

RECEIVED

JUN 2 1982

Department of Water Resources
Eastern District Office

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 35-7223 &
T 1817/35-2710**

Notice is hereby given that Twigg Farms, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the Point of Diversion of groundwater. The rights sought to be changed are evidenced by License No. 35-7223, and T 1817/35-2710 issued by the Idaho Department of

Water Resources recorded as follows:
35-7223 — AMOUNT: 0.34 CFS —
PRIORITY: 4/11/1972
T 1817/35-2710 — AMOUNT:
1.94 CFS — PRIORITY: 4/16/1962
LICENSED POINT OF DIVERSION:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E,
B.M. Bingham County.

The water is used to irrigate 97 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$~~ , SE $\frac{1}{4}$ SE $\frac{1}{4}$, under T 1817/35-2710 and 17 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E under License No. 35-7223.

**TO BE CHANGED
AS FOLLOWS:**

The water will be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E, B.M. for the irrigation of those lands described.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 8, 1982.

A. KENNETH DUNN
Director

(7336)
Pub.: 5-20, 27

45

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho David Mark Brown)

I, _____ do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of general
circulation published each day except Sunday at
Blackfoot, Bingham County, Idaho, said newspaper hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions 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: Thursdays
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 issue or said
newspaper two consecutive 2 weeks

the first publication having been made on the
20th day of May, 19 82,

and the last publication having been made on the
27th day of May, 19 82;
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.

Subscribed and sworn to before me this 28th
day of May, 19 82.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

MICROFILMED

AUG 1 1972

Department of Water Administration
Eastern District Office

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 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 ...2... consecutive
weeks, the first publication having been made on
the 13th day of July, 1972,
and the last publication having been made on the
...20th day of July, 1972; 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.

Subscribed and sworn to before me this ...20th...
day of ...July..., 1972...

Randy Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Nov. 10, 1972

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 35-2710

Notice is hereby given that
Jerry T. Twiggs of Route 2, Box
275, Blackfoot, Idaho, has
applied to the Department of
Water Administration for a
change of the place of use of the
waters of a ground water
source. The right sought to be
changed is evidenced by
License No. 35-2710 and is
recorded as follows. Amount:
1.94 cfs. Priority: April 16, 1962.
Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 8, Twp. 3 S, Rge. 34 E,
B.M., Bingham County. The
water is used for irrigation
purposes from March 15 to Nov.
15 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge.
34E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for
irrigation purposes within the
W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8,
Twp. 3 S, Rge. 34 E, B.M.

Any protests against ap-
proval of the proposed change
of water right application must
be filed with the Department of
Water Administration,
Statehouse, Annex No. 2, Boise,
Idaho, on or before July 31,
1972.

R. KEITH HIGGINSON
Director

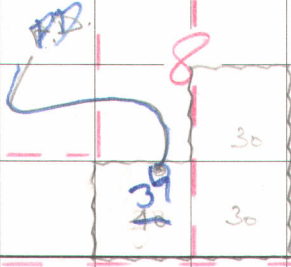
Published in the Blackfoot
News, Blackfoot, Idaho, on July
13 and July 20, 1972.

(3145)
Pub.: 7-13, 20

Rge. 34E

To Blackfoot

Trwp. 38.



30

67

100 ACRES
97

AREA - 97
~~100~~ ACRES

SUBD - 3

Q - 1.94
~~2.0~~ c. f. s.



RECEIVED
MAY 15 1967

Department of Reclamation

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

Notice is hereby given that on the 4th day of April, 1967, at Blackfoot, County of Bingham, State of Idaho before H. William Furchner, Notary Public, at (address) 178 W. Judicial, proof will be submitted of the completion of works for the diversion of 2 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 30456, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glen E. Kirkpatrick, Route 2, Blackfoot, 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 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 2 cubic feet per second.

4. The point of diversion of said water is SE1/4 SW1/4, Sec. 8, Twp. 3 South, Rge. 34, EBM.

5. The place where said water is used is SE1/4 SW1/4, W1/2 SE1/4 Sec. 8, Twp. 3 South, Rge. 34, EBM.

6. The date of priority which said user is prepared to establish is April 16, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
March 3, 10, 17 and 24
(282)

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 3rd day of March, 1967,

and the last publication having been made on the

24th day of MARCH, 1967; 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 24th

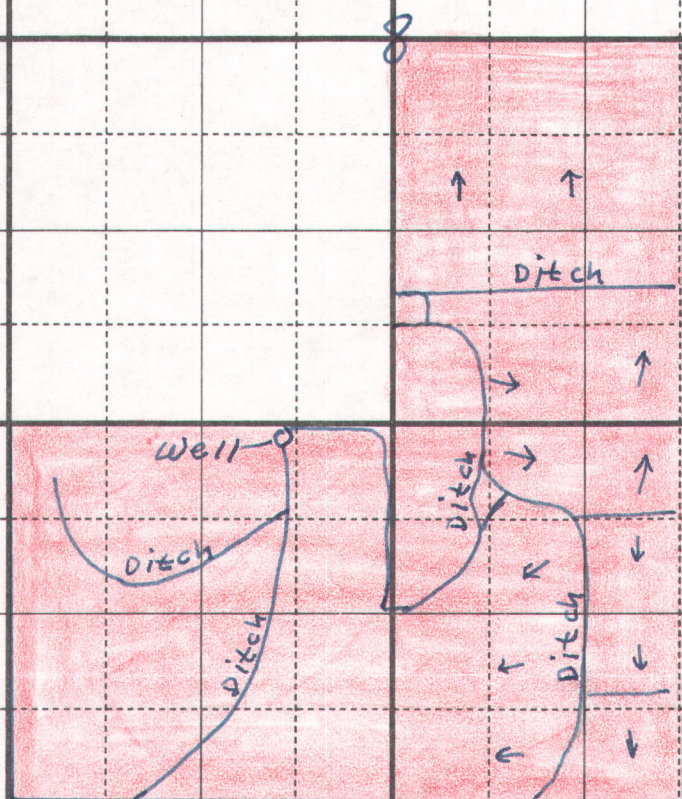
day of March, 1967

Sharon L. Olson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

30456

PLAT OF PORTION OF					
SECTION EIGHT, TOWNSHIP THREE SOUTH,					
RANGE THIRTY-FOUR, EAST OF BOISE MERIDIAN, IN IDAHO.					

Permit Map No. ⁹30456

As Approved

GEORGE N. CARTER
State Reclamation Engineer

APR 20 1962

Transfer No. 2694
Water Right No. 35-7223
T1817/35-2710

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use **APPROVED**

Name of applicant Twiggs Farms Phone 684-4090
Post Office address Rt. #5, Box 354, Blackfoot, ID 83221

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
35-7223, T 1817/35-2710 (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Purchased ground that #35-2710 is appurtenant

3. Source of water groundwater tributary to _____
4. Date of priority 35-7223 - 4/11/1972; T 1817/35-2710 - 4/16/1962

5. Water is used for the following purposes:

35-7223 amount 0.34 cfs for irrigation purposes from 3/15 to 11/15
T 1817/
35-2710 amount 1.94 cfs for " purposes from " to "
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.28 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8
Township 3S Range 34E, B.M., in Bingham County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
T 1817/	35-27	10														30	30	37	97
3S	34E	8																	
35-7223																			
3S	34E	8													9	8		17	

Total number of acres to be irrigated 114

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No
If yes, describe in item D, REMARKS.

omit part B).

b. _____ acre feet per annum

b. _____ acre feet per annum

_____, B.M., _____ Range

3. Place of use:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%			
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%
TOTALS			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%

Total number of acres to be irrigated

1. General Information

b Description of diverging works deep well] electric motor and pump

b. ~~Description of diverting works — deep well, electric motor and pump~~

c. Describe the reasons for the proposed changes The well in use sanded

in. A new well was drilled to replace the old well.

2. Change in point of diversion

Point of diversion

Range 34E

Additional points

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water

right which limit your authority to make the proposed change? Yes _____ No _____ If yes, provide _____

a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

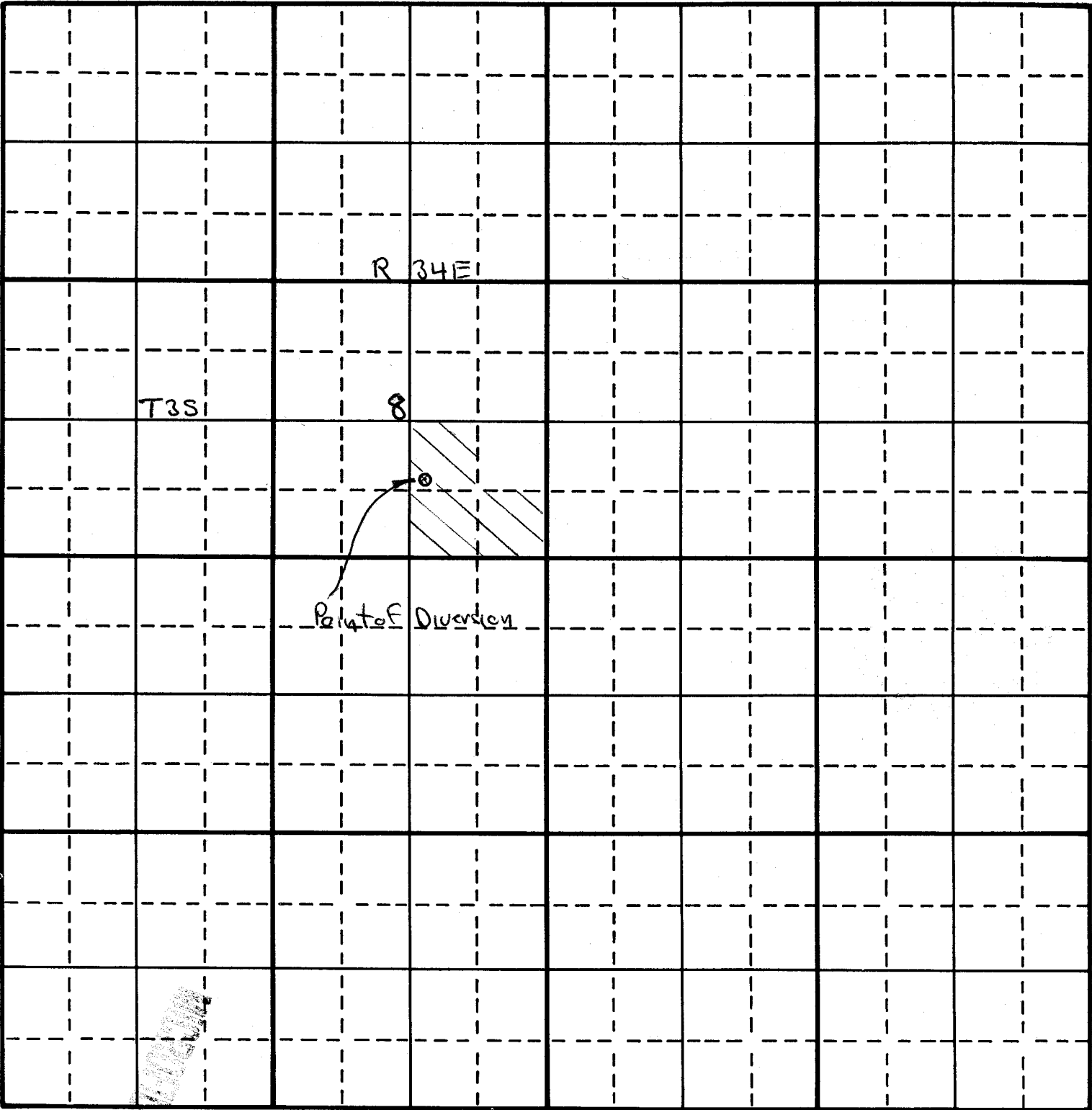
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands of place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 23rd day of April, 19 82

My commission expires April 18, 1983

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2710 and 35-7223 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 8th day of November, 19 82

J. Allen Bayless
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Assisted by HWT
Received by WJ
Prelim. check by KW
Received by BP
Date 5-06-82 Fee \$50.00
Date 5-10-82 # 20050
Published in Blackfoot Journal
Pub. dates May 20 & 27, 1982
Watermaster recommendation requested on NA
rec'd. _____

Copies of protest forwarded by _____
Hearing held by _____
Recommended for approval by WJC Jim Dea
denial _____

WARRANTY DEED

168269

For Value Received GLEN E. KIRKPATRICK and ORAL C. KIRKPATRICK, husband and wife,

the grantor s , do hereby grant, bargain, sell, and convey unto JERRY T. TWIGGS and SANDRA D. TWIGGS, husband and wife,

the grantee s , the following described premises, to-wit:

A portion of the $W\frac{1}{2}SE\frac{1}{4}$ of Section 8, T. 3 S., R. 34 E.B.M., Bingham County, Idaho, described as:

Beginning at the NW corner of the $SE\frac{1}{4}$ of said Section 8; thence E. 60 rods; thence S. 160 rods; thence W. 60 rods; thence N. 160 rods to the place of beginning.

TOGETHER With an easement for a pump, well and main-line located in the $SE\frac{1}{4}SW\frac{1}{4}$ of said Section 8, more particularly described as follows:

Beginning at the NW corner of the $SW\frac{1}{4}SE\frac{1}{4}$ of said Section 8; thence 365 feet W.; thence 30 feet S.; thence 25 feet E.; thence 10 feet N.; thence 340 feet E; thence 20 feet N., to the place of beginning.

Subject to a Real Estate Mortgage of even date herewith, executed by Grantees herein in favor of Grantors.

Together with 60 shares of the capital stock of Peoples Canal and Irrigation Co., a pump, motor and well, and the right to 1.94 c.f.s. of water as evidenced by Water License No. G-30456.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s , that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated:

February 17, 1972



Glen E. Kirkpatrick
Oral Kirkpatrick

STATE OF IDAHO, COUNTY OF Bingham
On this 13th day of February, 19 72.

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at

159360

Warranty Deed

THIS INDENTURE, Made this 3rd day of February
in the year of our Lord One Thousand Nine Hundred and Seventy One, between
DEAN GOODWIN and SUSAN GOODWIN, husband and wife,
of _____, County of _____, State of _____
the parties of the first part, and JERRY TWIGGS

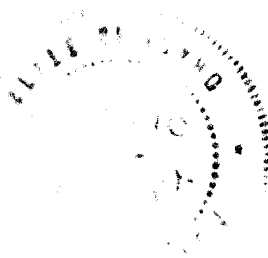
of _____, County of Bingham, State of Idaho
the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
ONE AND NO/100- - - - - (\$1.00)-DOLLARS,
lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party
of the second part, and to his heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Bingham State of Idaho, bounded
and more particularly described as follows, to-wit:

The North Ten acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section Eight (8),
Township Three (3) South, Range Thirty-four (34),
East of the Boise Meridian, known as Tax Number 509,
as more fully appears in the records of Bingham County,
State of Idaho, and situated in Bingham County, State
of Idaho.

Together with all water, water rights, ditches and ditch
rights-of-way appurtenant thereto, including but not
limited to, all rights evidenced by share certificates
in the Watson Slough Ditch Company and Watson Slough
Irrigation Company.



NO _____
BINGHAM COUNTY, IDAHO
GRACE H. HENDERSON

71 Mar 1 AM 11 17

OFFICIAL RECORDS / 0
FEE 2.00 REPLY SH
RECORDED AT REQUEST OF
SHERIFF

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said party of the second part, and to his heirs and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said party of the second part his heirs and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seal the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Dean Goodwin [Seal]

Susan Goodwin [Seal]

[Seal]

[Seal]

STATE OF IDAHO,
County of Bingham

SS.

On this 3rd day of February in the year 19 71, before me
the undersigned, a Notary Public in and for said County and State, personally appeared
DEAN GOODWIN and SUSAN GOODWIN, husband and wife,

known to me to

be the person S whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

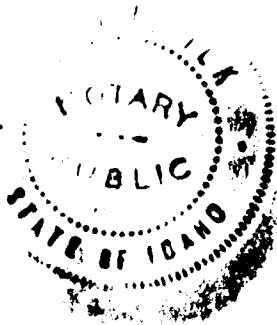
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first
above written.

Paul L. Zich

Notary Public.

Residence and P. O. Address Blackfoot, Idaho

My cmn exprs; 1-16 72



159360

WARRANTY DEED

TO

Dated _____, 19__

STATE OF IDAHO,

County of _____ } ss.

I hereby certify that this instrument was filed for
record at the request of

at _____ minutes past _____

o'clock _____ M., this _____ day

of _____, A. D. 19__

in my office and duly recorded in Book _____

of Deeds at page _____

Ex-Officio Recorder.

By _____ Deputy.

Fee, \$ _____

WARRANTY DEED

For Value Received EARL E. BROWN AND ETHEL L. BROWN, husband and wife,
of Route #2, Box 195, Blackfoot, Idaho

the grantor^s, do hereby grant, bargain, sell and convey unto JERRY T. TWIGGS, of Route
#2, Box 275, Blackfoot, Idaho.

the grantee, the following described premises, in Bingham County Idaho, to wit:

The East Half of the East Half of the West Half of the Southeast Quarter and the South Half of the Southeast Quarter of the Southeast Quarter, and the South Half of the North Half of the Southeast Quarter of the Southeast Quarter of Section 8, in Township 3 South, Range 34 East of the Boise Meridian, together with all hereditaments and appurtenances thereon located and belonging, including 98 Miners Inches of water in the Watson Slough and Duncan Lateral.

EXCEPTING THEREFROM, Commencing at the Southeast corner of Section 8, Township 3 South, Range 34, East of the Boise Meridian, thence North 330 feet; thence West 278 feet; thence South 330 feet; thence East 278 feet to the point of beginning, together with all tenements, hereditaments and appurtenances thereunto appertaining and belonging, and including two inches of water in the Watson Slough and Duncan Lateral.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances except rights of way and easements, reservations in federal patents and State Deeds, taxes and assessments from the first day of February, 1970, and thereafter, any liens or encumbrances assumed suffered or occasioned by the Grantee and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: Dec. 7, 1972

Earl E. Brown

Ethel L. Brown

STATE OF IDAHO, COUNTY OF Bingham
On this _____ day of _____, 19 72,
before me, a notary public in and for said State, personally
appeared EARL E. BROWN AND ETHEL L.
BROWN, husband and wife

known to me to be the person^s whose name^s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Don Williams
Residing at Blackfoot Notary Public
Comm. Expires 8/1/76, Idaho

RECEIVED

JUN 2 1982

Department of Water Resources
Eastern District Office

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 35-7223 &
T 1817/35-2710**

Notice is hereby given that Twiggs Farms, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the Point of Diversion of groundwater. The rights sought to be changed are evidenced by License No. 35-7223 & T 1817/35-2710 issued by the Department of

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PRIORITY: 4/11/1972
T 1817/35-2710 — AMOUNT:
1.94 CFS — PRIORITY: 4/16/1962
LICENSED POINT OF DIVERSION:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E,
B.M. Bingham County.

The water is used to irrigate 97 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, under T 1817/35-2710 and 17 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E under License No. 35-7223.

**TO BE CHANGED
AS FOLLOWS:**

The water will be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E, B.M. for the irrigation of those lands described.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 8, 1982.

A. KENNETH DUNN
Director

(7336)
Pub.: 5-20, 27

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AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho David Mark Brown)

I, _____ do
solemnly

swear that I am the Publisher of The Morning News which is a daily newspaper of general circulation published each day except 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: Thursdays 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 issue or said newspaper two consecutive weeks

the first publication having been made on the 20th day of May, 19 82,

and the last publication having been made on the 27th day of May, 19 82; 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.

Subscribed and sworn to before me this 28th

day of May, 19 82.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

RECORDED

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

MAY 31 1972

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Diversion of Water Administration

1. Name of Right Holder Jerry T. Twiggs
Post office address Route #2 - Box 275, Blackfoot, Idaho

2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.

b. License No. 35-2710 issued by the State of Idaho, Department of Reclamation.

3. Source of water Groundwater tributary to _____
(Name of stream or source)

4. Date of Priority April 16, 1962

5. Amount of water a. 1.94 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for irrigation from March 15 to Nov. 15
(Month, Day) (Month, Day)

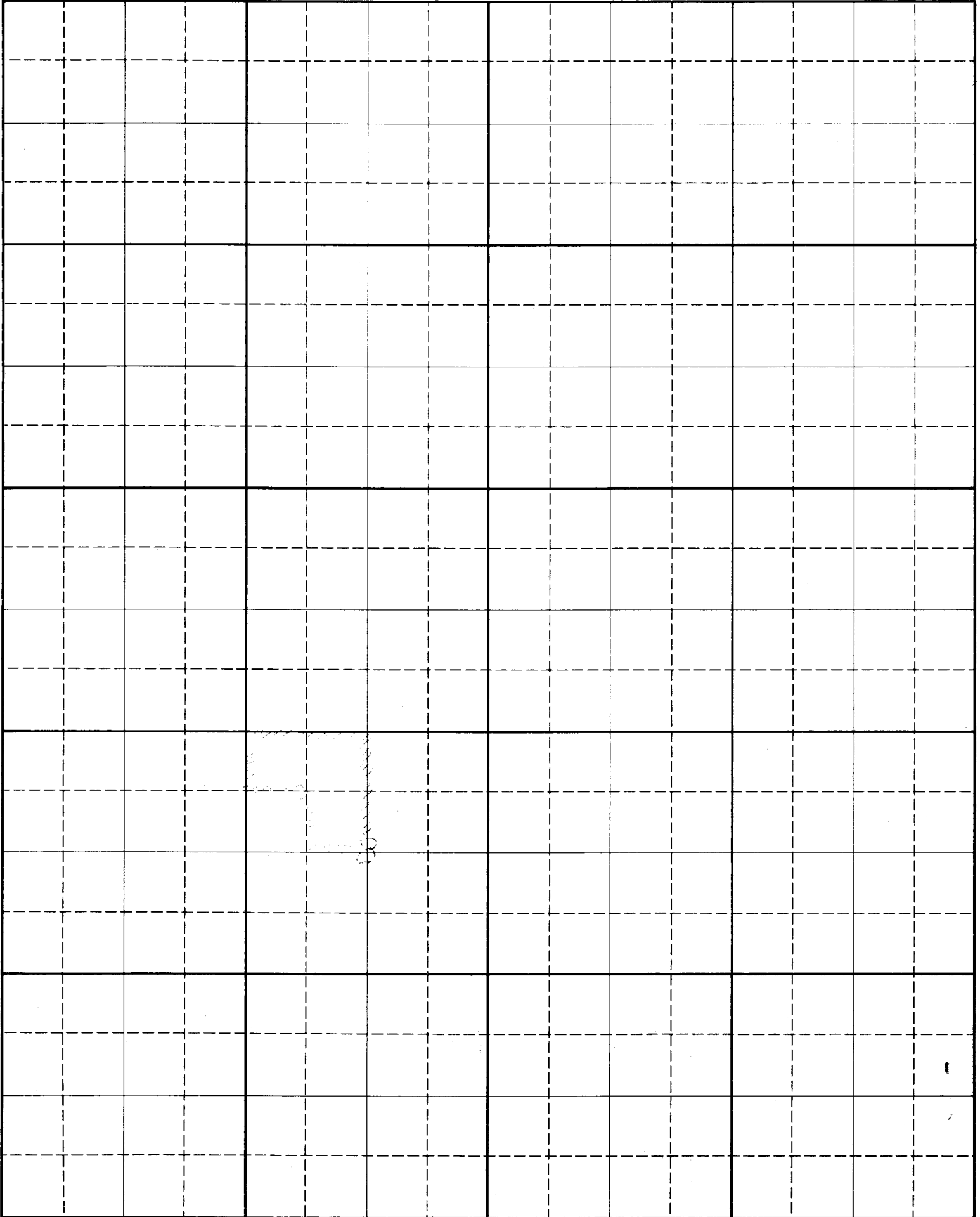
7. Original location of point of diversion is SE 1/4 SW 1/4 of Section 8,
Township 3S, Range 34E, B.M., in Bingham County;
Additional points of diversion, if any _____

8. Lands presently irrigated or 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	
3S	34E	8											37			30	30		97

Total number of acres presently irrigated 97

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



9. If applicant was not the original holder of this right explain how it was acquired: Present holder has purchased the land with the water right.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: _____ ¼ _____ ¼, Section _____, Township _____, Range _____, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____
- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3S	34E	8														30	30	37	97

Total number of acres to be irrigated 97

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans: Water is being removed from the SE 1/4 of Sec. 8 and transferred to the SE 1/4 of Sec. 8, T. 35, R. 34E, B.M.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion. _____

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

(signature of applicant) [Signature] day of April, 1972
(notary public) [Signature]

My commission expires Feb 1 1974

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2710 and said application is hereby **APPROVED**

1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 28 day of October, 19 72

Director [Signature]
[Signature] State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 5-31-72
Prelim. check by [Signature] Date 6-8-1972
Fee received by [Signature] Date 6-8-72 Fee \$ 300

Approved for publication by _____

Published in Blackfoot News Dates July 13+20-1972

Hearing held _____

Watermaster Recommendation sent _____

WARRANTY DEED

168269

For Value Received GLEN E. KIRKPATRICK and ORAL C. KIRKPATRICK, husband and wife,

the grantor s , do hereby grant, bargain, sell, and convey unto JERRY T. TWIGGS and SANDRA D. TWIGGS, husband and wife,

the grantee s , the following described premises, to-wit:

A portion of the $W\frac{1}{2}SE\frac{1}{4}$ of Section 8, T. 3 S., R. 34 E.B.M., Bingham County, Idaho, described as:

Beginning at the NW corner of the $SE\frac{1}{4}$ of said Section 8; thence E. 60 rods; thence S. 160 rods; thence W. 60 rods; thence N. 160 rods to the place of beginning.

TOGETHER With an easement for a pump, well and main-line located in the $SE\frac{1}{4}SW\frac{1}{4}$ of said Section 8, more particularly described as follows:

Beginning at the NW corner of the $SW\frac{1}{4}SE\frac{1}{4}$ of said Section 8; thence 365 feet W.; thence 30 feet S.; thence 25 feet E.; thence 10 feet N.; thence 340 feet E; thence 20 feet N., to the place of beginning.

Subject to a Real Estate Mortgage of even date herewith, executed by Grantees herein in favor of Grantors.

Together with 60 shares of the capital stock of Peoples Canal and Irrigation Co., a pump, motor and well, and the right to 1.94 c.f.s. of water as evidenced by Water License No. G-30456.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s , that they are the owner s in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated:

February 17, 1972

Glen E. Kirkpatrick
Oral Kirkpatrick

STATE OF IDAHO, COUNTY OF Bingham
On this 13th day of ~~February~~ ^{March}, 19 72,
before me, a notary public in and for said State, personally
appeared GLEN E. KIRKPATRICK and ORAL
C. KIRKPATRICK, husband wife,

known to me to be the person s whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public
Blackfoot, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Volume _____
of the Official Records.

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to _____

INSTRUMENT No.

168269

AUG 1 1972

Department of Water Administration
Eastern District Office

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 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 ...2... consecutive
weeks, the first publication having been made on
the ...13th... day of July..., 19...72...

and the last publication having been made on the
...20th... day of July..., 19...72..; 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.

Subscribed and sworn to before me this ...20th...
day of ...July..., 19...72...

[Signature]
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Nov. 10, 1972

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 35-2710

Notice is hereby given that
Jerry T. Twiggs of Route 2, Box
275, Blackfoot, Idaho, has
applied to the Department of
Water Administration for a
change of the place of use of the
waters of a ground water
source. The right sought to be
changed is evidenced by
License No. 35-2710 and is
recorded as follows. Amount:
1.94 cfs. Priority: April 16, 1962.
Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 8, Twp. 3 S, Rge. 34 E,
B.M., Bingham County. The
water is used for irrigation
purposes from March 15 to Nov.
15 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge.
34E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for
irrigation purposes within the
W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8,
Twp. 3 S, Rge. 34 E, B.M.

Any protests against ap-
proval of the proposed change
of water right application must
be filed with the Department of
Water Administration,
Statehouse, Annex No. 2, Boise,
Idaho, on or before July 31,
1972.

R. KEITH HIGGINSON
Director

Published in the Blackfoot
News, Blackfoot, Idaho, on July
13 and July 20, 1972.

(3145)
Pub.: 7-13, 20

State of Idaho

License and Certificate of Water Right

Water License No. G-30456 Priority April 16, 1962 Amount 1.94 c.f.s.THIS IS TO CERTIFY that GLEN E. KIRKPATRICK

of Blackfoot, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 16, 1962; that Permit No. G-30456 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.94 second feet, was issued thereunder on February 7, 1968, showing that said works were completed on the 4 day of April, 1967; and that on the 4 day of April, 1967 GLEN E. KIRKPATRICK

of Blackfoot, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-30456 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in ~~Volume~~ of Licenses at Page, on the 7 day of February, 1968.

The right hereby confirmed dates from April 16, 1962.

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 8, Twp. 3 S, R. 34 E, B.M. Bingham County.

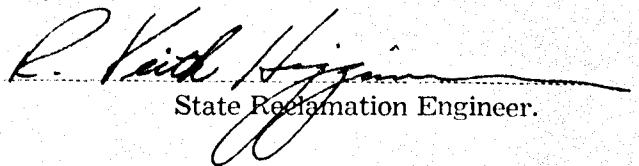
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.94 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract		No. Acres Described In Permit	No. Acres Actually Irrigated
3 S	34 E	8	SE $\frac{1}{4}$	SW $\frac{1}{4}$	40	37
			NW $\frac{1}{4}$	SE $\frac{1}{4}$	30	30
			SW $\frac{1}{4}$	SE $\frac{1}{4}$	30	30
			Total number acres irrigated:			

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 7 day of February, 1968.


State Reclamation Engineer.

35 2710

30456

H. William Furchner
Attorney at Law
Blackfoot, Idaho

35-2710

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38522
Permit No. G- 30456
District No.

1. Name of Applicant: Glen E. Kirkpatrick
Postoffice address: R #2, Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed: 100 miner inches or 2.0 cu.ft. per sec.
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 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 SW 1/4 of Section 8
Twp. 3 S, Rge. 34 E, B.M., County of Bingham
5. Water is to be used for: Irrigating 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: Irrigation well, electric motor and pump
8. Estimated cost of works: \$ 6,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 2.0 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

s/ Glen E. Kirkpatrick Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:30 A.M. April 16, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30456

Recorded in Book 107 Page 30456 Approved April 20, 1962

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

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

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

One-fifth of the work above specified to be completed on or before October 20, 1964

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 April 20, 1967

Witness my hand this 20th day of April, 1962

s/ CARL E. TAPPAN
Assistant STATE RECLAMATION ENGINEER.

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 20th day of April, 19 62

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

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	
3 South	34 E	8											40		30	30			100
PERMIT NO. G-30456 ✓ CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that GLEN E. KIRKPATRICK of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. G-30456, issued upon Application No. G-38522 bearing date of priority of April 16, 1962, authorizing the diversion of 2.0 second feet of waters of a well County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.94 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in the SE 1/4 SW 1/4 Section 8, Township 3 South, Range 34 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: W 1/2 SE 1/4, SE 1/4 SW 1/4, Section 8, Township 3 South, Range 34 East, Boise Meridian.																			
Proof of Completion of Works made: April 4, 1967																			
Witness my hand this 7 day of February, A.D. 1968																			
															S/ R. KEITH HIGGINSON State Reclamation Engineer				
															LICENSE ISSUED FOR 1.94 SEC. FT. LICENSE PAG: NO. 30456				

November 9, 1982

RE: Water Right Nos. 35-2710 and 35-7223

Twiggs Farms
Route #5, Box 354
Blackfoot, ID 83221

Gentlemen:

Enclosed is a copy of your approved application for transfer of the above referenced water rights (Transfer No. 2694).

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

NOV 11 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: K.C. Wilson

1. Right number 35-7223
T 1817 / 35-2710 Applicant Twiggs Farms
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

- ok (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- ok (b) ☒ Description of original point of diversion.
- ok (c) ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- ok (a) ☒ All of right.
- N/A b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- ok (c) ☒ Check description of point(s) of diversion.
- ok (d) ☒ Check description of place of use. No change
- ok (e) ☒ Check map (shows p.d. and p.u. after transfer).
- ok (f) ☒ Check for correct signature, notarization, and fee.
- ok (g) ☒ Check proof of ownership of right &/or land from which water is transferred.
- ok (h) ☒ Check for expansion in use of right. Comments NONE

N/A (i) ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) N/A - No change in P/u

(j) ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECEIVED
JUN 10 1982

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions: The rate of diversion of water for irrigation under this license and all other water rights on the same land shall not exceed 0.02 cfs. for each acre of land.

4. By Ernest Calam Date June 5, 1982
June 10-29-82 - NO SPECIAL CONDITIONS REQUIRED.

* All uses within Watermaster Districts require special conditions.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 35-7223 & T 1817/35-2710

Notice is hereby given that Twiggs Farms, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the Point of Diversion of groundwater. The rights sought to be changed are evidenced by License No. 35-7223, and T 1817/35-2710 issued by the Idaho Department of Water Resources recorded as follows:

35-7223 AMOUNT: 0.34 cfs PRIORITY: 4/11/1972

T 1817/35-2710 AMOUNT: 1.94 cfs PRIORITY: 4/16/1962

LICENSED POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E
B.M. Bingham County

The water is used to irrigate 97 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, under T 1817/35-2710 and 17 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E under License No. 35-7223

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3S, R. 34E, B.M. for the irrigation of those lands described.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 8, 1982.

A. Kenneth Dunn

Director

Published in the Blackfoot News, Blackfoot, Idaho, on May 20 and May 27, 1982



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

RECEIVED

MAY 6 1982

Department of Water Resources
Eastern District Office

April 8, 1982

Twiggs Farms
Rt. #5, Box 354
Blackfoot, ID 83221

Dear Mr. Twiggs:

Enclosed you will find your application for transfer, warranty deed copy, check No. 92-241 for \$50.00 and a newly typed application.

If feel the new application has some necessary information added to it. Please review the application and if all seems correct, sign and have the document notarized. You may then resubmit the new application, warranty deed, and \$50.00 fee to this office.

Sincerely,

Harold W. Jones

HAROLD W. JONES
Sr. Resource Agent

HWJ:cw

Enclosures

Attachment: Check No. 92-241



October 30, 1972

Re: Transfer No. 35-2710

Mr. Jerry T. Twiggs
Route 2 - Box 275
Blackfoot, Idaho 83221

Dear Mr. Twiggs:

Enclosed is a copy of your approved Application for Transfer of Water Right No. 35-2710.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed upon this transfer. We have enclosed a letter describing different types of measuring devices accepted by this Department.

Also enclosed is departmental receipt No. 9322 in the amount of \$30.00 covering the transfer filing fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of transfer
Information letter
Receipt #9322

bc: Eastern District Office

35 2710

August 18, 1972

Re: Transfer 35-2710

Jerry T. Twiggs
Route #2
Box 275
Blackfoot, Idaho

Dear Mr. Twiggs:

The Department has processed your Application for Transfer. Before final action is taken on your transfer request, we must have evidence that you own the water right in question. This evidence could be in the form of a deed which you received when you purchased the property or a contract of purchase.

Your immediate attention in this matter is appreciated.

Yours very truly,

Donald W. McEldowney
Water Rights Supervisor

DWM:cd

35 2710

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 35-2710**

Notice is hereby given that Jerry T. Twiggs of Route 2, Box 275, Blackfoot, Idaho, has applied to the Department of Water Administration for a change of the place of use of the waters of a ground water source. The right sought to be changed is evidenced by License No. 35-2710 and is recorded as follows. Amount: 1.94 cfs. Priority: April 16, 1962. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge. 34 E, B.M., Bingham County. The water is used for irrigation purposes from March 15 to Nov. 15 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge. 34 E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be used for irrigation purposes within the W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge. 34 E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2, Boise, Idaho, on or before July 31, 1972.

R. KEITH HIGGINSON
Director

Published in the Blackfoot News, Blackfoot, Idaho, on July 13 and July 20, 1972.
(3145)
Pub.: 7-13, 20

July 7, 1972

Re: Transfer Application No. 35-2710 - Jerry T. Twiggs

Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid. "

(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

Bill submitted 7-7-72 by DR

BDF:DR
Enc: Legal notice

35 2710

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 35-2710

Notice is hereby given that Jerry T. Twiggs
of Route 2 - Box 275, Blackfoot, Idaho, has applied to the Department of Water
Administration for a change of the place of use of the waters of
a ground water source

The right sought to be changed is evidenced by License No. 35-2710
and is recorded as follows.

Amount: 1.94 cfs Priority: April 16, 1962 Point of
Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge. 34 E, B.M., Bingham County

The water is used for irrigation purposes from March 15 to
Nov. 15 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge. 34 E, B.M.

TO BE CHANGED AS FOLLOWS

~~Amount~~ ~~Point of Diversion~~
The water will be used for irrigation purposes within the
W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, Twp. 3 S, Rge. 34 E, B.M.

Any protests against approval of the proposed change of water right application
must be filed with the Department of Water Administration, Statehouse, Annex #2,
Boise, Idaho, on or before July 31, 1972.

R. KEITH HIGGINSON
Director

Published in the Blackfoot News, Blackfoot, Idaho, on
July 13 and July 20, 1972

35 2710

June 2, 1972

Jerry T. Twiggs
Route #2, Box 275
Blackfoot, Idaho 83221

Dear Mr. Twiggs:

We are returning your application for transfer of water right. The transfer appears to be in order; however, before we can accept it, we will require a filing fee in the amount of \$30.

Your cooperation in this matter is appreciated, and if you have any questions, please feel free to contact us.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor
State Office

DWM:CR

Enc: Application for Transfer

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that GLEN E. KIRKPATRICK
 of Blackfoot , County of Bingham , and State of
 Idaho , the holder of Permit No. G-30456 , issued upon
 Application No. G-38522 bearing date of priority of ... April 16, 1962 , authorizing the
 diversion of 2.0 second feet of waters of ... a well

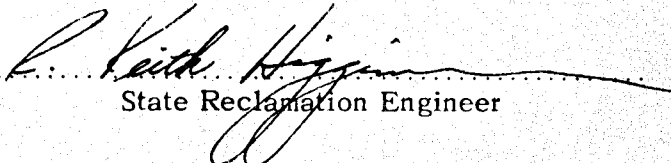
County of Bingham , State of Idaho, for Irrigation
 purposes, ha. S fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 1.94 second feet of the waters of a well, from subterranean
 flow, ...

that the point of diversion of said waters ... is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township
 3 South, Range 34 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 3 South, Range ..
 34 East, Boise Meridian.

..... Proof of Completion of Works made: April 4, 1967

Witness my hand this 7 day of February , A. D. 19 .. 68 ..


 State Reclamation Engineer

February 8, 1968

Re: Permit No. G-30456

Glen E. Kirkpatrick
Route 2
Blackfoot, Idaho 83221

Dear Mr. Kirkpatrick:

Enclosed are your **Certificate of Completion of Works and License and Certificate of Water Right** on the above numbered permit.

Also enclosed is departmental receipt No. 33984 in the amount of \$11.00 covering the fees.

Very truly yours,

**C. Stephen Allred, Assistant
State Reclamation Engineer**

CSA:kd

Enclosures: Certificates
Receipt

cc. **H. William Furchner**
Attorney at Law
Blackfoot, Idaho 83221

30456

LAW OFFICES
FURCHNER, ANDERSON & BEEBE
178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
J. BLAINE ANDERSON
ARNOLD T. BEEBE
DWAINE H. STUFFLEBEAM

AREA CODE 208
785-0840
785-2310
P.O. BOX 752

September 14, 1967

Mr. R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho 83701

Re: PERMIT NO. G-30456
Glen E. Kirkpatrick

Dear Mr. Higginson:

We enclose the check of Mr. Glen E. Kirkpatrick
in the amount of \$11.00 for issuance of the license on the
above-numbered water permit.

Please send the license to me when it is issued
for delivery to Mr. Kirkpatrick.

Very truly yours,

FURCHNER, ANDERSON & BEEBE

H. William Furchner

Ec. (1)

HWF:ec
Encl.

RECEIVED

SEP 15 1967

Department

RECEIVED

30456

30456

August 23, 1967

Re: Permit G-30456
Glen E. Kirkpatrick

H. William Furchner
Attorney at Law
Blackfoot, Idaho 83221

Dear Mr. Furchner:

A representative of this department has made an examination of the works covered by your permit G-30456 and has found the following:

Quantity of water diverted: 3.12 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.94 c.f.s.

Purpose of use: Irrigation of 97 acres in SE 1/4 SW 1/4, W 1/4 SE 1/4, Sec. 8, T. 3 S, R. 34 E, B.M.

The priority date established is: April 16, 1962.

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CBA:mv

D
See ins't on
letter 9-14-67
Dell

30456

August 23, 1967

Re: Permit G-30456
Glen E. Kirkpatrick

H. William Furchner
Attorney at Law
Blackfoot, Idaho 83221

Dear Mr. Furchner:

A representative of this department has made an examination of the works covered by your permit G-30456 and has found the following:

Quantity of water diverted: 3.12 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.84 c.f.s.

Purpose of use: irrigation of 97 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 8, T. 3 S, R. 34 E, B.M.

The priority date established is: April 16, 1962.

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CEAmw

30456

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30456

REPORT ON PROOF OF Completion of Works & Beneficial Use

M-14

E 112



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

Permit No. G-30456

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

1. Name of applicant Glen E. Kirkpatrick

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 SW 1/4 of Section 8

T. 3 S R. 34 E County of Bingham

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

20 H.P. G.E. MOTOR # VVI 728276
U.S. PUMP # 28412
8" DISCHARGE THROUGH METAL OUTLET
BOX AND EARTH DITCHES

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4 SW 1/4, W 1/2 SE 1/4, Sec. 8, T. 3 S, R. 34 E, B.M.

(100 acres)

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

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

Remarks:

COORDINATE METHOD NOT POSSIBLE.

SPARKING WATER USED.

1 REV 31 1/2 Sec } 3.12 c.f.s.
1 REV 32 Sec }

This examination was made on the 11 TH day of AUG, 1967

(Signed) Dean Reynolds
Examiner.

30456

DW
Plat V

Glen E. Kirkpatrick *Well*
Route 2 *16" X 176'*
Blackfoot, Idaho *4-40'*
Permit No. *0-100"* 6-30456

Examination for Comp. of Works & Beneficial Use

County Bingham

Quantity: 2.0 c.f.s. Sec. 8 T. 3S R. 34E

Source: Subterranean

P.D.: SE 1/4 SW 1/4, Sec. 8, T. 3 S, R. 34 E, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: April 16, 1962

Due: April 20, 1967

Made: April 4, 1967

Priority: April 16, 1962

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.

20 ft P G.C.

Serial # *US 728276*

US Pump

Serial # *28412*

8" DISCHARGE PIPES

METAL BOLTS

Box - *1/2" x 1/2"*

DITCHES

125" - 130"

May 18, 1967

Re: Permit No. G-30456

Glen E. Kirkpatrick
Route 2
Blackfoot, Idaho 83221

Dear Mr. Kirkpatrick:

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-30456.

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,

Donald W. McElowney
Water Rights Clerk

DWM:dj

30456

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30456

M. J.
RECEIVED
MAY 15 1967
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: GLEN E. KIRKPATRICK. I reside on Route 2, Blackfoot, Idaho. I am a farmer. My postoffice address is Route 2, Blackfoot, Idaho 83221.

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: Permit No. G-30456; approval date of permit: April 20, 1962; date of priority: April 16, 1962.

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

The point of diversion is in the Southeast quarter of the Southwest quarter of Section 8, Twp. 3 South, Rge. 34, East Boise Meridian, in Idaho.

Ques. 5. Describe your works of diversion: Irrigation well equipped with 20 h.p. electric motor and turbine pump and ditches for conveyance of water

_____; state amount of water they are capable of conveying from point of diversion to place of use: 100 miners inches, or 2 cfps, _____; 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 176 feet; depth and size of casing 125 feet deep, 16 inch; depth to water 40 feet; if pump is used, state discharge of pump: 100 inches; tell how it was measured or determined _____

Test on pump _____; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Section 8, Township 3 South, Range 34, East Boise Meridian:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40a; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30a; and SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30a.

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

None.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Doug Cushman Drilling Co., 445 Riverton Road, Blackfoot, 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:

Used for irrigation.

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: May, 1962, 100 inches - Time used since first use:

The water has been used for irrigation each year since the year 1962.

Ques. 10. Describe all other water rights appurtenant to same place of use: The undersigned holds certificates in Peoples Canal and Irrigation Company for 100 inches of canal water for the above lands. However, these lands are at the end of the distributing ditch and often the full amount of water does not reach the land. Also, approximately 70 acres of this land have a steep slope and require about 1½ inches of water per acre for proper irrigation.

(sign)

John E. Kirkpatrick

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 4th day of April, A. D. 1967.

My commission expires: January 31, 1970.

W. William Puvion
Notary Public for State of Idaho
Residing at Blackfoot, Idaho

RECEIVED
MAY 15 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G-30456

* * * * *

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:

E. L. Felsted, 76 years of age, residing on Route 4, Blackfoot, Idaho.

I am a farmer and contractor and my postoffice address is Route 4, Blackfoot, Idaho 83221.

Ques. 2 Are you acquainted with Glen E. Kirkpatrick, the holder of

Permit No. G-30456 ? How long have you known him and where does he reside?

I have known the permit holder 22 years, he resides on Route 4, Blackfoot, Bingham County, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30456 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean flow.

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 3 South, Range 34, East Boise Meridian, in Idaho.

Describe works for conveying water to place of use: The irrigation well is equipped with 20 hp electric motor and turbine pump. The water is conveyed through ditches to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2 cubic feet per second How much water have you seen being so conveyed? 2 cubic feet per second.

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

Section 8, Township 3 South, Range 34, East Boise Meridian, in Idaho:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres; and SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres.

30456

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

Water is used for irrigation.

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.

The land is lava ash and has steep slopes and requires about 1½ inches of water per acre for adequate irrigation.

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? May, 1962.

Other times you have seen such use: Each crop season since the year 1962.

(Signed):

E L Feksted

* * * * *

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 4th day of April, A. D. 1967.

William F. Linder

Notary Public for the State of Idaho

Residing Blackfoot, Idaho

My commission expires : January 31, 1970.

RECEIVED
MAY 15 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30456

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:

RAY W. DYER, I am sixty-three years of age and reside on Route 2, Blackfoot, Idaho. I am a farmer. My postoffice address is Route 2, Blackfoot, Idaho 83221.

Ques. 2 Are you acquainted with Glen E. Kirkpatrick, the holder of

Permit No. G-30456? How long have you known him and where does he reside? Yes. I have known Mr. Kirkpatrick for approximately twenty-five years, he resides on Route 4, Blackfoot, Bingham County, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30456 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean flow

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

Well is located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, Twp. 3 South, Rge. 34, EBM, in Idaho.

Describe works for conveying water to place of use: Irrigation well is equipped with 20 hp electric motor and turbine pump. Water is conveyed from the said well through ditches to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2 cubic feet per second How much water have you seen being so conveyed? 2 cubic feet per second.

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

Section 8, Township 3 South, Range 34, East Boise Meridian, in Bingham County, Idaho:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres; and SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres.

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

Water is used for irrigation purposes.

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.

Lava ash soil, land has steep slopes and requires about 1½ inches of water per acre for adequate irrigation.

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? During month of May, 1962.

Other times you have seen such use: Each crop season since the year 1962.

(Signed):

Ray W. Dyer

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 4th day of April, A. D. 1967.

William F. Farnham

Notary Public for the State of Idaho

Residing Blackfoot, Idaho

My commission expires : January 31, 1970

RECEIVED
MAY 15 1967

Department of Reclamation

NOTICE OF PROOF OF
COMPLETION OF WORKS

APPROVED WATER
TREATMENT

Not that on the at Blackfoot, Bingham, State of Idaho, William Furch at (address) will be submitted for completion of works on of 2 cubic feet per second, and of the beneficial use of the water in accordance with the provisions of Permit No. 10, heretofore issued by the Department of Reclamation, State of Idaho.

1. The postoffice address of the corporation is Glen E. King, Route 2, Blackfoot, Idaho.

2. Said diversion will be fully completed on the date for such completion and the amount of water the works are capable of diverting to the place of use is 2 cubic feet per second.

3. The said water has been used for irrigation purposes and amount applied to the place is 2 cubic feet per second.

4. The said diversion of said water is on W1/4, Sec. 8, Twp. 24N, R. 34, EBM.

5. The place where said water is used is on SW1/4, W1/2 SE1/4 Sec. 8, Twp. 24N, R. 34, EBM.

6. The date of the establishment of said user is April 16, 1967.

R. KEITH HIGGINSON
State Reclamation Engineer
March 3, 10, 17 and 24
(282)

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 3rd day of MARCH, 1967.

and the last publication having been made on the

24th day of MARCH, 1967; 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 24th

day of MARCH, 1967

Sharon L. Olson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

30456

M E M O

Re: Permit G-30479

It appears to the writer that there exists a possible error in the land list of this permit. It is noted the maps submitted with the original permit shows land in Secs. 8 and 9 both in T. 8 S, R. 25 E, B.M.; however, there is a possible typographical error on the copy of the permit that we keep, the permit page which shows T. 9 S, and 8 S. Due to this possible typographical error, there have been some errors or possible errors in the advertisement of this permit. When received, the notice of proof of completion of works and application of water to beneficial use form 36, showed all the lands to be located in T. 8 S, R. 25 E, in Secs. 8 and 9. However, because of the possible error on the back of the permit page, our staff changed this notice to show Sec. 9 as being in T. 9 S, R. 25 E, B.M. Therefore, at our hand this permit may have been advertised in error. If so, it will be necessary to readvertise the permit, changing the land list back to T. 8 S, R. 25 E, B.M. for both Secs. 8 and 9. The cost of this advertising, if the error is ours, will be borne by the Department of Reclamation. This error should be checked on in the field and brought to the attention of the water rights clerk when it is decided. It seems improbable that Mr. Facer would be irrigating lands in this small quantity in two different townships.

D
Donald W. McEldowney
Water Rights Clerk
May 17, 1967

LAW OFFICES
FURCHNER, ANDERSON & BEEBE
178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
J. BLAINE ANDERSON
ARNOLD T. BEEBE
DWAIN H. STUFFLEBEAM

AREA CODE 208
785-0840
785-2310
P.O. BOX 752

May 10, 1967

RECEIVED
MAY 13 1967

Department of Reclamation

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

Re: Permit No. G-30456

GLEN E. KIRKPATRICK
Route 2
Blackfoot, Idaho 83221

Dear Sir:

We are enclosing herewith the affidavits of witnesses and holder of the above permit, together with the affidavit of publication of the notice.

These proofs were made on the proper date but due to an oversight in our office have not been forwarded to you until today.

Very truly yours,

FURCHNER, ANDERSON & BEEBE

H. William Furchner

H. William Furchner

HWF:ec
Encls.

30456

TELEPHONE
785-1100

PUBLISHED DAILY
Monday Through Friday

The Blackfoot News

Successor to The Daily Bulletin
BLACKFOOT, IDAHO 83221

February 23, 1967

RECEIVED
MAR 6 1967

Department of Reclamation

Deaprtment of Reclamation
Boise, Idaho

Dear Sir:

Enclosed is a copy of a legal for checking. I called Mr. Furchner and he said that he would write you concerning the change of dates for publication and proof.

Thank You,



Kay Harper

30456

No. 36 - 4M
1/65

RECEIVED
FEB 28 1967

Department of Reclamation

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

Notice is hereby given that ~~at 10 A. M.~~, on the ^{10th} ~~22nd~~ day of ^{April} ~~March~~,
19 67, at Blackfoot, County of Bingham, State of Idaho
before H. William Furchner, Notary Public, at (address) 178 W. Judicial,
proof will be submitted of the completion
of works for the diversion of 2 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 30456, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Glen E. Kirkpatrick, Route 2, Blackfoot, 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 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
2 cubic feet per second.
4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 3 South,
Rge. 34, EBM.
5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8, Twp. 3 South,
Rge. 34, EBM.
6. The date of priority which said user is prepared to establish is April 16, 1962.

State Reclamation Engineer

30456

LAW OFFICES
FURCHNER, ANDERSON & BEEBE
178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
J. BLAINE ANDERSON
ARNOLD T. BEEBE
DWAIN H. STUFFLEBEAM

AREA CODE 208
785-0840
785-2310
P. O. BOX 752

February 27, 1967

RECEIVED
FEB 28 1967

Department of Reclamation

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

Re: PERMIT NO. 30456
GLEN E. KIRKPATRICK
Route 2
Blackfoot, Idaho

Dear Sir:

We have just been notified by The Blackfoot News that an error was made in the first publication of the Notice of Proof of Completion of Works under the above numbered permit and we have requested that they change the date of proof from March 22, 1967, to April 4, 1967, in order to allow time for four weekly publications since their discovery of the error.

Will you kindly change the notices in your files to correspond with the new date and verify the publication proof when it is received.

Very truly yours,

FURCHNER, ANDERSON & BEEBE

H. William Furchner

EL

EBC:n

30456

February 23, 1967

Re: Permit No. G-30456

Blackfoot News
Blackfoot, Idaho 83221

April 4th

Gentlemen:

The galley proof of notice of proof of completion of works and application of water to beneficial use for Glen E. Kirkpatrick, received in our office February 23, 1967, shows the place where said water is used as SE1/4SW1/4, W1/4SE1/4, Sec. 8, T. 3 S, R. 34 E, B.M., and should be changed to the place where said water is used is SE1/4SW1/4, W1/2SE1/4, Sec. 8, T. 3 S, R. 34 E, B.M.

Please furnish this office with a copy for checking.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

RECEIVED
FEB 23 1967

Department of Reclamation

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

Notice is hereby given that on the 22nd day of March, 1967, at Blackfoot, County of Bingham, State of Idaho before H. William Furchner, Notary Public, at (address) 178 W. Judicial, proof will be submitted of the completion of works for the diversion of 2 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 30456, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glen E. Kirkpatrick, Route 2, Blackfoot, 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 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 2 cubic feet per second.

4. The point of diversion of said water is SE1/4 SW1/4, Sec. 8, Twp. 3 South, Rge. 34, EBM.

5. The place where said water is used is SE1/4 SW1/4, W1/4 SE1/4 Sec. 8, Twp. 3 South, Rge. 34, EBM. ^{1/2}

6. The date of priority which said user is prepared to establish is April 16, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
Feb. 27, March 3, 10 and 17
(282)

36456

February 16, 1967

Re: Permit No. **G-30456**

Glen E. Kirkpatrick
Route 2
Blackfoot, Idaho

Dear Mr. Kirkpatrick:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-30456**. The proofs are to be made ~~at~~ ~~Blackfoot~~ on the **22nd** day of **March**, 19 **67**, before **H. William Furchner** Notary Public.

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

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

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

Very truly yours,

MRB:nw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

30456

February 16, 1967

Re: Permit No. G-30456

Blackfoot News
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to March 22, 1967. The expense of the publication is to be paid by Glen E. Kirkpatrick of Route 2, 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 one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30456

RECEIVED
FEB 10 1967

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

Department of Reclamation

Notice is hereby given that ~~at 10 A.M.~~, on the ^{4th} 22nd day of ^{April} March,
19 67, at Blackfoot, County of Bingham, State of Idaho
before H. William Furchner, Notary Public, at (address) 178 W. Judicial,
proof will be submitted of the completion
of works for the diversion of 2 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 30456, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Glen E. Kirkpatrick, Route 2, Blackfoot, 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 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
2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 3 South,
Rge. 34, EBM.

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8, Twp. 3 South,
Rge. 34, EBM.

6. The date of priority which said user is prepared to establish is

April 16, 1962.

State Reclamation Engineer

30456 *mw*

RECEIVED
FEB 10 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 8, 1967

(P. O.) 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.

Glen E. Kirkpatrick

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

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

Engineer

30456

LAW OFFICES
FURCHNER, ANDERSON & BEEBE
178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
J. BLAINE ANDERSON
ARNOLD T. BEEBE
DWIN H. STUFFLEBEAM

AREA CODE 208
785-0840
785-2310
P. O. BOX 752

February 8, 1967

RECEIVED
FEB 10 1967

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. G 30456

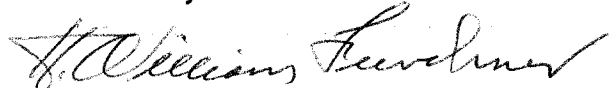
Glen E. Kirkpatrick
Route 2
Blackfoot, Idaho 83221

Dear Sir:

We enclose in duplicate the Notice of Proof of Completion of Works and Application of Water to Beneficial Use, together with authorization for publication of the same, for the above-named individual setting the proof time at 10 A. M. on Wednesday, March 22, 1967.

Very truly yours,

FURCHNER, ANDERSON & BEEBE



H. William Furchner

HWF:ec
Encls.

30456

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 30456 - Glen E. Kirkpatrick

Feb. 1, 1967

H. William Furchner
Attorney at Law
Box 752
Blackfoot, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30456 are due not later than **April 20, 1967**

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

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

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

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

Very truly yours,


STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc: Glen E. Kirkpatrick
Route #2, Blackfoot, Idaho

30456

May 1, 1962

Re: Permit No. G-30456
Glen E. Kirkpatrick

Mr. H. William Furchner,
Attorney at Law,
116 N. E. Main St.,
Blackfoot, Idaho.

Dear Mr. Furchner:

We enclose Permit No. G-30456 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-6916 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CAREER
State Reclamation Engineer
By

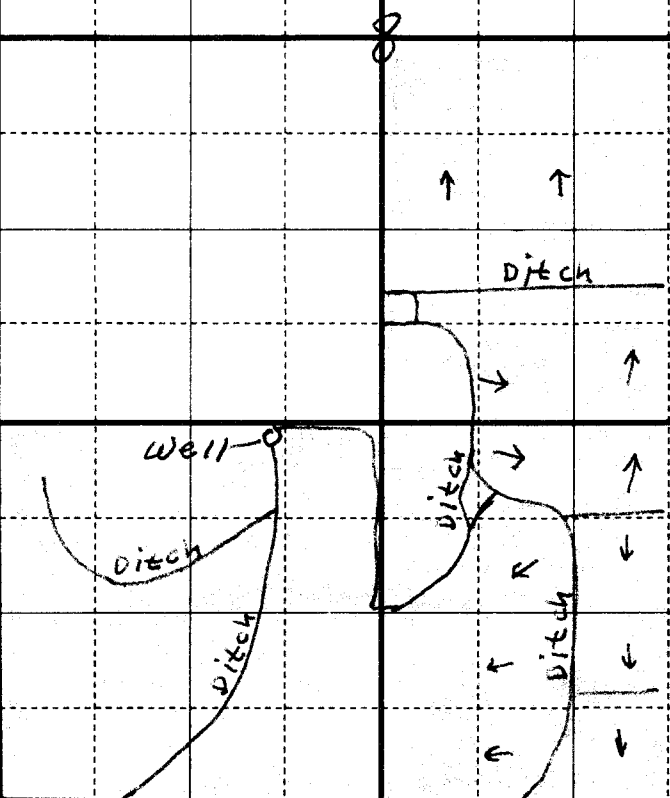
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

cc: Glen E. Kirkpatrick
Rt. #2,
Blackfoot, Idaho

30456

PLAT OF PORTION OF
SECTION EIGHT, TOWNSHIP THREE SOUTH,
RANGE THIRTY-FOUR, EAST OF BOISE MERIDIAN, IN IDAHO.



PLAT NO. 30456
RECORDED
JAN 10 1956
IDAHO DEPT. OF AGRICULTURE

LAW OFFICES
FURCHNER AND STUFFLEBEAM

H. WILLIAM FURCHNER
DWAIN H. STUFFLEBEAM

116 N. E. MAIN STREET
BLACKFOOT, IDAHO

April 14, 1962

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

We enclose the application for permit of
Glen E. Kirkpatrick of Route 2, Blackfoot, Idaho,
together with our check in the amount of \$5.25 in
payment of the fee for issuance of the same.

Mr. Kirkpatrick has a loan application pending
upon receipt of this receipt and we would appreciate
receiving the permit as soon as possible.

Very truly yours,

H. William Furchner
86

H. William Furchner

HWF:ec
Encls.

30956

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

Notice is hereby given that on the 4th day of April, 1967, at Blackfoot, County of Bingham, State of Idaho before H. William Furchner, Notary Public, at (address) 178 W. Judicial, proof will be submitted of the completion of works for the diversion of 2 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 30456, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glen E. Kirkpatrick, Route 2, Blackfoot, 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 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 2 cubic feet per second.

4. The point of diversion of said water is SE1/4 SW1/4, Sec. 8, Twp. 3 South, Rge. 34, EBM.

5. The place where said water is used is SE1/4 SW1/4, W1/2 SE1/4 Sec. 8, Twp. 3 South, Rge. 34, EBM.

6. The date of priority which said user is prepared to establish is April 16, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
March 3, 10, 17 and 24
(282)

30456