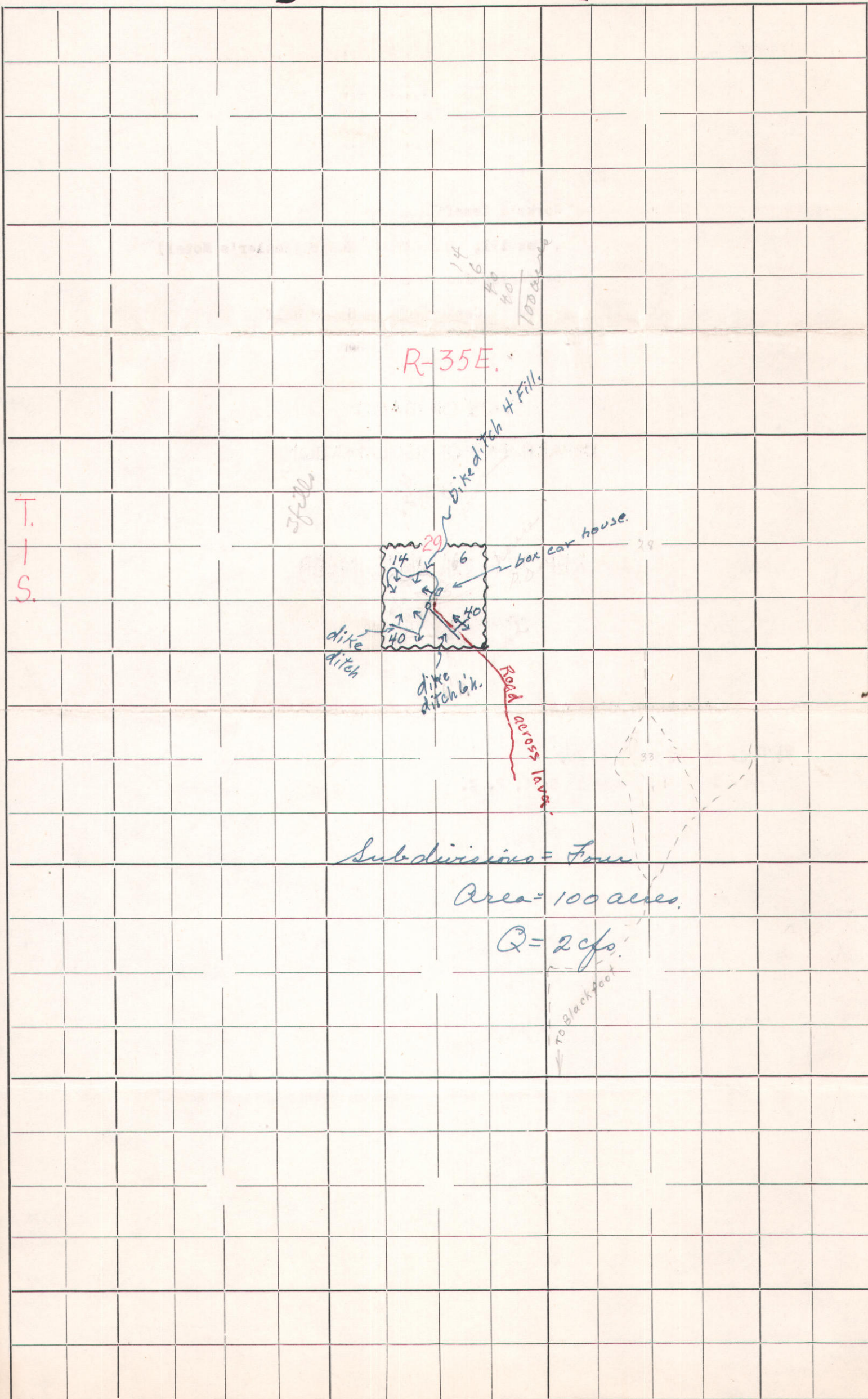




UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

~~Idaho District~~ Land Office

P. O. Box 2237

Boise, Idaho

(PLACE)

September 7, 1954

(DATE)

RECEIVED
SEP 11 1954
Department of Reclamation

NOTICE OF ALLOWANCE

John Fink

~~John Fink~~

Cottage Hotel

Blackfoot, Idaho

Sir:

Your Desert-Land Entry, Serial No. Idaho 03283
~~Desert-Land Entry~~
(Kind of application or entry)

Receipt No. 5372, for The W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
5372 the W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 29
29
Township 1 S., Range 35 E., Boise Meridian, Idaho
1 S. 35 E. Boise Meridian, Idaho,
containing 160 acres, has this day been allowed, subject to *Bingham*

your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial number.

~~The above entry is allowed, subject to any existing~~

~~The above entry is allowed, subject to any existing~~

rights-of-way and to any valid existing rights.

rights-of-way and to any valid existing rights.

22978

Very respectfully,

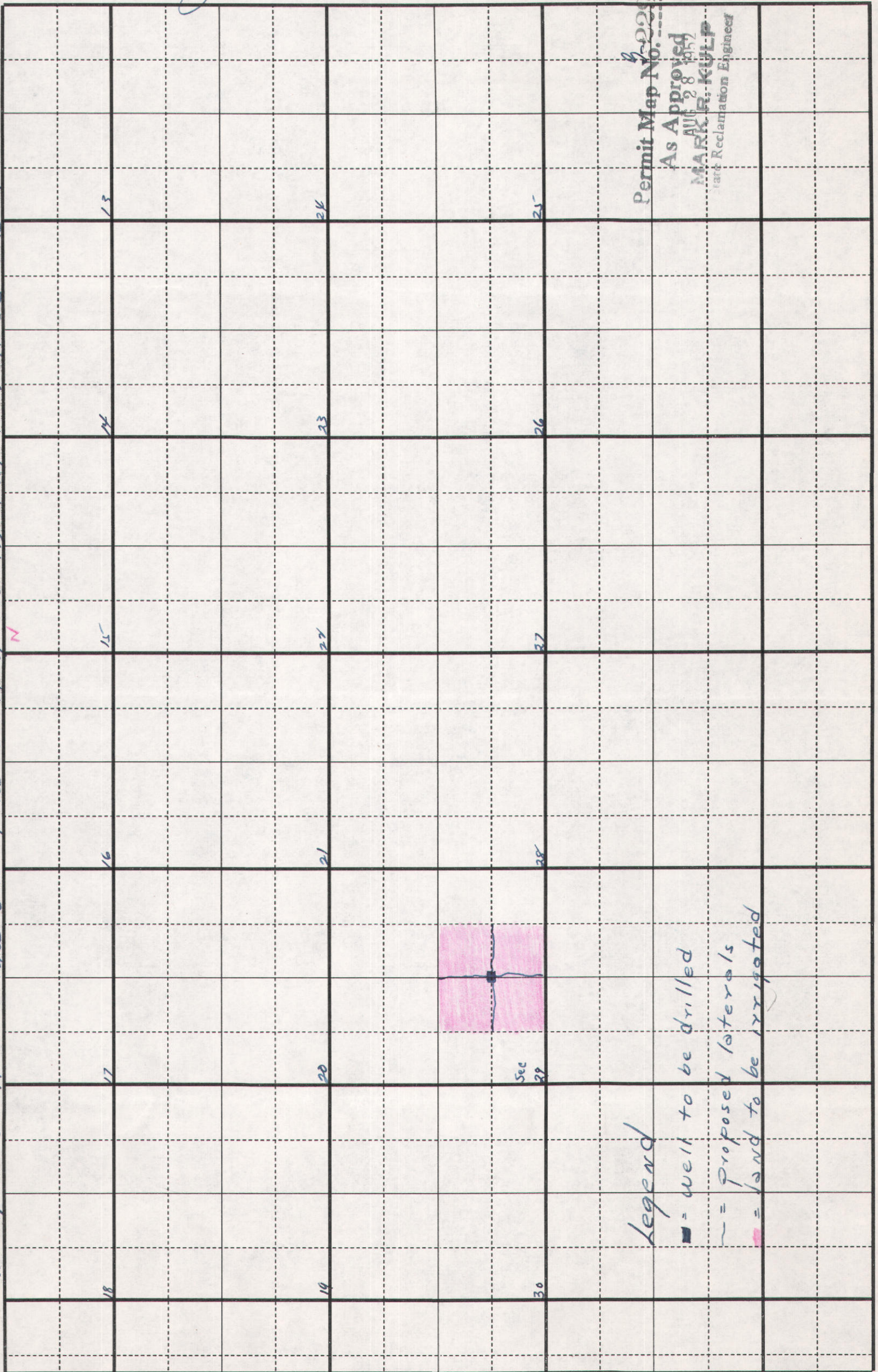
Paul A. Shepard
Manager

cc: DRM, Idaho Falls, Idaho
State Recla. Engr., Boise, Idaho ✓

A-22978

John Fink E

W 1/2 of the SE 1/4 and the E 1/2 of the SW 1/4 of Sec 29, TWP 1 S, R. 3 S E B M.



Permit Map No. 22978

As Approved
AUG 28 1962

MARK R. KULP

State Reclamation Engineer

Legend

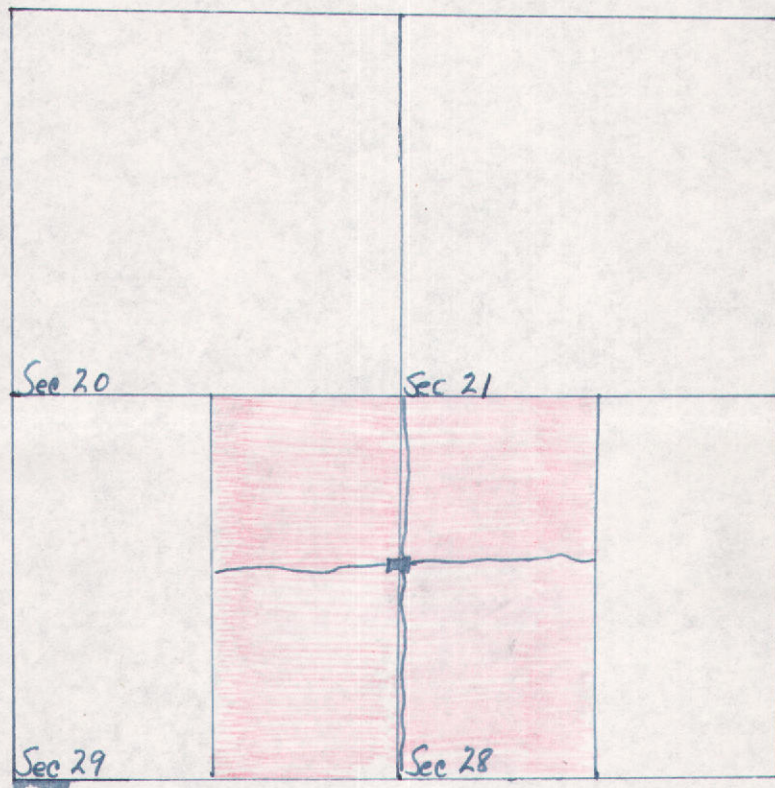
■ = well to be drilled

- - = proposed laterals

■ = land to be irrigated

W. $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ Twp 1 S. R. 35 E. B.M.

Mr. John Fink



Legend: 2 inches = 1 Mile

■ = well to be drilled

— = Proposed ditches

■ = land to be irrigated

16. 22978

State of Idaho

License and Certificate of Water Right

Water License No. G-22978Amount 2.0 second feet

Water District No. _____

Priority August 8, 1952

THIS IS TO CERTIFY that JOHN FINK
 of Blackfoot, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated August 8, 19 52 ; that Permit No. G-22978
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 2 second feet, was issued thereunder on June 12, 19 56, showing that said works
 were completed on the 22nd day of September, 1955 ; and that on the 22nd
 day of September, 19 55,

JOHN FINK,
 of Blackfoot, 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
 , ~~artificial~~ (subterranean flow), for the purpose of irrigation use
 , under Use Permit No. G-22978 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 9 of Licenses at page 5741, on the 12th day of June, 19 56 ;

The right hereby confirmed dates from August 8, 19 52 ;

The Point of Diversion is located in the center of the S $\frac{1}{2}$ Section 29, Township 1 South, Range 35 East, B.M.
~~in the~~ ~~xxx~~ ~~xxx~~ Sec. 29, Tp. 1 S., R. 35 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 2.0 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 S.	35 E.	29	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	14
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	6
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Total Number of Acres Actually Irrigated		100

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
 12th day of June, 1956 .

MARK R. KULP

State Reclamation Engineer.

(SEAL)

35 2227

State of Idaho

License and Certificate of Water Right

Water License No. 21710

Amount .5 second foot

Water District No.

Priority September 20, 1950

THIS IS TO CERTIFY that HIDDLESTON & HAYNES
 of Rupert, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated September 20, 1950; that Permit No. 21710
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 .8 second foot, was issued thereunder on November 5, 1953, showing that said works
 were completed on the 22nd day of October, 1953; and that on the 27th
 day of May, 1955,

HIDDLESTON & HAYNES

of Rupert, 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
~~contributing~~ (subterranean flow), for the purpose of irrigation
 , under Use Permit No. 21710 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 9 of Licenses at page 5742, on the 19th day of June, 1956;

The right hereby confirmed dates from September 20, 1950;

The Point of Diversion is located

in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Tp. 11 S., R. 19 E., B. M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed .5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	14	SE $\frac{1}{4}$ NE $\frac{1}{4}$	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
 19th day of June, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT 35-2237

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-30704
Permit No. G- 22978
District No.

*To Morley's Cafe
146 N. W. Main
Blackfoot, Idaho*

1. Name of Applicant: JOHN FINK
Postoffice address: Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
Miners' inches 160 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum 1140
3. Source of water supply: Well to be drilled on premises
4. Location of point of diversion or well is in the $W\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 29 (On West center line)
Twp. 1 S. , Rge. 35 E. , B.M., County of Bingham
5. Water is to be used for: Agricultural purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ 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 pump and ditches
8. Estimated cost of works: \$7,000.00
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(5) 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.

The well which is to be drilled will be approximately 210 feet deep, with casing about 10 feet down from the top
The pump to be installed will be an electric pump of about 60 horse power, costing approximately \$3,500.00

Remarks:

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

JOHN FINK *Applicant.*

By Jay H. Stout *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. August 8, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-22978

Recorded in Book 82 Page 22978 Approved August 28, 1952

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 October 28, 1952 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 February 28, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 28, 1957

Witness my hand this 28th day of August, 1952

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 28th day of August, 1952.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By LEN JORDAN

Governor

12.

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 $\frac{1}{4}$	
1 S.	35 E.	29	.		40 40	40 40	160
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-22978.							
Comes now John Fink and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of permit to appropriate the public waters of the State of Idaho, No. 22978. That the point of diversion is described in said permit as being located W $\frac{1}{2}$ of the SE $\frac{1}{4}$ Section 29, Twp. 1 S.							
R. 35 E.	That he now requests that the point of diversion be changed to a point the center of the S $\frac{1}{2}$ Section 29, Twp.						
1 S. R. 35 E.	That his reasons for desiring to make such change are as follows: Point of diversion was located incorrectly in the application.						
That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.							
Signed at Boise, Idaho, this 8 day of October, 1952.							JOHN FINK
Date of receipt at Department of Reclamation 10-8-1952.							
APPROVAL OF STATE RECLAMATION ENGINEER							
I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 22978. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.							
							MARK R. KULP State Reclamation Engineer

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

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-22978 in the name of John Fink required proof of Completion of Works and Beneficial Use to be made on or before August 28, 1957; and,

WHEREAS, Said permit was issued in connection with a Desert Land Entry filed by the applicant; and,

WHEREAS, Said applicant was not permitted to enter the land and commence construction until authorization from the U. S. Land Office was received September 7, 1954:

NOW, THEREFORE, An extension of time is allowed for Completion of Works and Beneficial Use under Permit No. G-22978 until September 7, 1959, or the length of time permit holder was prevented from proceeding with the construction, and a similar extension is allowed for every other act required under the terms of Permit No. G-22978.

Dated at Boise, Idaho, this 18th day of October, 1954.

MARK R. KULP
State Reclamation Engineer

Permit No. G-22978
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JOHN FINK of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. G-22978, issued upon Application No. G-30704 bearing date of priority of August 8, 1952, authorizing the diversion of 3.2 second feet of the waters of a well (subterranean flow) 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 2.0 second feet of the waters of said well; that the point of diversion of said waters is in the center of the S $\frac{1}{2}$ Section 29, Township 1 South, Range 35 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, Township 1 South, Range 35 East, B.M.

Witness my hand this 12th day of June, A. D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made September 22, 1955
Certificate of Completion of Works issued June 12, 1956.

LICENSE ISSUED FEB 20 1956

Page 5741

June 18, 1956

RE: Permit No. G-22978

Mr. John Fink
Box 191
Blackfoot, Idaho

Dear Mr. Fink:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-22978 confirming your right to the use of 2.0 second feet of the waters of a well located in the center of the S $\frac{1}{2}$ Section 29, Township 1 South, Range 35 East, B.M., with priority of August 8, 1952, for irrigation of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, Township 1 South, Range 35 East, B.M.

We also enclose departmental receipt No. G-1924 for \$13.00 which includes \$5.00 completion of works fee and \$8.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

M. 22978

RECEIVED

JUN 6 1956

Department of Reclamation

Blackfoot Idaho
State Dept. Reclamation June 5 - 1956
 Boise, Idaho.

Office of Chief Clerk:

Enclosed you will find
my check for the statutory
fee of \$8.00 for my license
on permit No. G-22978,
as stated in your letter
of May 29, 56.

Thanking you for
your fine cooperation in
this matter, I am
Sincerely yours,
John Frink

A-22978

June 5, 1956

RE: Permit No. G-22978

Mr. John Fink
Box 191
Blackfoot, Idaho

Dear Mr. Fink:

We are today in receipt of your check for \$8.00 for the fee for issuance of a License on your Permit No. G-22978.

However, in our letter of May 29, we failed to state that the statutory fee for issuance of a Certificate of Completion of Works is \$5.00. In other words, the total amount of fees required to complete your water right should have been \$13.00.

We shall hold your check for \$8.00 and upon receipt of an additional check for \$5.00, a Certificate of Completion of Works and License can be issued you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

22978

May 29, 1956

RE: Permit No. G-22978

Mr. John Fink
Box 191
Blackfoot, Idaho

Dear Mr. Fink:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-22978 which shows that you have irrigated 100 acres of land in the $E\frac{1}{2}SW\frac{1}{4}$ and $W\frac{1}{2}SE\frac{1}{4}$ Section 29, Township 1 South, Range 35 East, B.M., with the waters of a well located in the center of the $S\frac{1}{2}$ of Section 29.

A Certificate of Completion of Works and License can, therefore, be issued for 2 second feet of water upon receipt of the statutory fee of \$8.00 for the license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

22978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

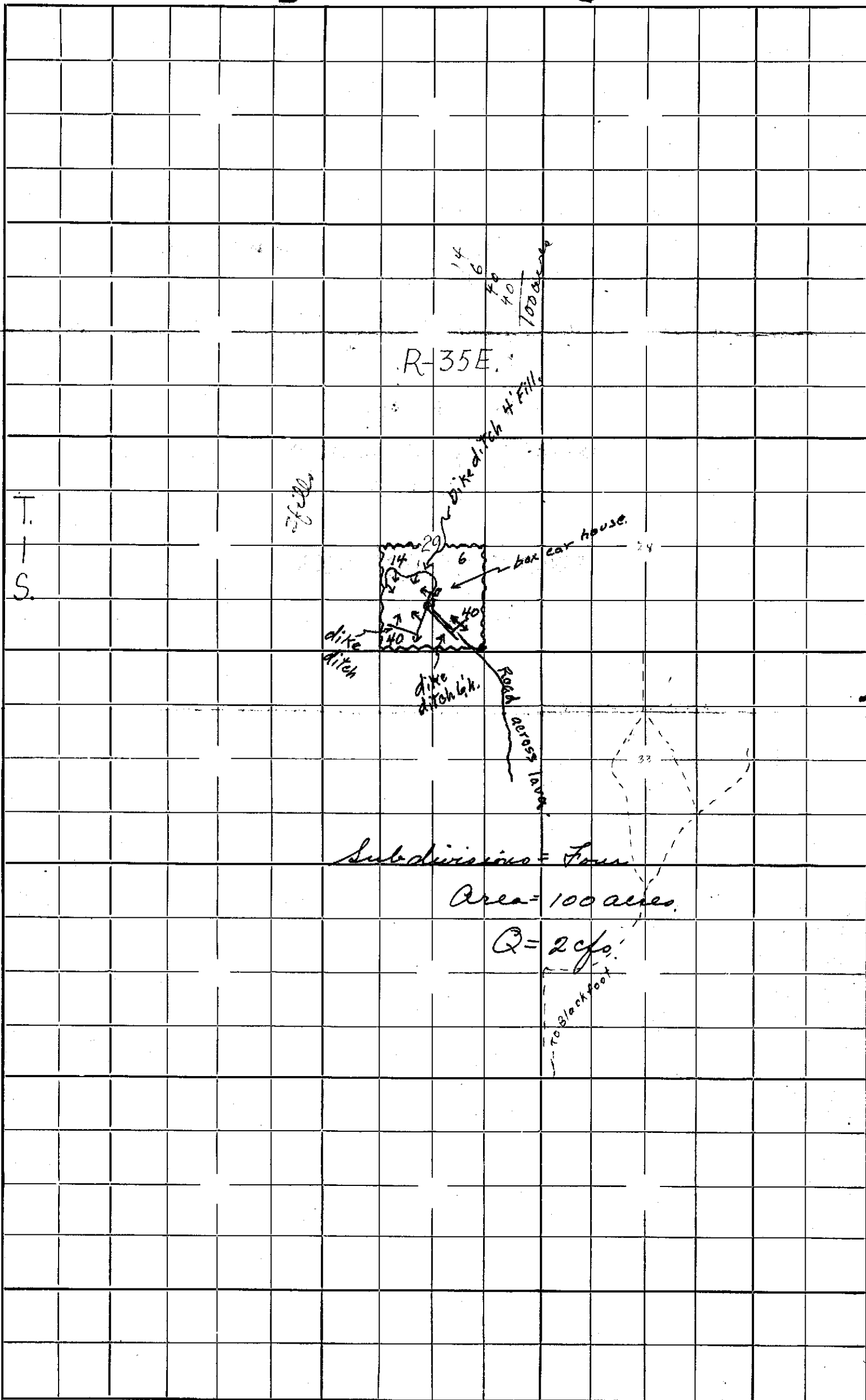
PERMIT NO. G-22978

REPORT ON PROOF OF Completion of works & Beneficial Use

JOHN FINK, Box 191, Blackfoot, Idaho

*2.0 cfs
mark*

*app. 3.2 cfs
Sub. 4
acres - 160*



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

H 22978

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

Permit No. G-22978

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

1. Name of applicant John Fink, Box 191, Blackfoot, Idaho (Kesler's Motel)

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the Center of the South half of Section 29

T. 1 S. R. 35 E. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: Well = 2 1/2' x 16" d.

h = 108' dol to 120-130' exact = unknown. Fairbanks Morse
50 hp. Motor # F 143619. Fairbanks Morse Pomona Turb. P.T. 2124

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):

W 1/2 SE 1/4, E 1/2 SW 1/4 Section 29,

Twp. 1 South, Range 35 East, B. M.

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

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

Remarks: Pump not yet turned on.

This water was not measured; but Pump has ability
to deliver at least 125 inches.

Soil has been hauled out and put on the lava
in order to make a passable road.

This examination was made on the 23 day of May, 1956

(Signed) E. M. Humphrey Examiner.

G-22978

10" del. to N. Hume.
 10" x 3' paper. Sects. hand-drawn.

John Fink- Box 191
 (Kesler's Motel) Blackfoot, Idaho
 Permit No. G-22978

Examination for Completion of works
 and Beneficial Use

County Bingham
 29-15-35E

Qr 3.2 cts.

Sr Well h=100' 150"

P.D. = Center of S², Sec. 29, T.15.-R.35E

Use = Agricultural purposes

Can pump 130" 130'

allow 100"

Priority = Aug. 8, 1952
 Due = Sept. 7, 1959 (Est.)

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
 MAY 28 1956
 Department of Reclamation

2 1/2' x 16 3/4" and 6'
 h = 108' dds 8'
 3 stage 14" 140' x 140" Col.

F. Morse Pump
 50 hp. 1770 R.P.M.
 440 V. 619. #F143619

F. Morse Panama Tank
 P.T. 2124

Cone base approx 4' x 5'
 slightly irregular shape.

G.M. Switched #1901
 Leage 34350

480 V G.E. meters
 # 33048 369
 on pole to 8 7'

no protest
 50" x 40" x 3 1/4" Conc. Reading

May 17, 1956

RE: Permit No. G-22978

Mr. John Fink
Box 191
Blackfoot, Idaho

Dear Mr. Fink:

State law requires an inspection on any Permit being brought to license in the State of Idaho.

I intend to make inspection in connection with your permit on Wednesday, May 23, toward evening.

Please be prepared to accompany me on this inspection. If for some reason I am delayed and my schedule is a little behind time, please wait for me as I will be there as soon as possible.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

L. 22978

✓
September 27, 1955

RE: Permit No. G-22978

Mr. Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

We acknowledge receipt of your letter of September 23, 1955, enclosing Affidavit of Publication in the Blackfoot Daily Bulletin which completes proof of Completion of Works and Beneficial Use on Permit No. G-22978 in the name of John Fink.

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

We cannot say just when this examination will be made, but our engineer will contact Mr. Fink at the time he makes the examination in order that he may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou
CC: Mr. John Fink

4-22978

PROSECUTING ATTORNEY
BINGHAM COUNTY

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
76 NORTH BROADWAY PHONE 611
BLACKFOOT, IDAHO
September 23, 1955

RECEIVED
SEP 26 1955
Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
State House
Boise, Idaho

In re: Permit No. G-22978

Dear Sir:

Enclosed herewith is the affidavit of publication from the Blackfoot Daily Bulletin in respect to the above named permit.

I am sorry for the oversight.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:gw
Enc.

A. 22978

AFFIDAVIT OF PUBLICATION

County of Bingham

State of Idaho

ss

I, Marjorie Flint, do solemnly

swear that I am the Principal Clerk of

The Daily Bulletin, 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 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 26 day of Aug., 19 55 and the last publication having been made on the

16 day of Sept., 19 55; 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 the notice was published in the newspaper and not in a supplement.

Marjorie Flint
Subscribed and sworn to before me this 19

day of Sept, 19 55

Donald P. Jones
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.

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 20th day of September, 1955, at Blackfoot, County of Bingham, State of Idaho, before Jay H. Stout, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of (subterranean waters) and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22978, 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 are John Fink, P. O. Box 888, Blackfoot, Idaho.

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, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.

3. The use to which said water has been applied is for agricultural purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The place where said water is used is the W $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29 Township 1 S., Range 35 East, Boise Meridian, and the well is located in the center of the S $\frac{1}{2}$ of said Section 29.

5. The date of priority which said user is prepared to establish is August 8, 1952.

MARK R. KULP

State Reclamation Engineer

Publish: Aug. 26; Sept. 2-9-16.

A. 22978

September 21, 1955

RE: Permit No. G-22978

Mr. Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

We have your letter of September 20 enclosing depositions of John Fink and two witnesses in proof of completion of works and beneficial use on Permit No. G-22978.

However, the affidavit of publication is an essential part of the proof and the Blackfoot Daily Bulletin was instructed to send this affidavit to Mr. Fink. If he has not received it, we suggest he take the matter up with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
CC - Mr. John Fink

G. 22978

PROSECUTING ATTORNEY
BINGHAM COUNTY

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
78 NORTH BROADWAY PHONE 811
BLACKFOOT, IDAHO
September 20, 1955

RECEIVED
SEP 21 1955

Department of Reclamation

State of Idaho Department
of Reclamation
State House
Boise, Idaho

In re: Permit No. G-22978
John Fink

Dear Sir:

Enclosed herewith are the depositions taken
for final proof on permit No. G-22978.

There is enclosed the deposition of the holder,
John Fink, the deposition of Thane Gneiting,
witness and the deposition of Shirley Jensen,
witness.

In the event there is any further information
which you need in respect to submission of
final proof, please notify me as soon as
possible.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:gw
Enc. 3

22978

Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22978

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. John Fink, Kesler's Motel, Blackfoot, Idaho, occupation radio operator and farming, P. O. Address is Box 191, Blackfoot, 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. no corporation involved.

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

Ans. No. of permit is G-22978, dated August 28, 1952. Date of priority proposed to be established is May 26, 1955.

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

Ans. Source of supply is from an underground well located in the southeast corner of the Northeast quarter of the southwest quarter of Section 29, Township 15, Range 35 East Boise Meridian. Well is nearly in the center of the Fink property.

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. Diversionary works consist of a network of irrigation ditches extending in a radial direction from the pump to all parts of the farm. Ditches will carry at least 150 inches of water with enlargement very easy to accomplish. Well is 212' in depth. Casing is 16" casing extending down 6 feet. It is about 100 feet to water. Discharge of pump is 150 inches. It was determined by capacity of the pipe and capacity of pump. Pipe gives 10 inch flow under pressure and this pipe is completely filled when pump is on.

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

Ans. Water used solely for irrigation purposes and used on west one-half of southeast quarter and the east one-half of southwest quarter of Section 29, Township 1 South, Range 35 East Boise Meridian. There is no greater amount than 5 acres per each subdivision which was not irrigated this year, and next year all of land will be irrigated. Land is all cultivated and improvements consist of full network of irrigation ditches, underground well, three large fills, road, boxcar house wired with electricity and livable, having been lived in during summer by applicant.

L. 22978

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

Ans. Used solely for irrigation.

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

Ans. 150 inches

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. I am original applicant.

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

Water was first used on property on May 26, 1955, and was thereafter used continuously for the irrigation of the 1955 potato crop grown thereon. 150 inches of water was used for this purpose all of it being obtained from the underground well. Water was used to irrigate all four subdivisions of the land with the small exceptions as noted in paragraph 6.

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. Only the water appropriated under the permit being applied for herein has been used on the land.

(Sign)

John F. Smith

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 20th day of September, A. D. 1955.

Jay H. Stout

My commission expires 6-3-56

6. 22978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22978

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. Thayne R. Gneiting, age 27, residence Route 1, Blackfoot, Idaho,
occupation farming, P. O. Address Route 1, Blackfoot, Idaho.

Ques. 2. Are you acquainted with John Fink, the
holder of Permit No. G-22978? How long have you known him and where does
he reside?

Ans. Have known him about 2 years and he resides in Blackfoot, Idaho.

Ques. 3. Have you read or heard read said Permit No. yes, 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 con-
veying water from point of diversion to place of use.

Ans. Underground well, place diversion is on the northwest quarter
of the Fink property. Works consist of gravity ditches to all parts
of the farm.

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

Ans. I feel capacity of ditches at present time is around 150 inches of
water. I have seen 150 inches being conveyed by the ditches.

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

Ans. I have seen the pump deliver approximately 150 inches of water.

I estimate flow on basis of my past farming experience. I have put in
a lot of ditches myself and know the capacity of a ditch by virtue
of having constructed so many. I observed the flow from the pump
and how it filled the conveying ditch.

H. 22978

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.

Water is used for irrigation of the Fink property and is used for
Ans. irrigating all the farmable acres. Almost all of each subdivision is wholly irrigated. There are a few necks of rock extending in from the sides of the farm which aren't irrigated, but these would not exceed 20 acres in all. There is just a small portion of each subdivision not actually irrigated not exceeding 5 acres in each one. Improvements consist of fills, ditches, well and pump and boxcar house and road leading up to premises.

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

Ans. Just for irrigation.

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. Character of land is sloping lava ash soil and about 150 inches of water would be required.

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. Have seen water applied in summer of 1955 on several occasions. It was applied through use of irrigation ditches. There was around 150 inches applied and it was applied to all of the irrigable land with the exceptions as noted in paragraph 7.

(Signed)

Thayne R. Grieting

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 20th day of September, A. D. 1955.

Jay H. Stout

Notary Public.

My commission expires 6-3-56

N. 22978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22978

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. Shirley L. Jensen, 241 Parson Street, Blackfoot, Idaho, occupation
is land leveling, post office address is 241 Parson Street, Blackfoot,
Idaho, age 40.

Ques. 2. Are you acquainted with John Fink, the
holder of Permit No. G-22978? How long have you known him and where does
he reside?

Ans. Have known him over a year and he resides at Hesler's Motel in
Blackfoot, Idaho.

Ques. 3. Have you read or heard read said Permit No. yes, 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 con-
veying water from point of diversion to place of use.

Ans. Source of water supply is an underground well drilled over 200 feet.
Well is drilled in northwest part of the Fink farm. I built the fills
which enable the water to be destributed throughout the land by means
of irrigation ditches.

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

The works will safely convey at least 150 inches of water. I have
Ans. seen the ditches convey all the water the pump will pump which is
about 150 to 160 inches.

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

Ans. I have seen the pump deliver about 150 inches of water and I
estimate the amount from the size of stream and size of ditch. I have
constructed a lot of ditches and am generally aware of a ditches capacity
because of experience in working with this type of work.

H-22978

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. Purpose of water is to irrigate potatoes and garden. From my observation all of the subdivisions are under irrigation. The land is all in potatoes (cultivated). Improvements consist of fills, ditches, well and pump and boxcar house and road leading up to premises.

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

Ans. Just irrigation purposes.

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. The land is lava ash which seems to be pretty deep and it will take about an inch of water to the acre or about 160 inches.

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

Ans. I am still receiving money for work I have done on the land and I am still owed about \$200.00.

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 seen land irrigated this summer several times. Land was irrigated by use of ditches and they were applying between 150 and 160 inches of water to the land. The entire farm was being irrigated.

(Signed) Shirley L Jensen

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 20th day of September, A. D. 19 55.

Jay H. Hunt

Notary Public.

My commission expires 6-3-56

4.22978

August 30, 1955

RE: Permits Nos. G-22978, G-23993 and 21223

Blackfoot Daily Bulletin
Blackfoot
Idaho

Gentlemen:

We have checked the notices on the above numbered Permits appearing in your issue of August 26 and note the following typographical errors:

1. In Permit No. G-22978 of John Fink, in the second line of the paragraph beginning 1. The name and postoffice address etc., the word person is misspelled.
2. In the notice on Permit No. 21223 of M. & W. Farms, Inc., in the ninth line of the first paragraph, the words "from a well" are omitted after the words subterranean sources.
3. Also on this Permit, in the second line of the paragraph beginning 1. The name and postoffice address etc., the name of the permit holder is M. & W. Farms, Inc. and not H. & W. Farms, inc.
4. The notice on Permit No. G-23993 is correct.

Please make these corrections in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

hll

22978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-22978

Date: August 13, 1955

Blackfoot Daily Bulletin

Blackfoot, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 20, 1955 the date set for proof, the expense of the publication to be paid by the applicant, John Fink of Box 688, Blackfoot, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KILF

State Reclamation Engineer
By

Chief Clerk

N. 22978

✓
August 17, 1955

RE: Permit No. G-22978

Mr. Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

In reply to your letter of August 16, 1955, in regard to notice on Permit No. G-22978 in the name of John Fink.

We have not overlooked the matter but plan to send the notice within the next day or two which would give ample time for four weeks publication prior to September 20, 1955, the date set for proof.

Sometimes if we send the notice to the newspaper too far ahead of time publication is overlooked which is our reason for waiting to send it fairly close to the required date.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

H. 22978

PROSECUTING ATTORNEY
BINGHAM COUNTY

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
76 NORTH BROADWAY PHONE 611
BLACKFOOT, IDAHO

August 16, 1955

RECEIVED
AUG 17 1955
Department of Reclamation

Department of Reclamation
Capitol Building
Boise, Idaho

In re: Permit No. G-22978
John Fink

Attention: Jearnie L. Anderson

Dear Sir:

On July 15, 1955, I received a letter from your office to the effect that a copy of notice for proof of completion of works and beneficial use to be made on September 20, 1955, on the above permit would be sent by your office to the Blackfoot Daily Bulletin in time for publication for the statutory four weeks prior to September 20th.

Having checked with the Bulletin and found that they have not yet received your notice, I would appreciate your giving this matter your attention inasmuch as publication should be started in the near future.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:gw

22978

✓
July 15, 1955

RE: Permit No. G-22978

Mr. Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

We acknowledge receipt of your letter of July 14th enclosing notice for proof of completion of works and beneficial use to be made September 20, 1955, on Permit No. G-22978 in the name of John Fink.

A copy of the notice will be sent to the Blackfoot Daily Bulletin in time for publication for the statutory four weeks prior to September 20 with instructions to publish once a week for four weeks prior to that date and to send Mr. Fink the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be executed by Mr. Fink and two disinterested witnesses in making these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

M-22978

PROSECUTING ATTORNEY
BINGHAM COUNTY

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
76 NORTH BROADWAY PHONE 611
BLACKFOOT, IDAHO

RECEIVED
JUL 15 1955
Department of Reclamation

July 14, 1955

State of Idaho Dept. of Reclamation
State House
Boise, Idaho

In re: Permit No. G-22978

Dear Sir:

In accordance with the instructions contained in your letter of May 6, 1955, there are enclosed herewith duly executed form 11 and two copies of form 36 duly filled out.

Thank you very much for your kind cooperation in this matter.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:lj

Encl.

H-22978

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 12, 1955

(P. O.) Box 688, Blackfoot, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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



(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.

A 22978

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 20th day of September, 1955, at Blackfoot, County of Bingham, State of Idaho, before Jay H. Stout, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of (subterranean waters) and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22978 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 are John Fink, P.O. Box 688, Blackfoot, Idaho
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, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.
3. The use to which said water has been applied is for agricultural purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The place where said water is used is the W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29 Township 1 S., Range 35 East, Boise Meridian and the well is located in the center of the S $\frac{1}{2}$ of said Section 29.
5. The date of priority which said user is prepared to establish is 8 August 28, 1952.

MARK R. KULP

State Reclamation Engineer

M-22928

✓
May 6, 1955

RE: Permit No. G-22978

Mr. Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

In reply to your letter of May 4th advising that Mr. John Fink is prepared to make proof of completion of works and beneficial use on Permit No. G-22978.

As you know, notice must be published once a week for four weeks in a county newspaper prior to the date set for proof.

This notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the Notary Public before whom this proof is to be made.

Both copies of Form 36 to be returned to this Department together with Form 11 which is the Permit Holder's authorization for us to have the notice published at his expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be executed by the Permit Holder and two disinterested witnesses in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

16 22978

PROSECUTING ATTORNEY
BINGHAM COUNTY

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
76 NORTH BROADWAY PHONE 611
BLACKFOOT, IDAHO

May 4, 1955

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

In re: Permit to appropriate sub-
terranean water of the State
of Idaho
Application no. G-30704
Permit no. G-22978

Dear Mr. Kulp:

Mr. John Fink, the holder of the above permit
number, is nearly ready to furnish proof of
completion of works and beneficial use in
connection with his desert land entry and
appropriation of subterranean ground water.

It would be appreciated if you would forward
to me the forms required to be furnished to
you under the provisions of Idaho Code, Section
42-235.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:gw

B/K C/W - 7-7-59

RECEIVED
MAY 5 1955
Department of Reclamation

16-22978

✓
October 25, 1954

RE: Permit No. G-22978

Mr. Paul A. Shepard
Land Office
P.O. Box 2237
Boise, Idaho

Dear Mr. Shepard:

Reference is made to copy of your letter addressed to Mr. Jay H. Stout of October 21, enclosing his letter in connection with Permit No. G-22978 of Mr. John Fink and this department's approval of an extension of time for making proofs of completion of works and beneficial use to September 7, 1959.

Our understanding of Mr. Stout's letter to you is that he wished your office to be advised of this extension since Permit No. G-22978 was filed in connection with Mr. Fink's desert land entry No. 03283.

However, we assume it is not necessary for this extension to be attached to the copies of Permit No. G-22978 which are on file in your office in connection with his desert land entry and we are returning same to Mr. Stout herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

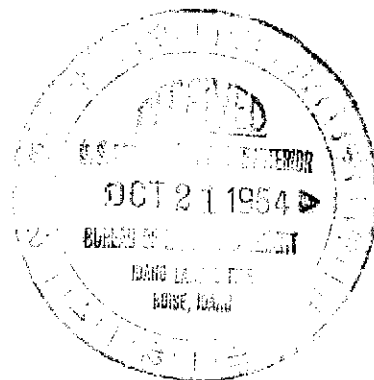
Chief Clerk

A:hll
cc Mr. Jay H. Stout

16-22978

Prosecuting Attorney
Bingham County

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
76 North Broadway — Phone 611
BLACKFOOT, IDAHO
October 19, 1954



United States Department of Interior
Bureau of Land Management
Land Office
P. O. Box 2237
Boise, Idaho

In Re: John Fink - Idaho 03283

Attention: Mr. Paul A. Shepherd, Manager

Dear Mr. Shepherd:

Enclosed herewith is an extension of time for Completion of Works and Beneficial Use on behalf of Mr. John Fink, Desert Entry Claim No. 03283, Water Permit No. G-22978.

It is requested that you attach the enclosure to the original permit of which it now forms a part.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:gw
Enc.

16-22978

Land Office
P. O. Box 2237
Boise, Idaho

Oct. 21, 1954

RECEIVED
OCT 22 1954
Department of Reclamation

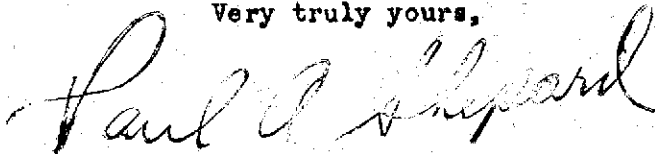
Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

Reference is made to your letter of October 19, regarding an extension of time on Water permit no. G-22978 for Mr. John Fink.

Your request and letter are being forwarded to the State Reclamation Engineer, Capitol Building, Boise, Idaho who has jurisdiction over such matters.

Very truly yours,



Paul A. Shepard
Manager

ekw

G-22978

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

WHEREAS, Permit No. G-22976 in the name of John Fink required proof of Completion of Works and Beneficial Use to be made on or before August 28, 1957; and,

WHEREAS, Said permit was issued in connection with a Desert Land Entry filed by the applicant; and,

WHEREAS, Said applicant was not permitted to enter the land and commence construction until authorization from the U. S. Land Office was received September 7, 1954:

NOW, THEREFORE, An extension of time is allowed for Completion of Works and Beneficial Use under Permit No. G-22976 until September 7, 1959, or the length of time permit holder was prevented from proceeding with the construction, and a similar extension is allowed for every other act required under the terms of Permit No. G-22976.

Dated at Boise, Idaho, this 18th day of October, 1954.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

4 22978

✓
422978
October 18, 1954

Mr. Jay H. Stout
76 North Broadway
Blackfoot, Idaho

Dear Mr. Stout:

In reply to your letter of October 15th we enclose approval of the State Reclamation Engineer of Mr. John Fink's application for extension of time for Completion of Works to September 7, 1959.

This should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

422978

Prosecuting Attorney
Bingham County

Jay H. Stout
ATTORNEY AND COUNSELOR AT LAW
76 North Broadway — Phone 611
BLACKFOOT, IDAHO
October 15, 1954

RECEIVED
OCT 16 1954
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

In Re: Permit to appropriate sub-
terranean water of the State
of Idaho
Application No. G-30704
Permit No. G-22978

Dear Mr. Kulp:

On August 28, 1952, a permit to appropriate water was issued to Mr. John Fink of Blackfoot, the permit being as set forth above, the approval by yourself specified one-fifth of the work to be completed on or before February 28, 1955, with the whole of said beneficial work to be completed on or before August 28, 1957.

Subsequently, the United States Land Office advised us that Mr. Fink could not go upon this land for development purposes until he had received an allowance of his Desert Land Entry Application.

After much delay, the United States Land Office finally approved Mr. Fink's application and on September 7, 1954, they gave him authorization to go on the land for the purpose of development.

Mr. Fink is dubious as to whether he can have the required one-fifth of the work completed by next year.

We are wondering if it would be possible to secure an extension date as far as this much work is concerned, and in the event an application by Mr. Fink is needed in order to insure an extension, Mr. Fink would be only too happy to comply.

Your suggestion in this matter would be sincerely appreciated.

Yours very truly,

Jay H. Stout
Jay H. Stout

JHS:gw
cc: Mr. John Fink

H. 22978

C/W 10/16 8-28-57

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

~~Idaho District~~ Land Office

P. O. Box 2237

Boise, Idaho

(PLACE)

September 7, 1954

(DATE)

RECEIVED
SEP 11 1954
Department of Reclamation

NOTICE OF ALLOWANCE

John Fink

John Fink

Cottage Hotel

Blackfoot, Idaho

Sir:

Your Desert-Land Entry, Serial No. Idaho 03283
~~Desert-Land Entry~~
(Kind of application or entry)

Receipt No. 5372, for The W¹/4 SE¹/4, E¹/4 SW¹/4
5372 the W¹/4 SE¹/4, E¹/4 SW¹/4

, Section 29
29

Township 1 S., Range 35 E., Boise Meridian, Idaho
1 S. 35 E. Boise

containing 160 acres, has this day been allowed, subject to

your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial number.

The above entry is allowed, subject to any existing
rights-of-way and to any valid existing rights.
rights-of-way and to any valid existing rights.

Very respectfully,

Paul A. Shepard
Manager

cc: IFM, Idaho Falls, Idaho
State Recla. Engr., Boise, Idaho

A 22978

October 29, 1952

RE: Permit No. G-22978

Mr. Jay H. Stout
Professional Building
Blackfoot, Idaho

Dear Mr. Stout:

The enclosed letter addressed to Mr. John Fink of Blackfoot, Idaho, has been returned unclaimed. Reference to our file shows that the correspondence in regard to Permit No. G-22978 was conducted with you and we shall appreciate your transmitting the enclosed letter to Mr. Fink.

Also please advise as to the correct post office address of Mr. Fink, in order that our records may be complete for future reference.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.



LEN JORDAN
GOVERNOR

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

BOISE

October 29, 1952

RE: Permit No. G-22978

Mr. Jay H. Stout
Professional Building
Blackfoot, Idaho

Dear Mr. Stout:

The enclosed letter addressed to Mr. John Fink of Blackfoot, Idaho, has been returned unclaimed. Reference to our file shows that the correspondence in regard to Permit No. G-22978 was conducted with you and we shall appreciate your transmitting the enclosed letter to Mr. Fink.

Also please advise us to the correct post office address of Mr. Fink, in order that our records may be complete for future reference.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannie L. Anderson*
Chief Clerk

A:fg
Enc.

John Fink
Morley's Cafe -
146 N. W. Main
Blackfoot Idaho

The above is my correct mailing address.

Thank you for your reply regarding my permit No. G. 22978.

G. 22978

John Fink

AFTER 5 DAYS, RETURN TO
DEPARTMENT OF RECLAMATION
STATE HOUSE
BOISE, IDAHO

Mr. John Fink

Blackfoot

Idaho

16-27978

✓
October 21, 1952

RE: Permit No. G-22978

Mr. John Fink
Blackfoot
Idaho

Dear Mr. Fink:

We return your application for amendment to the point of
diversion in Permit No. G-22978 which has been approved by the
State Reclamation Engineer and recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

16 22978

✓
September 8, 1952

RE: Permit No. G-22978

Mr. Jay H. Stout
Professional Building
Blackfoot, Idaho

Dear Mr. Stout:

In reply to your letter of September 5, 1952, we have no record of any other filing for water from a well in Section 29, Township 1 South, Range 35 East, B.M., except the above numbered permit in the name of John Fink.

In reply to your question as to procedure in issuing permits, will state that applications filed in this department are approved for unappropriated water only and it is not the custom of this department to check the place where the water is to be used. It is assumed, when an application is filed, that the applicant either owns, leases or expects to own the land to which the water is to be made appurtenant, although it is true that there have been instances where more than one desert filing has been made on the same land and water permits issued in connection therewith.

When such a situation becomes apparent to this department, we generally notify both parties, but do not reject either application.

This department does not check for duplications until proof of beneficial use has been offered and a field inspection made. At that point we check so that duplicate water rights will not be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22978

JAY H. STOUT
ATTORNEY and COUNSELOR at LAW
PROFESSIONAL BUILDING
BLACKFOOT, IDAHO
Sept. 5, 1952

RECEIVED
SEP 8 1952
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Attention: Jeanne L. Anderson
In re: Appropriation of water permit # G-22978-
John Fink

Dear Sir:

This office is in receipt of permit to appropriate water on behalf of Mr. John Fink. However, at the time this application was made, information relative to whether a permit to appropriate water for the irrigation of the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ and the $E\frac{1}{2}$ of the $SW\frac{1}{4}$, Sec 29, Twp 1 S, R. 35 E.B.M. had been issued, was not requested. no

At this time it would be appreciated if you would inform this office whether any other permit has been issued for the underground water on the above described land.

It would be appreciated if you would acquaint this office with your procedure in regard to issuance of permits. Are they issued as a matter of course to all applicants, or is only one permit for each legal description issued.

Your courteous consideration in the past has been greatly appreciated.

Thank you very much,

Jay H. Stout
JAY H. STOUT

sm

6-22978

September 4, 1952

RE: Permit No. G-22978

Mr. Jay H. Stout
Box 688
Blackfoot, Idaho

Dear Mr. Stout:

We enclose Permit No. G-22978 in the name of John Fink and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

When Mr. Fink was in the office yesterday, we told him that two copies of this permit would be forwarded to the Land Office to be used in connection with his desert entry. However, your letter of August 15, 1952, requests that we send these copies to your office. So, we enclose them herewith and no doubt you or Mr. Fink will forward them to the Land Office.

We also enclose departmental receipts Nos. 24737 for \$5.75 filing fee, and 24758 for the \$2.00 for the additional copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: Mr. John Fink

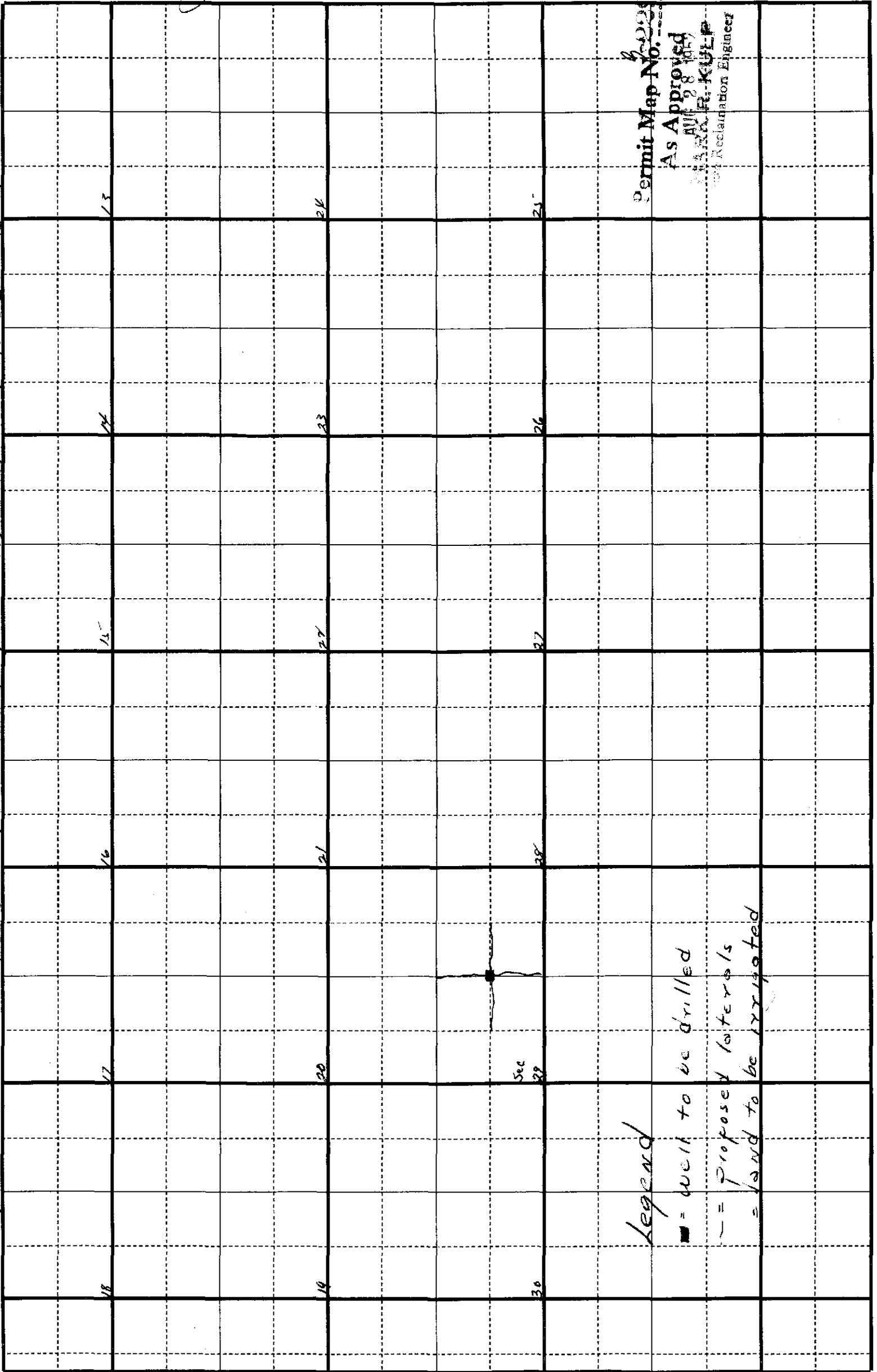
L 22978

NAME OF APPLICANT

John Fink

Form No. 0

W 1/2 of the SE 1/4 and the E 1/2 of the SW 1/4 of Sec 29, TWP 1 S, R. 35 E B M.



Permit Map No. 22978

As Approved

AUG 28 1964
CHAS. F. KUEP
Professional Engineer

Legend

■ = well to be drilled

— = proposed laterals

= land to be irrigated

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

22978

JAY H. STOUT
ATTORNEY and COUNSELOR at LAW
PROFESSIONAL BUILDING
BLACKFOOT, IDAHO
August 15, 1952

RECEIVED
AUG 18 1952
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

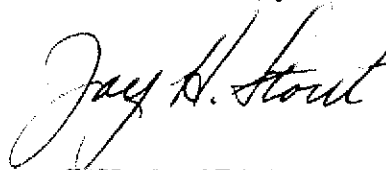
Attention: Jeanne L. Anderson

Dear Sir:

Enclosed herewith is our corrected application to appropriate waters of the state of Idaho. The error in our original application was quite flagrant, but thanks to the eagle eye of your chief clerk, no harm was done by it.

Thanks for the excellent service your department has rendered in the past.

Yours truly,



JAY H. STOUT

sm

P. S. Your department has received the fees for this application - \$5.75 for filing fees, and \$2.00 for two certified copies which it is desired that you send to this office.

A. 22918

August 13, 1952

Re: Application No. G-30704

Mr. Jay H. Stout
Professional Building
Blackfoot, Idaho

Dear Mr. Stout:

We acknowledge receipt of your letter of August 7th, enclosing the application of John Fink to appropriate 3.2 second feet of water from a well, accompanied by your check for the \$5.75 filing fee, and your check for \$2.00 for the two extra copies.

However, the sketch map submitted does not give the correct picture of the land as described in Question 14 of the application, which is the E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29. If the sketch map were amended to show the center of Section 29 in the point indicated, it would fit the above description.

Also the sketch map would seem to indicate the point of diversion as being in the center of the South Half of Section 29, instead of the W $\frac{1}{2}$ SE $\frac{1}{4}$ as stated in Question 4. Which location is correct?

By this same mail we are sending you a supply of application forms, and will be glad to send others, when needed, upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

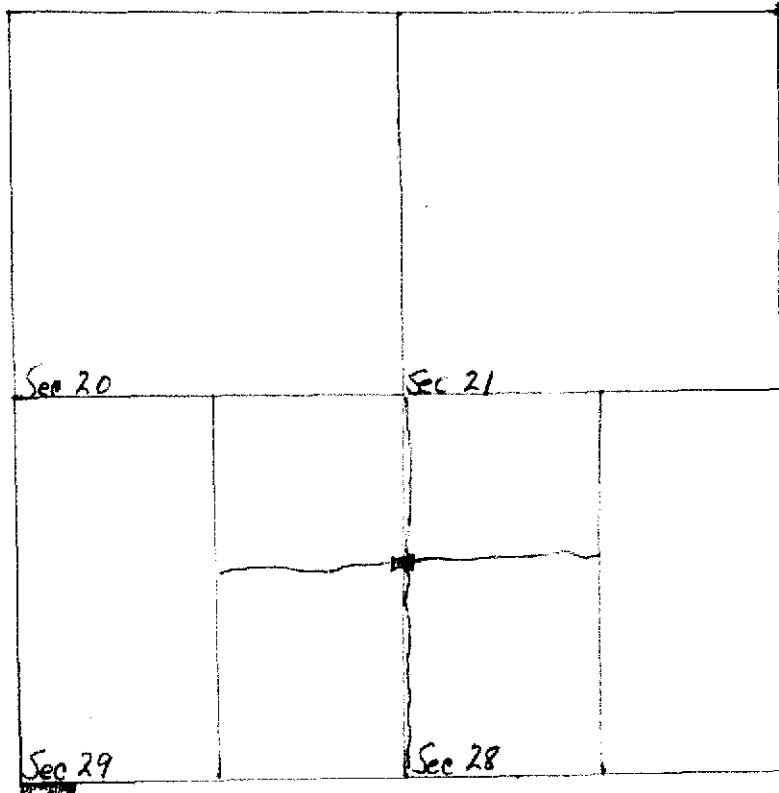
Encl.

Chief Clerk

4-22978

W. $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ Twp 1 S. R. 35 E. B.M.

Mr. John Fink



Legend: 2 inches = 1 Mile

■ = well to be drilled

~ = Proposed ditches

= land to be irrigated

16. 22978

JAY H. STOUT
ATTORNEY and COUNSELOR at LAW
PROFESSIONAL BUILDING
BLACKFOOT, IDAHO
August 7, 1952

RECEIVED
AUG 8 1952
9 am
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

IN RE: Permit to appropriate water - John Fink.

Dear Sir:

Enclosed herewith is an application to appropriate waters of the state of Idaho, said application being in behalf of Mr. John Fink. Also enclosed is Mr. Fink's check for \$5.75 for filing fees.

It is desired that this office be furnished with two copies of the permit (one certified) if the permit is granted. Enclosed is my check for \$2.00 in payment of such copies. It is desired that these copies be sent to this office so that they may be sent in with Mr. Fink's application for desert land.

It would be very much appreciated if you would send this office 20 forms on which applications for permits to appropriate water may be made. (Form No. 3).

Thank you very much,

Jay H. Stout
JAY H. STOUT

sm

H-22918