

25361

March 18, 1958

RE: Permit No. G-25361

Mr. James F. Bauman
Idaho Falls, Idaho

Dear Mr. Bauman:

We acknowledge receipt of the deposition of the Holder and two witnesses, also affidavit of publication in The Eastern Idaho Farmer, all summiyyrf in proof of completion of works and beneficial use on Permit No. G-25361.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

cc: Albaugh, Bloem, Bernard & Smith

25361

Bauman's letter returned. See later letter

State of Idaho
License and Certificate of Water Right

Water License No. G-25361 Amount 4 c.f.s.
Water District No. Priority January 17, 1955
THIS IS TO CERTIFY that WINTROATH PUMPS, INC. - WORTHINGTON CORPORATION, Assignee

of Alhambra, California, made application for a permit to appropriate the public waters of the State of Idaho, dated January 17, 1955; that Permit No. G-25361 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4 second feet, was issued thereunder on October 24, 1958, showing that said works were completed on the 11th day of March, 1958; and that on the 11th day of March, 1958, WORTHINGTON CORPORATION
By: James F. Bauman, Power of Atty.

of Idaho Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-25361 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 10 of Licenses at page 6483, on the 24th day of October, 1958; The right hereby confirmed dates from January 17, 1955;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 30, Tp. 3 N., R. 36 E., B. M. County Bonneville 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 4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	36 E.	30	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
		31	SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
3 N.	35 E.	36	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			Total number of acres irrigated - - -	800	

(SEAL)

State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. G-25361

Amount 4 c.f.s.

Water District No.

Priority January 17, 1955

THIS IS TO CERTIFY that WINTROATH PUMPS, INC. - WORTHINGTON CORPORATION, Assignee of Alhambra, California, made application for a permit to appropriate the public waters of the State of Idaho, dated January 17, 1955; that Permit No. G-25361 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4 second feet, was issued thereunder on October 24, 1958, showing that said works were completed on the 11th day of March, 1958; and that on the 11th day of March, 1958, WORTHINGTON CORPORATION By: James F. Bauman, Power of Atty.

of Idaho Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-25361 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 10 of Licenses at page 6483, on the 24th day of October, 1958; The right hereby confirmed dates from January 17, 1955;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 30, Tp. 3 N., R. 36 E., B. M. County Bonneville 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 4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	36 E.	30	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
					40

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 24th day of October, 1958.

/s/ Geo. N. Carter
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-25911Amount 2.74 c.f.s.

Water District No. _____

Priority August 30, 1955THIS IS TO CERTIFY that C. W. DRAGEof Carey, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated August 30, 1955; that Permit No. G-25911 was issued under said application; that Certificate of Completion of works, with a carrying capacity of2.74 second feet, was issued thereunder on November 7, 1958, showing that said works were completed on the 30th day of October, 1957; and that on the 30th day of October, 1957, C. W. DRAGEof Carey

, State of

Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-25911 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

10 of Licenses at page 6484, on the 7th day of November, 1958;

The right hereby confirmed dates from

August 30, 1955;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 2, Tp. 1 N., R. 22 E., B. M. County Blaine

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 2.74 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	22 E.	1	SW $\frac{1}{4}$ SW $\frac{1}{4}$	20	20
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
		11	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	5
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
		12	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres irrigated	- - - -	290

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

7th day of November, 1958./s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)

35 2395 25361

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33226
Permit No. G- 25361
District No.

Wintroath Pumps, Inc.
P.O. 29
Alhambra, California

1. Name of Applicant: WINTROATH PUMPS, INC.
Postoffice address: Box 29, Alhambra County: Los Angeles State: California
2. Quantity of water claimed: 200 Miner's Inches
 - (a) Rate of withdrawal in cubic feet per second. four or Idaho
Miners' inches 200 or gallons per minute. 1800
 - (b) Annual withdrawal in acre feet per annum 1435
3. Source of water supply: Drilled Well
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30
Twp. 3 North Rge. 36 E. , B.M., County of Bonneville
5. Water is to be used for: Irrigation of grain, potatoes, hay, etc.
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well with turbine pump
8. Estimated cost of works: \$ 28,000
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 three 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) (cubic feet per second, inches or gallons per minute) is for new lands.

[illegible]

A G R E E M E N T

THIS AGREEMENT executed in duplicate this 20th day of December, 1955, effective, however, as of December 31, 1955, between WINTROATH PUMPS, INCORPORATED, a California corporation, (hereinafter referred to as "Wintreath"), 1100 South Meridian Avenue, Alhambra, California, and WORTHINGTON CORPORATION, a Delaware corporation (hereinafter referred to as "Worthington"), 99 Park Avenue, New York City 16, New York.

W I T N E S S E T H:

WHEREAS, Worthington is the sole shareholder of Wintreath; and

WHEREAS, Wintreath is in the process of voluntary dissolution in accordance with the laws of the State of California; and

WHEREAS, pursuant to an Agreement and Plan of Liquidation dated the 20th day of December, 1955, Wintreath is desirous of transferring all of its assets and debts and liabilities to Worthington, and Worthington is desirous of accepting such assets and assuming such debts and liabilities;

NOW, THEREFORE, in consideration of the receipt by Wintreath from Worthington of endorsed certificate No. 379 evidencing the ownership by Worthington of 34,575 shares of the capital stock of Wintreath, said certificate having been accepted by Wintreath for cancellation and redemption, it is agreed as follows:

1. Wintreath hereby grants, assigns, transfers and conveys to Worthington, its successors and assigns, all of Wintreath's assets and debts and liabilities of every nature whatsoever and wherever located, including but not being limited to the following:

Manufacturing businesses and properties, including all real estate, plants, structures, machinery, equipment, tools, appliances, vehicles, whether motorized or otherwise, materials and supplies.

All manufactured products and materials in process of manufacture;

All inventions, applications for patents, patents, written disclosures and royalty agreements;

All trade marks, trade names and trade rights of every sort and kind, including the exclusive right to use the name "Wintreath Pumps";

All leases, tenancies and leasehold interests of every kind.

All furniture, furnishings, fixtures, office equipment and supplies;

All contracts and other rights, privileges, and franchises of every nature and description whatsoever, including but not being limited to collective bargaining agreements and insurance policies;

All cash, bank accounts, stamps, bonds, bills and accounts receivable and negotiable instruments and all books, accounts, records and data and all funds and reserves, including reserves for state unemployment insurance contributions, federal insurance contributions and federal income tax withholdings and all choses in action, claims and demands and all debts, liabilities and obligations.

2. Worthington accepts the foregoing grant, transfer and assignment and hereby agrees to assume and pay all of the debts and liabilities of Wintreath.

IN WITNESS WHEREOF, the parties hereto have caused their respective corporate seals to be hereunto affixed and this Agreement to be executed by their proper officers thereunto duly authorized by resolution of the respective Board of Directors, the day and year first above written.

WINTROATH PUMPS, INCORPORATED

By Boyd Kern /s/
Boyd Kern, President
By John W. Brooks, Secretary
/s/ John W. Brooks

WORTHINGTON CORPORATION

By C.H. Butcher
President
By B.E. Marshall
Secretary

(CORPORATE SEAL)

(CORPORATE SEAL)

I, Boyd Kern, President of Wintreath Pumps, Incorporated and I, H.F. Hildenbrand, Assistant Secretary of Wintreath Pumps, Incorporated, do hereby certify that the foregoing is a true and correct copy of an Agreement executed on the 20th day of December, 1955 by and between Wintreath Pumps, Incorporated, a California corporation, and Worthington Corporation, a Delaware Corporation, providing for the assignment and transfer of all the assets, debts and liabilities of Wintreath Pumps, Incorporated to Worthington Corporation and that pursuant to the terms of the foregoing Agreement, the said assignment and transfer has been completed.

DATED this 31st day of July, 1956
(SEAL)

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss

WINTROATH PUMPS, INCORPORATED

By Boyd Kern /s/
Boyd Kern Pres.
By H.R. Hildenbrand, /s/
H.R. Hildenbrand, Asst. Sec.

On this 31st day of July, 1956 appeared before me, Eva S. Terrell, Notary Public in and for said County & State, Boyd Kern and H.R. Hildenbrand, known to me to be President and Assistant Secretary of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed it on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same. IN WITNESS WHEREOF I have this day set my hand and seal.

(SEAL)

/s/ Eva S. Terrell
My commission expires 1/25/60

Permit No. G-25361

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that WORTHINGTON CORPORATION - WINTROATH PUMPS DIVISION of Alhambra, County of Los Angeles, and State of California, the holder of Permit No. G-25361, issued upon Application No. G-33226 bearing date of priority of January 17, 1955, authorizing the diversion of 4 second feet of waters of Drilled Well County of Bonneville, 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 4 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, Township 3 North, Range 36 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 800 acres in the W $\frac{1}{2}$ Section 30, W $\frac{1}{2}$ Section 31, Township 3 North, Range 36 East, B.M. and SE $\frac{1}{4}$ Section 36, Township 3 North, Range 35 East, B.M. Proof of Completion of Works made: March 11, 1958

Witness my hand this 24th day of October, A.D. 1958

/s/ Geo. N. Carter
State Reclamation Engineer

Proof of Completion of Works made: March 11, 1958
Certificate of Completion of Works issued: October 24, 1958.

LICENSE ISSUED FOR 4.0 SEC. FT.
Page 6483

Roberto:
MORE House clearing.

file 35-2395

U

SEP 30 1981

TO DEPA
1515
Idaho
Sent original
after noting in our
files. Kept copy for
our files. Guess this
one should go to
your file Bonneville

OFFICE OF LIENHOLDER'S INTEREST

Date June 24, 1981
FmHA Loan No. 41-01
Borrower Robert L. Martin
Amount of Loan \$100,000.00

The above borrower has mortgaged his ranch unit to the Farmers Home Administration as security for a bonafide loan in the amount stated. In our opinion, the loan is for purposes that will further the borrower's operations.

The property mortgaged to the Farmers Home Administration comprises of 800 acres in Bonneville County, Idaho and is described as follows:

TRACT 1: Southeast quarter of Sec. 36, T3N, R35, EBM, and the W $\frac{1}{2}$ of Sec. 31, & the W $\frac{1}{2}$ of Sec. 30, T3N, R36, EBM, excepting therefrom the following: Beginning at a point 25 feet N. and 26.2 ft. E. from the SW corner of said Sec. 30, thence N. 150', thence E. 150 ft., thence S. 150', thence W. 150', to the point of beginning.

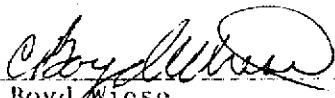
TRACT 2: Lot 19, Block 4, Pancheri Addition, Division No. 2, to the City of Idaho; County of Bonneville, State of Idaho, according to the recorded plat thereof.

The mortgage covering these lands was recorded April 24, 1981 as Instrument No: 605413, in the records of Bonneville County, State of Idaho.

The borrower, in consideration for the loan, has pledged his Water Permit No: 35-7174; 35-2395; 35-2090, which are used in connection with the above described property.

Will you please Note this mortgage in your records and advise US promptly of any action or development that might adversely affect the borrower or the Farmers Home Administration's position as lienholder.

We will notify your office promptly upon satisfaction of lien or termination of the loan.


C. Boyd Wiese
County Supervisor
FARMERS HOME ADMINISTRATION
P.O. Box 1783
Idaho Falls, Idaho 83401

Receipt of the above notice is acknowledged. You will be notified of any action taken by this office which may adversely affect either the interest of the Farmers Home Administration or the Borrower. Please sign and send the copy of this notice to Farmers Home Administration. An envelope is enclosed for your convenience.

Department of Water Resources

RECEIVE

DATE: June 29, 1981

BY Ernest Carter
TITLE: Senior Water Resources Analyst JUN 29 1981

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

April 5, 1971

Robert W. St. Clair
Attorney at Law
Post Office Box # 29
Idaho Falls, Idaho 83401

Dear Bob:

We are returning your copy of Water License G-25361. As indicated in our conversation, that license is restricted to four (4) cubic feet per second of water for beneficial use of 880 acres, under the restriction of one (1) miners inch per irrigated acre. This would mean an additional 12 cubic feet per second of water could be applied by other permits to these lands.

We are enclosing an application for permit form and a set of instructions for your use in this matter. If we can assist you further, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

Enclosures

35 2395

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 25361 / 35-2395
 Old No. New No.

Record

1. Original Owner: Wintroath Pumps Inc.

Present Owner: Worthington Corp.

2. Address:

3. City: Idaho Falls State: Id Zip:

4. A. Source of Water: gr

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 1-17-1955

D. County: 11

E. Total Diversion Rate: 4

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSW</u>	<u>30</u>	<u>3N</u>	<u>36 E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 4
 (cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

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	
3N	36E	30					40												
		31					40												
3N	35E	36													40				

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 25361

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

October 24, 1958

Re: Permit No. G-25361

Wintroath Pumps
Division of Worthington Corporation
P. O. Box 29
Alhambra, California

Gentlemen:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-25361 confirming the right with priority of January 17, 1955, to the use of 4 second feet of subterranean water, with point of diversion in the SW $\frac{1}{4}$ Section 30, Township 3 North, Range 36 East, B.M., for irrigation of 800 acres in the W $\frac{1}{2}$ Section 30, W $\frac{1}{2}$ Section 31, Township 3 North, Range 36 East, B.M., and the SE $\frac{1}{4}$ of Section 36, Township 3 North, Range 35 East, B.M.

Enclosed also is departmental receipt #G-3649 for \$45.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and forty dollars license fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enclosures (3)
cc: Mr. John L. Bloom
Albaugh, Bloom, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

25361

RT

File 5-45 2

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
P. O. BOX 428
IDAHO FALLS, IDAHO

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

SUITE 201-S ROGERS BLDG.
DIAL JACKSON 2-5291

October 22, 1958

RECEIVED
OCT 23 1958
Department of Reclamation

Re: Permit No. G-25361
Worthington Corporation
(Wintroath Pumps Division)

MR. GEO. N. CARTER
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Carter:

In accordance with your letter of October 2nd, we enclose herewith check of Wintroath Pumps - Division of Worthington Corporation, for \$45.00 fees for the Certificate of Completion of Works and License and Certificate of Water Right.

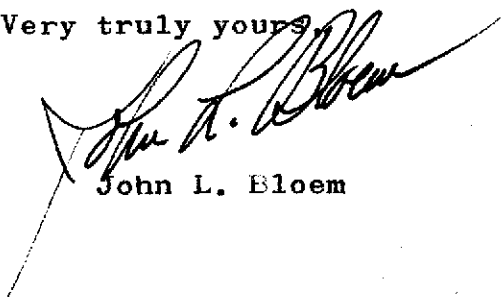
When the certificates and license have been issued, will you please send them direct to

Wintroath Pumps
Division of Worthington Corporation
P. O. Box 29
Alhambra, California.

There is no necessity for these papers to be relayed through us.

Very truly yours,

JLB:s
Encl-Check


John L. Bloem

25361

October 2, 1958

Re: Permit No. G-25361
Worthington Corporation
(Wintreath Pumps Division - James F. Bauman)

Mr. John L. Bloem
Albaugh, Bloem, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

Dear Mr. Bloem:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-25361 shows that the well is capable of conveying 200 miners inches (4 c.f.s.) of water for irrigation of 800 acres.

Upon receipt of the statutory fees, totaling \$45.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (forty dollars--fee is based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of January 17, 1955 to the use of 4 second feet of subterranean water, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, for irrigation of 800 acres in the W $\frac{1}{2}$ Section 30, W $\frac{1}{2}$ Section 31, Township 3 North, Range 36 East, B.M., and the SE $\frac{1}{4}$ of Section 36, Township 3 North, Range 35 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

G25361

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25361

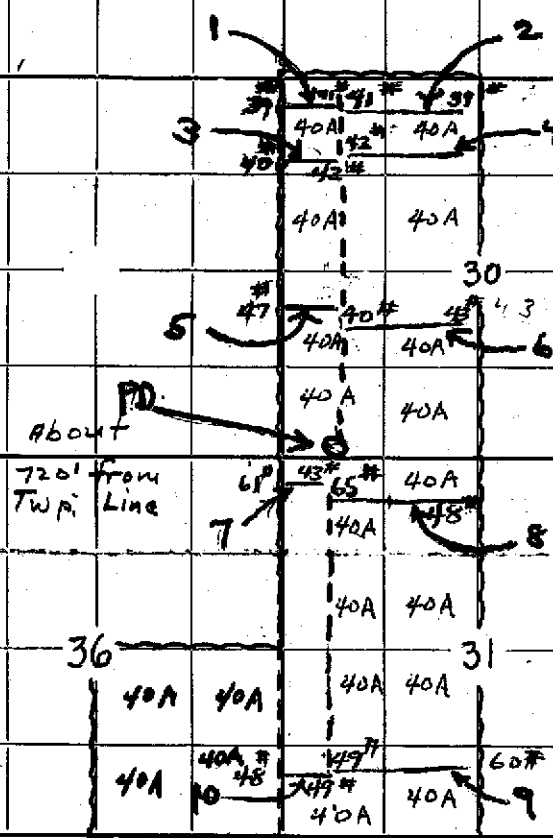
REPORT ON PROOF OF Completion of Works & Beneficial Use

Wintroath Pumps Division, Box 853, Idaho Falls, Idaho
James F. Bauman, Idaho Falls, Idaho (Pump & Sprinkler
Sales)

The West halves of sections 30 and 31 are full 320 Acres according to books in Bureau Co. Assessor's office.

R-35E.

R-36E.



Subdivisions 20

Irrigated Land.

As shown in above sketch

Total 800 A

$Q = 200''$

4 cfs.

Sprinkler line Pressures

Line No	No of Heads	1/2" Line Av.	GPM Per Nozzle	GPM Line Total
1	24	40	363	87
2	62	40	363	225
3	24	41	368	88
4	62	40	363	225
5	24	49	4.00	96
6	62	42	371	230
7	24	54	4.18	100
8	62	64	4.51	280
9	24	49	4.00	96
10	62	55	4.22	262
Total			1689	or 4.77 cfs

Via Calculation

or 238.5 Miners Inches.

$$P = 63 \times 4.8 = 405 = 35\% \text{ overload}$$

$$CFS = \frac{550 \times 1.72 \times 405}{62.5 \times 60} = 4.3$$

Amount claimed in application 1800 gpm = 4.0 cfs.

This Checks out good by all methods

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

Permit No. G-25361This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant. James F. Banman, agent for Wintroath Pumps Division
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW¹/₄SW¹/₄ of Section 30
T. 3 N R. 36 E., B. County of Bonneville PLW
4. Describe works as they exist, giving dimensions and capacities of same: Well drilled 500'
x 20" electrically pumped with 300 HP motor and vertical
centrifugal pump.
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):

W¹/₄ Sec. 30., W¹/₄ Sec. 31., Twp. 3 N., Rge. 36 E., B. M.
SE¹/₄ Sec. 36., Twp. 3 N., Rge. 35 E., B. M. PLW

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

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

Remarks: The irrigator on this farm assisted with the 8-28-58
examination. Later Mrs. Moeller was interviewed in
Idaho Falls it having been learned that her husband Mr.
Carl Moeller is the owner and operator of the farm.
There is an air line on pump + according to Mr. Moeller it
shows depth to water during pumping of 408' - also pressure on
sprinkler lines at pump is 85# making total pumping head
= 604'

This examination was made on the 28 day of August, 1958(Signed) James F. Banman

Examiner.

G25361

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 30 1958

Department of Irrigation

3
Wintroath Pump Division
Box 853, Idaho Falls, Idaho
Carl Moeller - 145 W 21st, Idaho Falls.
Permit No. G-25361

Examination for Completion of Works & Beneficial Use

County Bonneville

30-3N.-36E.

Q = 4.0 c.f.s.

S = Well Sprinkler

P.L. = SW. SW., Sec. 30, T.3N.-R.36E.

Use = Irrigation

Filed = Jan. 17, 1955

Due = Jan. 18, 1958

Additional information
to be supplied by
Mr. Moeller

Well 500' x 20" - 3' casing
460' 15" water

Pump - Wintroath #7955
with 10" of 10" discharge
then gate valve then
entering 10" steel sprinkler
main

Motor - U.S. #300
V-2500 RPM 1200 -
A-70.6

Meter: Sealed
Utah Power Input = $\frac{63 \times 4.8}{.746}$ HP

Housing - None

Sprinkler System
Main lines
2 Mi. 10"-8"-6" steel
+ Aluminum portable

Laterals.
5-4" - 720' with 30' joints
5-4" - 1860' " " "

Nozzles
450-9/16" mostly Rain bird 30

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

SUITE 201-S ROGERS BLDG.
DIAL JACKSON 2-6291

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
P. O. BOX 428
IDAHO FALLS, IDAHO

March 24, 1958

RECEIVED
MAR 25 1958
Department of Reclamation

Re: Permit No. G-25361
Werthington Corporation
(James Bauman)

MR. ROY W. THOMPSON
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Thompson:

Thank you for your letter of March 21st regarding the discrepancy in the descriptions on the final proofs submitted.

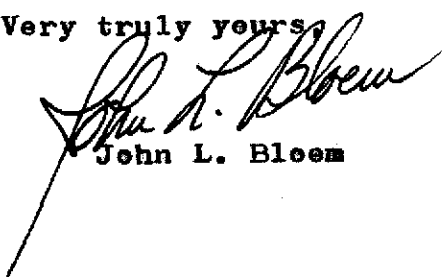
The W $\frac{1}{2}$ of Section 30, W $\frac{1}{2}$ Section 31, Township 3 North, Range 36 East, and the SE $\frac{1}{4}$ of Section 36, Township 3 North, Range 35 East Boise Meridian, as contained in the Permit and the published notice is the correct description.

The use of the "N $\frac{1}{2}$ " of Sections 30 and 31 was an error caused by a quick glance at the description, not double checked. If Section 20 was shown instead of Section 30, please excuse it as a typographical error. I cannot quite understand any reference in the depositions to "Township 33 North". There is no Township 33 in this end of the State.

These proofs were made and submitted while I was particularly busy with other matters and I ask that you excuse the errors. You, of course, have the authority to make changes on the depositions to correspond with the correct description.

Very truly yours,

JLB:s


John L. Bloem

G25361

March 24, 1958

Re: Permit No. G-25361
Worthington Corporation

Worthington Corporation
Wintroath Pumps Division
Box 853
Idaho Falls, Idaho

Attention: James F. Bauman

Dear Mr. Bauman:

This acknowledges receipt on March 12, 1958, of the depositions--
of Holder (deposed by you with power of attorney) and of two
witnesses, also the affidavit of publication in The Eastern Idaho
Farmer, all submitted in proof of completion of works and beneficial
use on Permit No. G-25361.

Before final action is taken, the law requires that a field exami-
nation be made by an engineer from this department. We cannot say
just when this will be made but our field engineer will contact
you prior to the time he is to make the examination so that you can
arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

25361

March 18, 1958

RE: Permit No. G-25361

Mr. James F. Bauman
Idaho Falls, Idaho

Dear Mr. Bauman:

We acknowledge receipt of the deposition of the Holder and two witnesses, also affidavit of publication in The Eastern Idaho Farmer, all submitted in proof of completion of works and beneficial use on Permit No. G-25361.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

cc: Albough, Bloom, Bernard & Smith

25361

Bauman's International, Inc. Idaho Falls

POWER OF ATTORNEY TO MAKE PROOF OF COMPLETION OF WORKS AND APPLICATION
OF WATER TO BENEFICIAL USE

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, WORTHINGTON CORPORATION, a corporation, has made, constituted and appointed, and do, by these presents, make, constitute and appoint JAMES F. BAUMAN, of Idaho Falls, County of Bonneville, State of Idaho, its true and lawful attorney, for it, and in its stead, and for its use and benefit, to make, offer and present the proof, testimony, and evidence for the Completion of Works and for the Application of Water to Beneficial Use under that certain Permit to appropriate the Subterranean waters of the State of Idaho, No. G-25361, issued to Wintroath Pumps, Inc., by the State Reclamation Engineer of the State of Idaho, with full power to testify, under oath, to all matters and things in connection therewith, and to make and execute such Depositions or other instruments in writing, necessary to make such proof, as fully and as effectively as the undersigned, or any of its officers or directors, might or could do if personally present, hereby ratifying and confirming all things its said attorney might do by reason of these presents.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed in its corporate name, with its corporate seal to be hereunto affixed, by its duly authorized corporate officers, this 2nd day of March, 1958.

WORTHINGTON CORPORATION

By Lee Wilhite - Gen. Mgr.
Title:

By H.R. Hildebrand - Asst. Secy.
Title:

STATE OF Calif.)
County of Los Angeles) ss.

On this 7th day of March, in the year 1958, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Lee Wilhite and H.R. Hildebrand, known to me to be the General Manager and Asst. Secretary, respectively, of the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation 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.

Eva Russell
NOTARY PUBLIC
Residing at: Idaho Falls, Idaho
San Gabriel, Calif.

G25361

RECEIVED
MAR 12 1958
Department of Reclamation

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bonneville

ss.

I Aden Hyde, first being duly sworn, depose and say that I am the ~~printer/foreman~~ principal clerk of the Idaho Falls Publishing Company, an Idaho corporation, Bonneville County, Idaho, being publishers of the Eastern Idaho Farmer, a legal newspaper of general circulation, published weekly at Idaho Falls, Idaho, having been published continuously and uninterruptedly in conformity with the provisions of Section 60-106, Idaho Code, for more than seventy-eight (78) weeks prior to the first publication of the legal notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in the Eastern Idaho Farmer for 4 consecutive weeks, first publication having been made on the 13th day of Feb., 19 58, last publication having been made on the 6 day of March, 19 58, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 6th day of March, 19 58.

Notary Public.

My Commission Expires

3/15

19 59

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

Notice is hereby given that at 10:00 a. m., on the 11th day of March, 1958, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, a notary public, proof will be submitted of the completion of works for the diversion of four cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25361, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the corporation holding said permit are Wintroath Pumps, Division of Worthington Corporation, P. O. Box 29, Alhambra, California.

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

4. The point of diversion of said water is SW 1/4 SW 1/4, Section 30, Twp. 3 N. R. 36, E. B. M.

5. The place where said water is used is W 1/2 Section 30 and W 1/2 Section 31, Twp. 3 N. R. 36, E. B. M., and SE 1/4 Section 36, Twp. 3 N. R. 35, E. B. M.

6. The date of priority which said user is prepared to establish is January 17, 1958.

MARK R. KULP
State Reclamation Engineer
Pub., EIF, Feb. 13, 20, 27; March 6, 1958

RECEIVED
MARCH 1958
Department of Reclamation

25361

RECEIVED
MAR 12 1958
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

✓
Permit No. G-25361

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.

Ans. JAMES F. BAUMAN, Idaho Falls, Idaho, pump and sprinkler sales.

P.O.: Idaho Falls, Idaho.

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

Ans. Worthington Corporation, 99 Park Ave., New York 16, N.Y.; J. L. Eberle, Boise, Idaho; I am branch manager and have power of attorney.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G-25361, dtd Jan. 18, 1955; priority Jan. 17, 1955.

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

Ans. Subterranean well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Twp. 3 N.R. 36, EBM, Bonnevillie County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. 500' 20" Well, only 3' of 20" casing, 408' depth to water; 300 hp turbine pump, with 1800 gpm discharge, determined by multiplying pressure by discharge rate of each nozzle; 352 5/32" nozzles, pressure 50#. Well, pump and entire sprinkling system are located on land irrigated.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. W $\frac{1}{2}$ Section 30, W $\frac{1}{2}$ Section 31, Twp. 3 N.R. 36, EBM, SE $\frac{1}{4}$ Section 36, Twp. 3 N.R. 35, EBM, 800 acres. Except for about 60 acres of lava outcroppings all land is cultivated, and has been improved from dry farm land to cultivated irrigated land.

25361

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. ---

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

Ans. 5/8" or less per acre for complete irrigation.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Ownership acquired by merger December 20, 1955.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. System was installed in April, 1955, and has been used annually ever since; each year about 500 acres are planted to crop and 240 are summer fallowed; water is used on crop land during growing season and transferred to summer fallow land in fall.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign)

James F. Bauman

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 Idaho Falls, County of Bonneville

State of Idaho, on this 11th day of March, A. D. 1958.

John L. Blum
NOTARY PUBLIC, residing at:

My commission expires Nov. 9, 1959

Idaho Falls, Idaho.

S 25361

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 12 1958
Department of Reclamation

Permit No. G-25361

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Glenn Waters, 39, Idaho Falls, Idaho, farm labor, P.O., Idaho Falls, Idaho.

Ques. 2. Are you acquainted with Worthington Corporation, the holder of Permit No. G-25361? How long have you known him and where does he reside?

Ans. I have known of this company and Wintroath Pumps for three years. Its offices are out of state, but it has a branch office in Idaho Falls.

Ques. 3. Have you read or heard read said Permit No. G-25361, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Drilled well in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, Twp. 3 N.R. 36, EBM; well is situated on land irrigated, and uses a turbine pump and sprinkler system.

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

Ans. At least 1800 gpm (4cfs); I have seen this amount conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 1800 gpm; I estimate this amount by comparing it with other sprinkler irrigation systems I have seen in operation.

25361

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of ~~W $\frac{1}{2}$~~ Section 30, ~~W $\frac{1}{2}$~~ Section 31, Twp. 3 N.R. 36, EBM, and ~~SE $\frac{1}{4}$~~ Section 36, Twp. 3 N.R. 35, EBM, 800 acres of which about 60 acres are waste; land is cultivated. It was previously dry farm land but with irrigation is capable of raising potatoes, etc.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. ==

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land is naturally dry and would raise only small crops of wheat without irrigation; it is a lava ash soil and would require approximately $\frac{3}{8}$ inch of water per acre for complete irrigation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been working, as an employee, on this farm since the system was installed, and have seen irrigation the past three years; about 240 acres of this land is summer fallowed each summer, and water is used on crop land during growing season and on summer fallow land when growing season is over.

(Signed) Glenn Waters

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 Idaho Falls, County of Bonneville, State of Idaho, on this 11th day of March, A. D. 1958.

John L. Brown
Notary Public.
Residing at: Idaho Falls, Idaho.

My commission expires Nov. 9, 1959.

S28361

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 12 1958
Department of Reclamation

Permit No. G-25361

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Harold Anderson, 51, Idaho Falls, Idaho, farmer, P.O. Idaho Falls, Idaho.

Ques. 2. Are you acquainted with Worthington Corporation, the holder of Permit No. G-25361? How long have you known him and where does he reside?

Ans. I have known of this company and Wintroath Pumps about 4 years; it has a branch office in Idaho Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-25361, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Subterranean stream; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, Twp. 3 N.R. 36, EBM; Well is on land irrigated with turbine pump and sprinkler system.

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

Ans. About 1800 gpm (4 cfs). I have seen this amount so conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen the pump deliver 1800 gpm. I estimated this amount from the number of lines and sprinklers handled.

J25361

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of: ~~W¹~~ Section 30, ~~W¹~~ Section 31, Twp. 3 N.R. 36, EBM, and ~~SE¹~~ Section 36, Twp. 3 N.R. 35, EBM. Land is cultivated; before irrigation it was dry farm land, but now raises irrigated crops.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. ==

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land is naturally arid, light ash soil, and would require $5/8$ inch per acre for complete irrigation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been working at or near this place since the system was installed about 3 years ago; the system used is to Summer fallow about 240 acres and crop about 500 acres each year; water is used on crop lands while crops are growing, and after growing season is used on summer fallow land.

(Signed) Harold Anderson

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 Idaho Falls, County of Bonneville, State of Idaho, on this 11th day of March, A. D. 1958.

John L. Bloem
Notary Public.
Residing at: Idaho Falls, Idaho.

My commission expires Nov. 9, 1959.

25361

March 21, 1958

Re: Permit No. G-25361
James F. Bauman

Albaugh, Bloem, Barnard & Smith
Attorneys At Law
P. O. Box 428
Idaho Falls, Idaho

Attention: John L. Bloem

Dear Mr. Bloem:

In rechecking the land list or the place of use where the water is to be used in connection with Proof of Application of Water to Beneficial Use and Completion of Works recently sent in to this department by you, we observe the following.

In the publication notice published in the paper and on the original permit, the place of use was described as follows: $W\frac{1}{2}$ of Section 30, $W\frac{1}{2}$ of Section 31, Township 3 North, Range 36 East, and the $SE\frac{1}{4}$ of Section 36, Township 3 North, Range 35 East.

On the proofs of the holder and the witnesses, you state that the place of use was the $N\frac{1}{2}$ of Section 20, $N\frac{1}{2}$ of Section 31, Township 3 North, Range 36 East and the $SE\frac{1}{4}$ of Section 36, Township 3 North, Range 35 East.

In case the land list or place of use was changed from that recorded on the original permit, it will be necessary to fill out an amendment, amending the place of use.

In case an error was made in stating the land description as set out in the depositions, please grant us authority to change the land description.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Application for Amendment

25361

March 20, 1958

Re: Permit No. G-25361

Albaugh, Bloom, Bernard & Smith
P. O. Box 428
Idaho Falls, Idaho

Attention: John L. Bloom

Dear Mr. Bloom:

In reply to your letter of March 11, 1958 in which you enclose -
Proof of Publication
Deposition of Witness, Harold Anderson
Deposition of Witness, Glenn Waters
Deposition of James F. Bauman on behalf of Worthington Corporation
Power of Attorney from Worthington Corporation to James F. Bauman
Certified Copy of Agreement between Wintroath Pumps, Incorporated,
and Worthington Corporation.

We wish to state that we have recorded the enclosed agreement,
which we are returning at your request, on the original permit
record which we will use as an assignment from the Wintroath Pumps,
Incorporated, to the Worthington Corporation.

Relative to the field examination to be made by our field engineer,
will refer you to our office letter of March 18, 1958, a copy of
which was mailed to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

25361

RWT:lw
Encls. (1) - Agreement

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

SUITE 201-S ROGERS BLDG.
DIAL JACKSON 2-6291

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
P. O. BOX 428
IDAHO FALLS, IDAHO

March 11, 1958

RECEIVED
MAR 12 1958
Department of Reclamation

Re: Permit No. G-25361

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

Dear Mr. Kulp:

In connection with the above numbered permit, I enclose herewith the following:

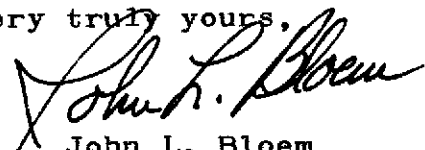
1. Proof of Publication
2. Deposition of Witness, Harold Anderson
3. Deposition of Witness, Glenn Waters
4. Deposition of James F. Bauman on behalf of Worthington Corporation
5. Power of Attorney from Worthington Corporation to James F. Bauman
6. Certified copy of Agreement between Wintroath Pumps, Incorporated, and Worthington Corporation.

You will observe from the last mentioned Agreement (enclosure 6) that upon merger, all of the assets of Wintroath Pumps was assigned to Worthington Corporation. The real estate stands in the name of Worthington Corporation.

When setting up an Address of Worthington Corporation, please show it "Wintroath Pumps Division, Box 853, Idaho Falls, Idaho".

Unless you need to keep it in your permanent file, I would appreciate it if you would return to me the certified copy of the agreement between Wintroath and Worthington when it has served its purpose.

Very truly yours,


John L. Bloem

JLB:s

Encls

25361

g-25361
February 27, 1958

Wintroath Pumps
Division of Worthington Corporation
Box 853
Idaho Falls, Idaho

Attention: Mr. A. Widowson

Dear Mr. Widowson:

In reference to your letter of February 20, 1958 in which you requested if we could furnish you a map covering an area West of the Snake River in Bingham County, the map showing the well location, ownership and depth of irrigation wells.

We wish to state that we do not have maps prepared to cover the information requested nor do we have time or personnel to prepare same from our records.

All the records are public records and most of the information which you requested could be acquired from said records if you would like to send someone to our office to compile same. On well filings for permit where proofs have not been completed, we would have no information on the depths of the proposed wells. Each well driller is supposed to furnish this department a log of the wells drilled, however, in many cases they fail to send them in.

This department has been advised that the United States Geological Survey of the Underground Water Branch at Boise, Idaho, is preparing a report on all the wells drilled in the Blackfoot area. Said report will be available, we hope, sometime late this summer or early fall. This report will list all wells giving detailed information and it probably will be available to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

g-25361

WINTROATH PUMPS

DIVISION OF WORTHINGTON CORPORATION

P.O. BOX 29 • 1100 SOUTH MERIDIAN AVENUE • ALHAMBRA, CALIFORNIA

Box 853 Idaho Falls, Idaho

February 20, 1958

RECEIVED
FEB 21 1958
Department of Reclamation

Mr. Mark Kulp
State of Idaho
Dept. of Reclamation
Boise, Idaho

Dear Mr. Kulp,

I have been advised by a local well driller that your office could supply us with a map showing the location, ownership and depth of irrigation wells. We are interested in obtaining this information covering an area West of the Snake River in Bingham County and including roughly Townships 1, South to 5 South, from Ranges 34 East, to Range 30 East. If you can furnish such a map, will you please advise the price?

If your office is unable to furnish this information, would you know who does?

Thank you for your cooperation in this matter.

Very truly yours,

WINTROATH PUMPS
Division of Worthington Corp.

By

A. Widows on
A. Widows on

25361

February 7, 1958

Re: Permit No. G-25361
Wintroath Pumps

Albaugh, Bloem, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

Attention: John L. Bloem

Dear Mr. Bloem:

In reply to your letter of February 5, 1958 in connection with the above captioned permit.

We have sent to the Eastern Idaho Farmer, the publication notice for making Completion of Works and Beneficial Use Proofs on Permit No. G-25361, which undoubtedly will be published on February 13, 20, 27 and March 6, setting the date of hearing as March 11, as requested by you.

Regarding the Wintroath Pumps, Incorporated being a subsidiary of the Worthington Corporation, providing the license of water right can be issued to the Wintroath Pumps, Incorporated, it will not be necessary to make an assignment on the permit, however, if it is necessary that the license be made out in the name of Worthington Corporation, an assignment will be necessary. We are enclosing a blank assignment form for your use in case it is necessary to use same.

We can accept the proofs of this late date providing it is stated in the depositions of the holder and the two witnesses that the work was fully completed on or before January 18, 1958.

We would suggest that if the applicant is prepared to make final proofs at this time, that he proceed with making the proofs. However, if he is not fully prepared to make the proofs at this time, it may be to the applicant's advantage to stop the publication notice that we have sent to the paper and request an extension of time. We are also enclosing a blank form for an extension of time, in case you wish to use same.

25361

John L. Bloom

-2-

February 7, 1958

Providing the proofs will be made out in the name of the Wintroath Pumps, Incorporated, the depositions of holder can be signed by the manager of the Idaho Falls Branch, therefore eliminating the necessity of granting a power of attorney to sign said proofs.

We hope this answers your inquiry.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Extension of Time
Assignment Form

25361

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

SUITE 201-5 ROGERS BLDG.
DIAL JACKSON 2-6291

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
P. O. BOX 428
IDAHO FALLS, IDAHO

February 5, 1958

RECEIVED
FEB 6 1958
Department of Reclamation

Re: Permit No. G-25361
Wintroath Pumps

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

Dear Mr. Kulp:

I just received the papers from Wintroath Pumps, Division of Worthington Corporation, regarding final proof on the above numbered permit, although I notice the proof was due on January 18. Enclosed you will find Form No. 11, which I have signed, and Form No. 36, which is filled in except for the date of the hearing.

With publication in the Eastern Idaho Farmer, publications could be made February 13, 20, 27, and Mar. 6. If they are so made, a hearing on March 11th would suit me better.

Since the above application was filed, Wintroath Pumps, Inc. became a subsidiary of the Worthington Corporation, and is doing business as "Wintroath Pumps, Division of Worthington Corporation". There was a general assignment of all assets, but no specific assignment of this Permit. Will you require an assignment, or will an explanation in the proofs suffice?

Inasmuch as this proof is being made late, although the project was completed and the water used some time ago, would it be better to apply for an extension of time (they only asked for three years) or would the late proof be satisfactory?

None of the officers or directors of this company reside in Idaho. Will a Power of Attorney to make proof be required, or can you accept proof from the Manager of the Idaho Falls branch?

I will proceed on this whichever way you prefer, but because most of the discrepancies are technicalities, I thought you might be able to waive them rather than require an Assignment, Application for Extension of Time, and Power of Attorney.

Very truly yours,

ALBAUGH, BLOEM, BARNARD & SMITH

By

John L. Bloem

JLB:s
Enc-3

25361

February 6, 1958

RE: Permit No. G-25361
Wintroath Pumps

Albaugh, Bloem, Barnard & Smith
Attorneys at Law
P.O. Box 428
Idaho Falls, Idaho

Attention: John L. Bloem

Dear Mr. Bloem:

This acknowledges receipt of the Notice of proofs of completion of work and application of water to beneficial use under Permit No. G-25361, in the name of Wintroath Pumps, Division of Worthington Corporation, P.O. Box 29, Alhambra, California. Final proofs to be made before you, as Notary, at 10:00 A.M. on the 11th day of March.

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

In completing the enclosed depositions, it is very important that the Permit holder, (representative) and his two witnesses, who are familiar with the terms and the work done thereunder, execute the depositions before you, as Notary, at the time, date and place as advertised in the publication Notice, as well as all other information called for. The signatures of the holder and witnesses, and your Notary seal are essential.

When returning the depositions to this office, please be sure to include the affidavit of publication.

A letter following in answer to your letter of February 5th.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

N 25361

R:vm

cc - Wintroath Pumps

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-25361
Wintroath Pumps

Date: February 6, 1958

The Eastern Idaho Farmer
Idaho Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 11th, 1958** the date set for proof; the expense of the publication is to be paid by the applicant, **Box 428** **Atty-John L. Bloom, P.O. / of Idaho Falls, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

Riva
Encl.

25361

NOV 7 1957

RECEIVED
FEB 6 1958
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 5, 1958

Box 428

Address

Idaho Falls, Idaho

City

State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Eastern Idaho Farmer of Idaho Falls, Idaho,
published in the county in which the works are situated.

Connerville Co. ✓

ALBAUGH, BLOEM, BARNARD & SMITH

By

John L. Bloem

(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

25361

NOV 7 1955

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

RECEIVED
FEB 8 1956
Department of Reclamation

Notice is hereby given that at 10:00 A. M., on the _____ day of March, 19 58, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloom, a notary public, proof will be submitted of the completion of works for the diversion of four cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25361 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the ~~Wintroath Pumps, Division of Worthington Corporation~~ corporation holding said permit are Wintroath Pumps, Division of Worthington Corporation, P.O. Box 29, Alhambra, California.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Twp. 3 N.R. 36, E.B.M., ~~Wintroath Pumps, Division of Worthington Corporation~~

5. The place where said water is used is W $\frac{1}{4}$ Section 30 and W $\frac{1}{4}$ Section 31, Twp. 3 N.R. 36, E.B.M., and SE $\frac{1}{4}$ Section 36, Twp. 3 N.R. 35, E.B.M., ~~Wintroath Pumps, Division of Worthington Corporation~~

6. The date of priority which said user is prepared to establish is January 17, 1955.

MARK R. KULP
State Reclamation Engineer

25361
RMF

January 20, 1958

Re: Permit No. G-25361

Wintroath Pumps, Inc.
P. O. Box 29
Alhambra, California

Attention: H. R. Hildenbrand,
Assistant Secretary

Dear Mr. Hildenbrand:

Enclosed is departmental receipt #G-3108 for \$1.00, issued as
receipt of the fee for the copy of Permit No. G-25361.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25361

January 15, 1958

Re: Permit No. G-25361

Wintroath Pumps, Inc.
P. O. Box 29
1100 So. Meridian Avenue
Alhambra, California

Attention: H. R. Hildenbrand
Assistant Secretary

Dear Mr. Hildenbrand:

In compliance with your request of January 9, 1958, stating that you have mislaid the original Permit No. G-25361, and request a copy of same for information purposes, we are enclosing a copy of said permit as requested.

It will be necessary for us to charge you one dollar fee for copy of same, which you may remit to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. (1)

25361

WINTROATH PUMPS

DIVISION OF WORTHINGTON CORPORATION

P.O. BOX 29 - 1100 SOUTH MERIDIAN AVENUE - ALHAMBRA, CALIFORNIA

January 9, 1958

RECEIVED
JAN 13 1958
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Re: Permit No. G-25361

Thank you for your letter of November 25, 1957 in connection with the above permit.

We have checked our files here, inquired of our Idaho Falls office and written Mr. Carl Moeller who is farming the land covered by the permit, but can find no trace of it.

Would you please sent us a copy of this permit? Until such time as we know what it covers, we cannot make final proofs in this connection, nor can we intelligently fill in the application for extension of time. Thank you.

Yours very truly,

WINTROATH PUMPS
Division of Worthington Corporation

By

H. R. Hildenbrand
H. R. Hildenbrand
Assistant Secretary

HRH:rb

825361

November 25, 1957

Re: Permit No. G-25361

Wintroath Pumps
P. O. Box 29
1100 South Meridian Avenue
Alhambra, California

Attention: H. R. Hildenbrand
Assistant Secretary

Dear Mr. Hildenbrand:

In answer to your letter of November 18, 1957 in which you request information and the status of Permit No. G-25361.

Applicant - Wintroath Pumps, Inc.
Filed - January 17, 1958
Completion of Works and Beneficial Use Proofs
Due - January 18, 1958
Place of Use - $W\frac{1}{2}$ Section 30, $W\frac{1}{2}$ Section 31,
Township 3 North, Range 36 East; and the $SE\frac{1}{4}$ Section
36, Township 3 North, Range 35 East.

In case you are not ready to make final proofs in connection with the above stated permit, we are enclosing herewith an extension of time which you may fill out, as we can grant you to January 18, 1960 before it will be necessary to make final proofs.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Extension of Time

25361

WINTROATH PUMPS

DIVISION OF WORTHINGTON CORPORATION

P.O. BOX 29 - 1100 SOUTH MERIDIAN AVENUE - ALHAMBRA, CALIFORNIA

November 18, 1957

RECEIVED
NOV 20 1957

Department of Reclamation
State House
Boise, Idaho

Department of Reclamation

Gentlemen: Re: Permit No. G-25361

We received forms for completing the Notice of Proof for publication of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-25361.

Inasmuch as we have title to several parcels of land in Idaho, assigned to us as security on the purchase of pumping equipment, we are at a loss to know to whom the above permit was issued.

Any information you can give us that will enable us to forward the forms to the proper person or company will be greatly appreciated.

Yours very truly,

WINTROATH PUMPS
Division of Worthington Corporation

By *H. R. Hildenbrand*

H. R. Hildenbrand
Assistant Secretary

HRH:rb

25361

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. G-25361

Date November 18, 1957

Wintreath Pump, Inc.
Box 29 Alhambra
Los Angeles, Calif.

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-25361 are due not later than January 18, 1958.

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 with the county.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above 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 on, 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 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,

MARK R. KULP
State Reclamation Engineer

Enclosures

P 25361

January 24, 1955

RE: Permit No. G-25361

Mr. Lee Wilhite
% Wintroath Pumps, Inc.
Box 29
Alhambra, California

Dear Mr. Wilhite:

We enclose Permit No. G-25361 and 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-931 for the \$5.75 filing fee.

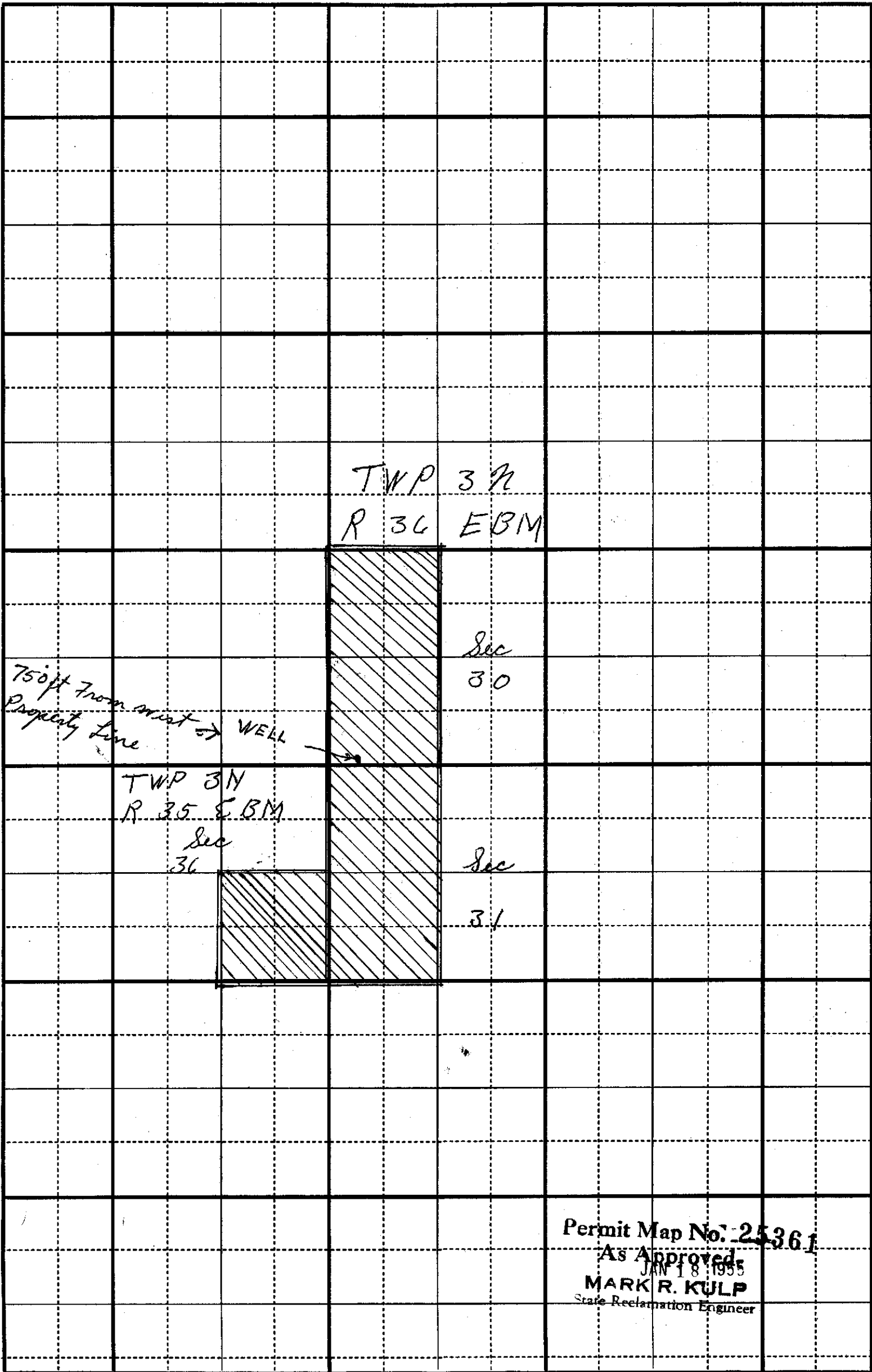
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25361



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

Notice is hereby given that at 10:00 a. m., on the 11th day of March, 1958, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, a notary public, proof will be submitted of the completion of works for the diversion of four cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25361 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the corporation holding said permit are Wintroath Pumps, Division of Werthington Corporation, P. O Box 29, Alhambra, California.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Twp. 3 N. R. 3, E. B. M.

5. The place where said water is used is W $\frac{1}{2}$ Section 30 and W $\frac{1}{2}$ Section 31, Twp. 3 N. R. 36, E. B. M., and SE $\frac{1}{4}$ Section 36, Twp. 3 N. R. 35, E. B. M.

6. The date of priority which said user is prepared to establish is January 17, 1955.

MARK R. KULP

State Reclamation Engineer
Pub., EIF, Feb. 13, 20, 27; March 6, 1958