288

JAY H. STOUT  
785-1940

*Stout & Moss*

Attorneys at Law  
145 West Idaho Street  
Box 688

BLACKFOOT, IDAHO 83221

December 3, 1968

RECEIVED

DEC 5 1968

THOMAS E. MOSS  
785-4516

Department of Reclamation

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

In re: Permits numbered G31868 and G32288.  
Our File No. X 1556-9.

Attention: Mr. M. Russell Bosch, Office Manager.

Dear Mr. Bosch:

On July 19, 1966 depositions of holder of permit, and witnesses, together with affidavit of publication in respect to the publication of Notice of Proof concerning the above permits, was sent to your office, with request that the license in respect to the permits be issued as soon as possible.

Under date of July 28, 1966 your office acknowledged receipt of depositions and affidavits of publication, all submitted in proof of completion of works and beneficial use on permits numbered G31868 and G32288.

You advised that before license was issued, a field examination would have to be made by your engineer.

Now that three summers have passed, I am wondering if the field examination has not been made, and your office has overlooked issuing the licenses.

You will note from a copy of correspondence enclosed directed to John Hancock Mutual Life Insurance Company, that the company, as mortgage holder on the properties to which the permits pertain, is becoming concerned lest there is some problem in respect to the issuance of the licenses.

32288

Form 23  
2M-4-65

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

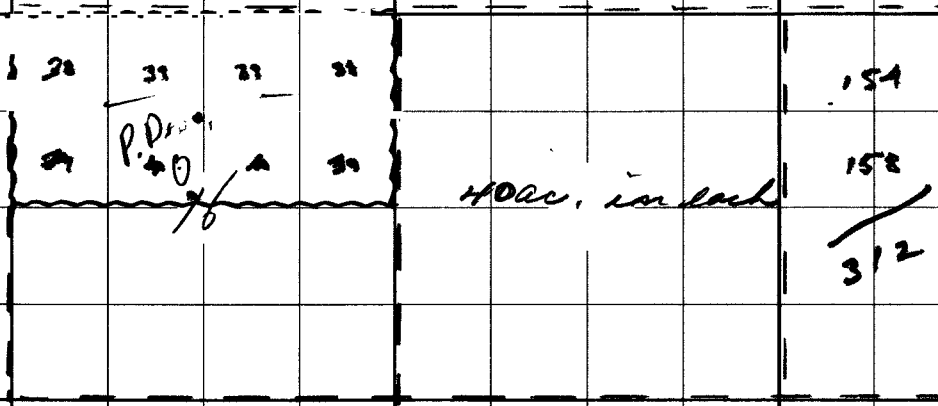
REPORT OF EXAMINER

PERMIT NO. G-32288

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ry. 106

To Aberdeen



AREA - 312 ACRES

SUBD - 8 CFT HS PERMIT LIMITS

Q - 4.44 C.F.S.  
~~4.74~~

VOL - TOTAL QUANTITY DIVERTED

SHALL NOT EXCEED 1092 AF / SEASON (BASED UPON IRRIGATION REQUIREMENT OF 3.5 AF/ACR)

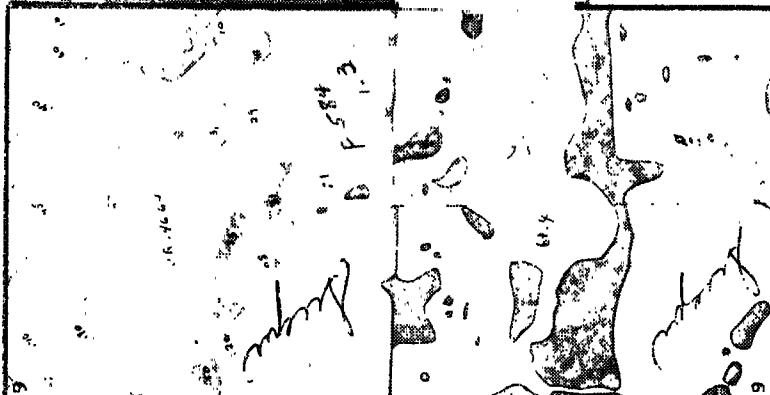
C-2

595-1

D-2

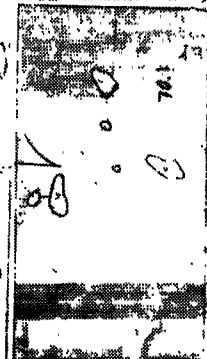


J Power



854

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701



CH. 226. 25

18-17

T. Power

3225

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

Permit No. G-32288

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

1. Name of applicant Behrend Farms, Inc.

2. Source of water supply: a well

3. Location of point of diversion: Is in the SE1/4 of Section 16  
T. 6 S. R. 30 E., B.M. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same:

2550 HP VS HOLLOSNAP FIRE WATER

# 1275868

AB V TIP # 448 IV

10" DISCHARGE GATE VALVE 6262665

SPRINKLER SYSTEM

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):

N1/2, Sec. 16, T. 6 S., R. 30 E., B.M.

BFFTS - SP-05

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

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

Remarks:

MR. BEHREND CONTACTED

12 - "A" MILE LAT 11/61" RAINBOW 300 @ 40 lbs

$$Q = (12 \text{ LAT}) \left( \frac{33 \text{ MILE}}{\text{LAT}} \right) \left( \frac{5.37 \text{ gpm}}{118.8 \text{ gpm}} \right) = 4.738$$

This examination was made on the 15th day of JULY, 1968

(Signed) \_\_\_\_\_ Examiner.

(Season)

32288

PLAT  
DR

Charles M. Behrend *et al.*  
Rt 1  
Aberdeen, Idaho 363-1164 *my*

Permit No. G-32288 *902*

Examination for Completion of Works & Beneficial Use

County Bingham

Sec. 16 T. 6 S. R. 30 E., B.M.

Quantity: 4.44 c.f.s.

Source: a well

P.D.: SEANWA, Sec. 16, T. 6 S., R. 30 E., B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: March 22, 1965

Due: March 26, 1970

Made: July 19, 1966

## 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.

32288

74-377-2468

Van Belding  
Contract

Re: Permit No. **G-31868**  
**G-32288**

**July 28, 1966**

**Charles M. Behrend**  
**Rt 1**  
**Aberdeen, Idaho**

**Dear Mr. Behrend:**

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Blackfoot News~~ all submitted in proof of completion of works and beneficial use on Permit No. ~~G-31868, G-32288.~~

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

Very truly yours,

**M. Russell Bosch**  
**Office Manager**

**MRS:mr**

*§ 32288*

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho  
Permit No. G 32288

**RECEIVED**  
JUL 20 1966  
Department of Reclamation

\*\*\*\*\*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Completion of Works  
DEPOSITION OF HOLDER

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

Charles M. Behrend, Route 1, Aberdeen, Bingham County, Idaho - Farmer

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: Behrend Farms, Inc., an Idaho corporation with its principal place of business at Aberdeen, Idaho. I am President of the corporation and have been empowered to act by resolution of the Board of Directors.

Ques. 3. State number, approval date of permit, and date of priority: \_\_\_\_\_

G 32288 - March 26, 1965 - Priority Date - March 26, 1965

Ques. 4. State source of water supply: Subterranean

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

SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 16, Twp 6 S., Range 30 E.B.M., Bingham County, Idaho

Well with pump and sprinkling system

Ques. 5. Describe your works of diversion: consisting of 11 quarter mile lateral lines and one mile mainline

\_\_\_\_\_ ; state amount of water they are capable of conveying from point of diversion to place of use: 4.44 cfs ; Give name of canal or ditch

or other works by which water is conducted to such place of use: NONE

\_\_\_\_\_ ; if a well, state depth of well 325 ft. ; depth and size of

casing 24 inches - depth 8 ft. ; depth to water 252 ft ; if pump is used,

state discharge of pump: 12 inches ; tell how it was measured or determined manu-

facturer's specifications ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 363 11/64 inch nozzles with 70 pound operating

pressure at well.

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:

NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$

all in Sec. 16, Twp 6 S. Range 30 E.B.M. Bingham County, Idaho, all of which

have actually been irrigated with said water. All of said subdivisions have

40 acres actually irrigated for a total of 320 acres.

*20. 0.1*

*32288*

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

Well, pump and sprinkling system consisting of 11 quarter mile lengths of pipe, one mile mainline, and appurtenances have been installed & put to use.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Does Not Apply

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

Does Not Apply

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:

Does Not Apply

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May, 1962 - Time used since first use:

Water has been used regularly since May of 1962 for the purpose of irrigating the above described real property

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

NONE

(sign) Charles M. Behrend

\*\*\*\*\*

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

Blackfoot, County of Bingham

State of Idaho, on this 19th day of July, A. D. 1966.

My commission expires: 5/27/68

Jay H. Stout  
Jay H. Stout  
Notary Public for Idaho  
Residing at Blackfoot, Idaho

832788

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 32288

\* \* \* \* \*

**RECEIVED**  
**JUL 20 1966**  
**Department of Reclamation**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

H.  
Lyle Taylor, over 21, Aberdeen, Idaho - Manager of Simplot Soilbuilders

Ques. 2 Are you acquainted with Charles M. Behrend, Pres. of, the holder of  
Behrend Farms Inc.  
Permit No. G 32288? How long have you known him and where does he reside?

About 10 years - Aberdeen, Idaho

Ques. 3. Have you read or heard said Permit No. G 32288 read, and are you familiar  
with its provisions and conditions: Yes X No.           

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range  
SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 16, Twp 6 S. Range 30 E.B.M., Bingham County, Idaho

Describe works for conveying water to place of use: Well, pump and sprinkling system  
consisting of 11 quarter mile lengths of pipe, one mile of mainline, and  
appurtenances

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 4.44 cfs How much water have you seen being so  
conveyed? 4.44 cfs

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

NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$  all in  
Sec. 16, Twp 6 S. Range 30 E.B.M. Bingham County, Idaho, all of which  
have actually been irrigated with said water. All of said subdivisions  
have 40 acres actually irrigated for a total of 320 acres.

32288

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

Does Not Apply

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.

Desert land - 4.44 cfs of water required for profitable cultivation

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? Approximately May of 1962

Other times you have seen such use: Regularly during the watering season since May of 1962.

(Signed):

Lyle H Taylor

\* \* \* \* \*

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

Blackfoot, County of Bingham, State of Idaho, on this 19th day of July, A. D. 1966

[Signature]

Notary Public for the State of Idaho

Residing Blackfoot, Idaho

My commission expires 5-27-68

D 32288

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 32288

\*\*\*\*\*

RECEIVED  
JUL 20 1966

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

Rodney M. Armstrong, over 21, Aberdeen, Bingham County, Idaho -  
Farmer by occupation

Ques. 2 Are you acquainted with Charles M. Behrend, Pres. of, the holder of  
Permit No. G 32288? How long have you known him and where does he reside?  
About 10 years - Aberdeen, Idaho

Ques. 3. Have you read or heard said Permit No. G 32288 read, and are you familiar  
with its provisions and conditions: Yes X No.         

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range  
SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 16, Twp 6 S. Range 30 E.B.M., Bingham County, Idaho

Describe works for conveying water to place of use: Well, pump and sprinkling system  
consisting of 11 quarter mile lengths of pipe, one mile of mainline, and  
appurtenances.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 4.44 cfs How much water have you seen being so  
conveyed? 4.44 cfs

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

NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$   
all in Sec. 16, Twp 6 S. Range 30 E.B.M. Bingham County, Idaho, all of

which have actually been irrigated with said water. All of said subdivisions  
have 40 acres actually irrigated for a total of 320 acres.

\$ 32288

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

Does Not Apply

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.

Desert land - 4.44 cfs of water required for profitable cultivation

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? Approximately May of 1962

Other times you have seen such use: Regularly during the watering seasons since May of 1962.

(Signed):

Rodney M. Armstrong

\* \* \* \* \*

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 \_\_\_\_\_

Blackfoot, County of Bingham, State of Idaho, on this 19th day of July, A. D. 19 66

[Signature]  
Notary Public for the State of Idaho  
Residing Blackfoot, Idaho

My commission expires 5-27-68

32288

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

Notice is hereby given that on the 19th day of July, 1966, at Blackfoot, County of Bingham, State of Idaho before Jay H. Stout at 145 West Idaho Street, proof will be submitted of the completion of works for the diversion of 4.44 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-32588, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation to whom said permit is Behrens Farms Incorporated, Route #2, Box 236, Aberdeen, 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 4.44 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 4.44 cubic feet per second.

4. The point of diversion of said water is SE1/4 of the NW 1/4 Section 16 Township 6 South Range 30 E. Bingham County, Idaho.

5. Said water is used in Section 16, Township 6 South Range 30 E. Bingham County, Idaho.

6. The date by which said water is required to establish is March 15, 1965.

J. CALHOUN APPAN  
State Reclamation Engineer  
Pub. June 17 - 24 - July 1-8

RECEIVED  
JUL 20 1966

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham  
State of Idaho

ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 4 consecutive weeks, the first publication having been made on the 17 day of June, 1966,

and the last publication having been made on the 8th day of July, 1966; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

*Drury R. Brown*  
Subscribed and sworn to before me this 8th

day of July, 1966

*W. Eugene Flint*  
Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
January 10th, 1967.

532288

TELEPHONE 785-1940

*Jay H. Stout*  
ATTORNEY AND COUNSELOR AT LAW  
145 WEST IDAHO  
BLACKFOOT, IDAHO 83221

RECEIVED  
JUL 20 1966

BOX 688

July 19, 1966

Department of Reclamation

Department of Reclamation  
State of Idaho  
State House  
Boise, Idaho

In re: Permit No. G 32288 - Behrend Farms Inc.  
Our File No. X-1256-10

Gentlemen:

In respect to the above numbered permit, you will find enclosed herewith the deposition of Charles M. Behrend, President of Behrend Farms Inc., Mr. Behrend submitting his deposition on behalf of said corporation.

In addition, you will find enclosed herewith the depositions of witnesses, Lyle Taylor and Rodney Armstrong.

I am also enclosing the Affidavit of Publication in respect to publication of the Notice of Proof.

It would be appreciated if you would send the water license to this office as soon as your investigation has been completed.

*Note*

We have been unable to secure the water log from the well driller.

If you have any questions concerning this matter, please advise.

Thank you very much.

Yours very truly,

*Jay H. Stout*  
Jay H. Stout

JHS:gwe

cc: Charles Behrend, Pres.  
Behrend Farms Inc.  
Aberdeen, Idaho

*532288*

Re: Permit No.

G-32288

June 8, 1966

Jay H. Stout  
Attorney  
Box 688  
Blackfoot, Idaho 83221

Dear Mr. Stout:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-32288 in the name of Behrend Farms, Rt 1, Box 236, Aberdeen Final Proof is to be made before you, as Notary on the 19th day of July, 1966,  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ at 145 West Idaho Street, Idaho.

As of this date, we have mailed the Notice to the \_\_\_\_\_, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

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

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

Very truly yours,

M. Russell Bosch  
Office Manager

Encl.

cc: Applicant

5 32288

Form No. 11

2N 12-64

JUN 7 1966

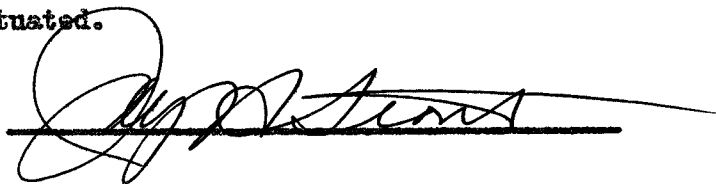
NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE  
Department of Reclamation(Date) June 1, 1966(P.O.) c/o Jay H. Stout, Box 688, Blackfoot, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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



(In case of canal 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

B 32288

Form No. 11  
2N 12-64

RECEIVED

JUN 7 1966

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Department of Reclamation

(Date) June 1, 1966

(P.O.) c/o Jay H. Stout, Box 688, Blackfoot, 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 Blackfoot News of  
Blackfoot, Idaho Published in  
the county in which the works are situated.

  
s/ Jay H. Stout

(In case of canal 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

STATE OF IDAHO  
OFFICE OF STATE RECLAMATION ENGINEER  
POWER OF ATTORNEY

RECEIVED  
JUN 7 1966

Department of Reclamation

The undersigned owner (s) of Permit (Application) No. 32288  
of the State Reclamation Engineer of the State of Idaho hereby nominates  
and appoints Jay H. Stout, whose address is  
Box 688, Blackfoot, Idaho, as attorney-in-fact, with full  
authority to act for and on behalf of the undersigned in all matters pertaining  
to Application or Permit. Such acts shall include, but not be limited to  
the filing of applications, receiving of all notices, the signing and filing  
of applications for extension of time and for amendment of said Permit, and  
the submission of proofs of completion of works and beneficial use of water.

Dated this 1st day of June, 1966.

BEHREND FARMS INCORPORATED.

BY: Charles M. Behrend  
President

STATE OF IDAHO

County of Bingham

On this 6th day of June, 1966, personally  
appeared before me the signer (s) of the above instrument, who duly acknowledged  
to me that he (she) (they) executed the same, on behalf of the corporation.

Notary Public for Idaho  
Residing at

My Commission expires:

5/28/68

32288

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

Notice is hereby given that on the 19th day of July, 1966, at Blackfoot, County of Bingham, State of Idaho before Jay H. Stout at 145 West Idaho Street, proof will be submitted of the completion of works for the diversion of 4.44 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-32288, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is Behrend Farms Incorporated, Route #1, Box 236, Aberdeen, 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 4.44 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 4.44 cubic feet per second.

4. The point of diversion of said water is SE1/4 of the NW 1/4 of Section 16, Township 6 South, Range 30 E.B.M., Bingham County, Idaho.

5. The place where said water is used is N 1/2 of Section 16, Township 6 South, Range 30 E.B.M., Bingham County, Idaho.

6. The date of priority which said user is prepared to establish is March 22, 1965.

CARL E. TAPPAN  
State Reclamation Engineer  
Pub. June 17 - 24 - July 1-8

---

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

RE

JUN 7 1966

Notice is hereby given that ~~and~~, on the 19th day of July Department of Reclamation  
1966, at Blackfoot, County of Bingham, State of Idaho before  
Jay H. Stout at 145 West Idaho Street, proof will be submitted of the completion of  
works for the diversion of 4.44 cubic feet per second of underground water from a well,  
and of the application to beneficial use of said water, in accordance with the terms and  
conditions of Permit No. 32288, heretofore issued by the Department of  
Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit  
is Behrend Farms Incorporated, Route #1, Box 236, Aberdeen, 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  
4.44 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  
4.44 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 16, Township 6  
South, Range 30 E.B.M., Bingham County, Idaho

5. The place where said water is used is N $\frac{1}{2}$  of Section 16, Township 6 South, Range  
30 E.B.M., Bingham County, Idaho

6. The date of priority which said user is prepared to establish is March 20, 1965

*See Instructions  
Letter*

State Reclamation Engineer

322288

Re: Permit No. G-32288

June 8, 1966

**Blackfoot News**  
**Blackfoot, Idaho**

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to July 19, 1966. The expense of the publication is to be paid by Jay H. Stout, Attorney of Box 688, Blackfoot, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

CET:mr

Enc. legal notice

32288

TELEPHONE 785-1940

*Jay H. Stout*  
ATTORNEY AND COUNSELOR AT LAW  
145 WEST IDAHO  
BLACKFOOT, IDAHO 83221

RECEIVED  
JUN 7 1966

BOX 688

June 2, 1966

Department of Reclamation

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

In re: Permit No. 32288 - Behrend Farms Inc., an Idaho  
corporation, Route 1, Box 236, Aberdeen, Idaho  
Our File No. X-1256-10

Dear Sir:

You will find enclosed herewith Form No. 36, in duplicate, in  
respect to Notice of Proof of Completion of Works and Application  
of Water to Beneficial Use submitted on behalf of Behrend Farms  
Incorporated, address as stated above.

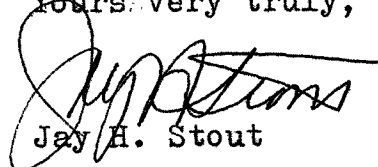
In addition, you will find executed Form No. 11, in duplicate,  
authorizing you to publish Notice of Proof of Completion of Works  
at my expense in the Blackfoot News.

You will also find enclosed herewith Power of Attorney from Behrend  
Farms Inc. authorizing me to act on behalf of said corporation in  
respect to securing water license.

Upon receipt of the enclosed forms, I would appreciate your sending  
me the deposition forms for holder and witnesses for execution by  
them on July 19, 1966.

Thank you very much.

Yours very truly,

  
Jay H. Stout

JHS:gwe

Enc.

cc: Behrend Farms Inc.  
Route 1 Box 236  
Aberdeen, Idaho

32288

April 7, 1965

Re: Permit No. G-32288  
Behrend Farms, Inc.

Mr. Jay H. Stout,  
Attorney at Law,  
P. O. Box 688,  
Blackfoot, Idaho.

Dear Mr. Stout:

We enclose Permit No. G-32288 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-9166 which was issued covering payment in the amount of \$ 6.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

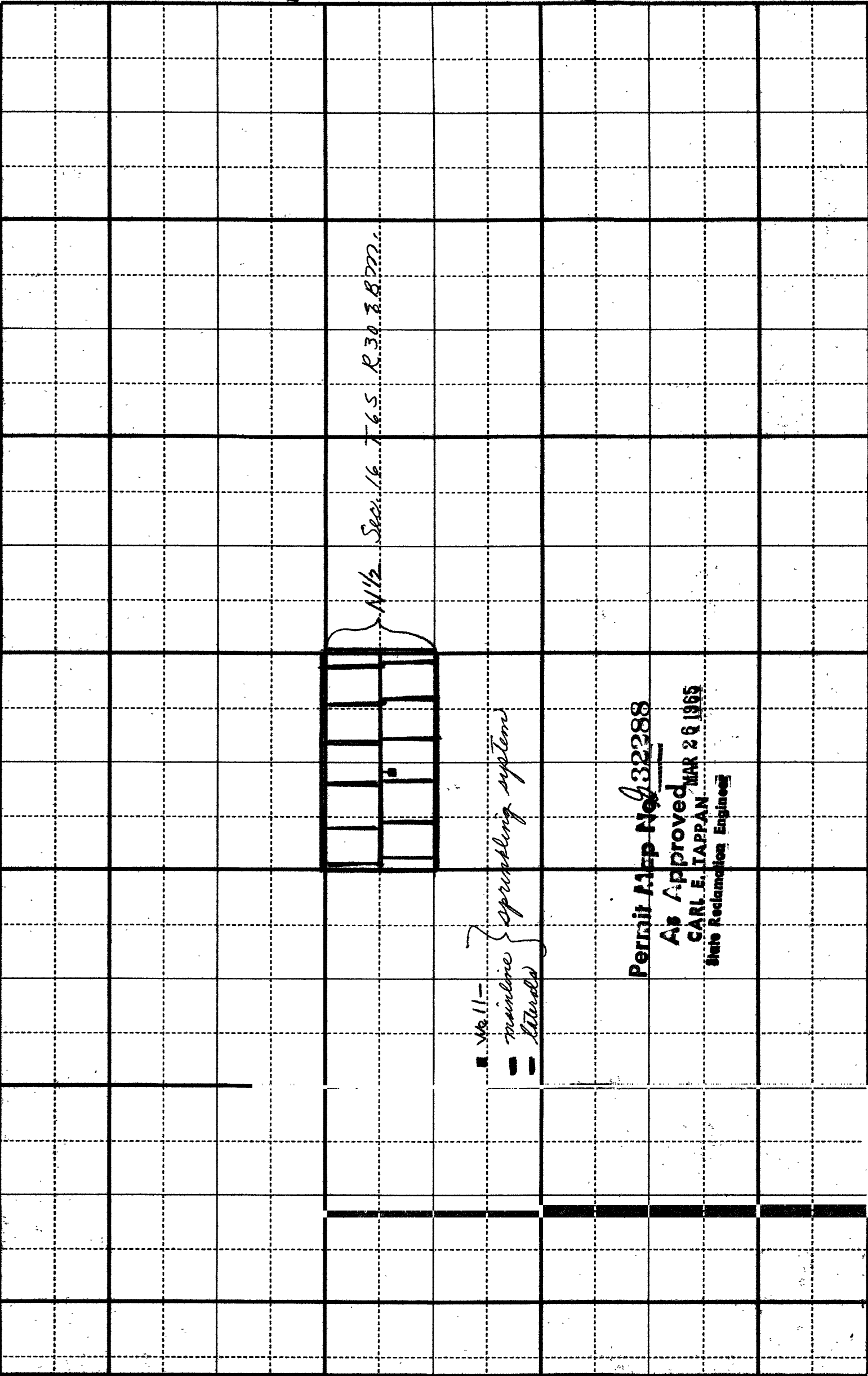
(MRS.) EDNA P. RULE  
Chief Clerk

Encl.

EPR:pmk

cc: Behrend Farms, Inc.,  
Rt. 1,  
Aberdeen, Idaho

B 32288



Permit Map No. 32288

As Approved MAR 26 1965  
CARL E. TAPPAN  
State Reclamation Engineer

TELEPHONE 785-1940

*Jay H. Stout*  
ATTORNEY AND COUNSELOR AT LAW  
145 WEST IDAHO  
BLACKFOOT, IDAHO 83221  
March 19, 1965

BOX 688

RECEIVED  
MAR 22 1965

Department of Reclamation

State Reclamation Engineer  
Department of Reclamation  
Capitol Building  
Boise, Idaho

In re: Application For Permit To Appropriate  
Subterranean Water - Behrend Farms,  
Incorporated, Our File No. X-1256-3

Dear Sir:

You will find enclosed herewith, in duplicate, Application  
For a Permit to Appropriate The Subterranean Waters of the  
State of Idaho on behalf of Behrend Farms, Incorporated.

In addition, you will find enclosed herewith my Trust Account  
check No. 1098 in the amount of \$6.00 to pay for the Appli-  
cation fee for the Permit.

I believe you will find the Application in order, but if there  
are any other questions or information you need, please notify  
me and I shall forward the same promptly.

You will note from the Application, and the remarks contained  
on the Application, that the well has already been dug by the  
predecessor in interest of Behrend Farms, Incorporated, but we  
do desire to secure the issuance of the statutory Permit in  
accordance with Title 42, Chapter 2 of the Idaho Code.

In view of the fact that the well has already been put to use,  
upon the approval of the Application and issuance of the Permit  
by your office, would you please send the necessary forms in  
respect to setting of time and place and naming of Notary before  
whom proof is to be given.

I would appreciate your sending me some extra forms of Forms  
No. 36 and No. 11 used in the preparation of the publication  
and setting of hearing. *Sent*

Upon your sending notice of the taking of proof to the newspaper,  
will you also send me the forms of Deposition to be executed by  
the Permit holder and his witnesses.

832288

State Reclamation Engineer

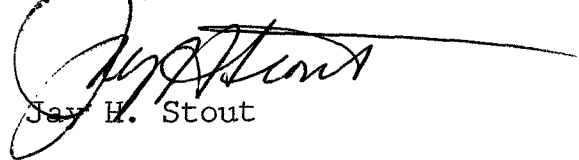
-2-

March 19, 1965

If you have any questions concerning the enclosed Application, would you please call me collect at Blackfoot, 785-1940.

Thank you very much.

Yours very truly,



Jay H. Stout

JHS:hm

Encs. (Check)

cc: Mr. Charles M. Behrend, President  
Behrend Farms, Incorporated

Mr. B. G. Miller, Chairman  
Board of Directors, Farm Development, Corp.

Mr. Bill Reser

§ 32288