

T5629

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

WILLIAM M. HEANEY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. October 17, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21750

Recorded in Book 78

Page 21750

Approved October 31, 1950

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 December 31, 1950

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 30, 1951

The whole of said work to be completed on or before October 31, 1951

Beneficial use of water appropriated in accordance herewith, to be made on or before October 31, 1952

WITNESS My hand this 31st day of October, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 31st

day of October, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: All of the land mentioned and described in this application is owned by the United States Government, and a desert entry application covering the whole thereof is on file in the Bureau of Land Management, Land and Survey Office, Boise, Idaho, and in order to produce agricultural crops thereon applicant intends to immediately drill a well approximately 16 inches in diameter and to a depth of approximately 150 feet, which, according to other wells now in operation in the immediate vicinity, will raise the water level to approximately 40 feet from the surface. An electrically driven pump will be utilized to raise the water upon the land through a system to be constructed as soon as the drilling is completed.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 S.	31 E.	19				40									40				80
		20					40	40	40		40	40		40					240
Total Number of Acres to be Irrigated - -																			320

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21750 to October 31, 1955.

Witness my hand this 26th day of October, 1951.

MARK R. KULP

State Reclamation Engineer

TO ALL WHOM IT MAY CONCERN:

CERTIFICATE OF COMPLETION OF WORKS

This is to certify that WILLIAM M. HEANEY of Sterling, County of Bingham, and State of Idaho, the holder of Permit No. 21750, issued upon Application No. 29461 bearing date of priority of October 17, 1950, authorizing the diversion of 6.4 second feet of the waters of a well (subterranean flow) County of Bingham, State of Idaho, for irrigation and domestic 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 Five (5) second feet of the waters of said well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20; All in Township 4 South, Range 31 East, B.M.

Witness my hand this 1st day of December, A.D. 1952

MARK R. KULP

State Reclamation Engineer

Proof of completion of works made October 29, 1952

Certificate of completion of works issued December 1, 1952.

LICENSE ISSUED FOR 44 SEC. FT.

Page-6143

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 4/21/00

Trans # 5629 WR No(s) 35-02187 07603A
Resulting Splits N/A N/A

Name: Hincks Correct Fee Pd ☒ Ad ok ☒

AREA OF CONCERN: No/Yes Moratorium XFER TYPE: B - Change p/d F - Change use period
GWMA C - Add p/d G - Other
TRUST/NON-TRUST D - Change p/u H - Change p/d & add p/d
E - Change use I - Change p/d & p/u
J - Add p/d & change p/u

GROUNDWATER:
✓ DRILLING PERMIT N/A plus chg only
All wells -046
Basin 34 -085
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -067
WMD
Supp irr (irr = only use) -065-104
Supp irr (+ other uses) -100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -01M

SURFACE WATER:
WD - R04 (WD#)
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -01M or 01Q

LOCATION:
Boise Front LoGeo -058 (<85 GW)
Mitigation -121
Trust -051 (consumptive uses)
Non-Trust -048-049 (cons uses or non-cons. > 1.0 cfs)

USES:
STORAGE -18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
✓ > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING -054-081
FISH PROP -029(70'S only)-007-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. -077

USES:
POWER -17H-17K (+uses)-025-081
MUNICIPAL
Restricted area -022,075
Irr., GW supp to SW -102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area -070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

- ✓ T07 - 1 yr to develop
- ✓ T08 - comply or rescind
- ✓ T09 - on-going Snake River Basin Adjudication
- T17 - measure all p/d's (used with WB4)

Protested -020-W19
Multiple pd's per 1/4 - W32
Non-consumptive -027
Water Quality -081-R07
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Single p/d intended -076
Zoning ord. (dairys only) -082

W51 - 2+ yrs to develop
W54 - forfeited ac/rate (used rarely)
W55 - (transfer shrinks total water to less ac)
W57 - no right-of-way
W58 - pending claim (statutory or AJ b/u claim)
W59 - measure p/d's (source changed to original trib)
WB4 - + p/ds, cfs & afa (used with T17)
WD5 - remaining right (only if specifically requested, i.e. protest)
WD6 - measure & report "
WD7 - irr ac removed "

Special T17 & R43 combined - multiple pds in WD

T18

✓ IRRIGATION SEASON 4/1 - 10/31 (Per updated map) IRRIGATION VOLUME/AC 4.0

OTHER CONDITIONS/REMARKS W35 (volume, 397 ac) W21 (2187-235 ac)
7603A - 162 ac

COMMENTS

T files created/updated ☒ Approval form printed ☒ Transfer Memo
Post approval update ☒ make X on WR side

RECEIVED

JAN 31 2000

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

SS

Department of Water Resources
Eastern Region

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said

newspaper 2 consecutive Weeks the first publication having been made on the 20th day of Jan. 2000, and the last publication having been made on the 27th day of Jan. 2000; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

On this 27th day of Jan. in the year of 2000, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2004

Affidavit Processing Fee.....\$5.00

(4467)
Pub.: 1/20, 27

Point(s) of Diversion: NWNWNW, Sec. 20, T04S, R31E, Bingham County.
The water is used for irrigation of 397 acres within Sec. 19 and 20, T04S, R31E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to transfer 15 acres of BLM trespass to his own acreage in Sec. 19 and 20, T04S, R31E.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Drive, Idaho Falls, Idaho, 83402, together with a protest fee of \$25 on or before February 7, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT
NO. T5629

Notice is hereby given that Roy E. Hincks, 2851 W. 900 S., Sterling, Idaho, 83210, has applied to the Department of Water Resources to change the place of use of a groundwater source. The rights sought to be changed are evidenced by SRBA Recommendations and recorded as follows:

SRBA Recommendation No.: 35-02187

Source: Groundwater

Amount: 4.40 cfs

Priority: 10/17/1950

SRBA Recommendation No.: 35-07603A

Source: Groundwater

Amount: 2.12 cfs

Priority: 02/15/1986

DEPT. OF WATER RESOURCES

900 N. Skyline Drive, Suite A

Idaho Falls, Idaho 83402-1718

(208) 522-7161

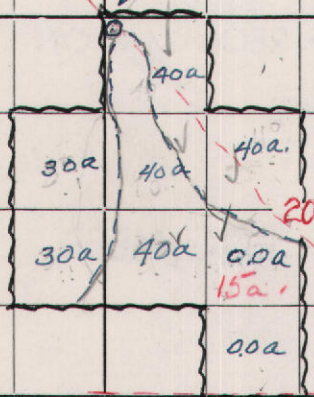
Fax: (208) 525-7177

MICROFILMED
MAY 18 2000

R-31E.

T.
4
S.

19



21

Land subdivisions 6

Area as shown on map 225 Acres

Quantity of Water 220 Miners inches
as measured with Sparling meter

Measurement $Q = 300 \text{ cfs in } 69 \text{ sec.} + 2" \text{ leakage around meter}$
 $= 220 \text{ Miners Inches}$

Subdivisions = 7

Area = 235 acres.

$Q = 220 \text{ inches.}$

4.4 cfs.

AFFIDAVIT OF PUBLICATION

RECEIVED
OCT 25 1956
Department of Reclamation

STATE OF IDAHO
COUNTY OF BINGHAM

MICHAEL W. BONAN, being first duly sworn, on his oath states: That he is the Publisher of The Aberdeen Times a newspaper of general circulation in Bingham County, Idaho, published in Aberdeen, in said County. That the newspaper has been published in said County

and continuously for over seventy-eight consecutive weeks prior to the first publication of the annexed *Notice of Application*

and that said *Notice of Application* was published as per clipping attached, in the regular and entire edition of said newspaper and not in any supplement thereof, in *4*

consecutive issues, the date of the first publication being the *20* day of *Sept*, 19*56* and the last publication being the *11* day of *Oct*, 19*56*

Michael W. Bonan
(publisher)

Subscribed and sworn to me this *22* day of *Oct*, 19*56*

Glenn Cook

My commission expires *12/31-8* Notary Public Residing in Aberdeen, Idaho

Legal Notice

Legal Notice For Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 20 day of October, 1956, at Blackfoot, County of Bingham, State of Idaho, before Harold A. Ranquist, Notary Public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of Subterranean Source, in accordance with the terms and conditions of Permit No. 21750 heretofore issued by the State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are William M. Heaney, Sterling, Idaho.

The use to which said water has been applied is Irrigation and domestic.

The amount applied to beneficial use is 6.4 cubic feet per second,

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ -SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Twp. 4.S. R. 31, E.

The well is located in NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Section 20, Twp. 4.S. R. 31.E.

The right to take water from such works is based upon Permit No. 21750

The source of supply from which water is diverted is Subterranean,

The date of priority which user is prepared to establish is October 17, 1950,

S/ MARK R. KULP,

State Reclamation Engineer.

(Publish in the Aberdeen Times Sept. 20, 27, Oct. 4 and 11.)

21750

April 16, 1956

RE: Permit No. G-21750

National Farm Loan Association
Preston
Idaho

ATTENTION: Mr. J. P. Garner
Federal Land Bank Appraiser

Dear Mr. Garner:

We acknowledge receipt of your letter of April 14, 1956, regarding Permit No. G-21750 in the name of William M. Heaney. Will state that completion of works proof was made on October 29, 1952. Beneficial use proof was made and withdrawn by applicant for the reason that at the time applicant did not have sufficient acreage under cultivation to enable him to receive a License for the amount of water developed.

Beneficial use proof can be made at this time to allow applicant to get the total amount of water that he can pump from the one well which is approximately, as measured by our field engineer, 218 miner's inches. This proof is due June 26, 1956.

In answer to the questions raised in your letter of April 14, will say:

The number of the Permit is	- G-21750
The point of diversion is in	- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp. 4 S., Rge. 31 E.
The priority date is	- October 17, 1950
The amount of water filed on	- 6.4 cubic feet per second
Depth of the well is	- 201 feet (110 feet with 18" diam. Balance with 16" diam.)
Static water level is	- 100 feet
Draw down is	- Unknown
Water Q measured with Sparling meter	= 218 inches

We hope this information will be of assistance to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
Chief Clerk

21750
R:hll

November 23, 1953

The status of Permit No. 21750 now is:

1. Mr. Heaney may submit his fees of \$10.00, as stated in the letter of May 9, 1953, and a License will be issued for 150 inches of water for the land on which it was being used, and he can obtain the balance of the water, up to 218 inches, or 68 inches under a supplemental license at a later date.

2. He may request the State Reclamation Engineer for permission to withdraw his present proofs, giving the reason that proofs were made prematurely because he had felt that it was necessary to do so in order to make his proofs for Desert Entry. Then, as soon as he has all the water and land that he intends to put to use under this permit, he may again make proof in the regular manner. This, of course, will mean the expense of republication; but there will be the expense of publication in connection with a supplemental proof anyway, if he chooses No. 1 above.

In the one case, he will have the License for the whole place as one License and in the other he will have a License and a supplemental License.

It would be well for Mr. Heaney to take care of this matter right away.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

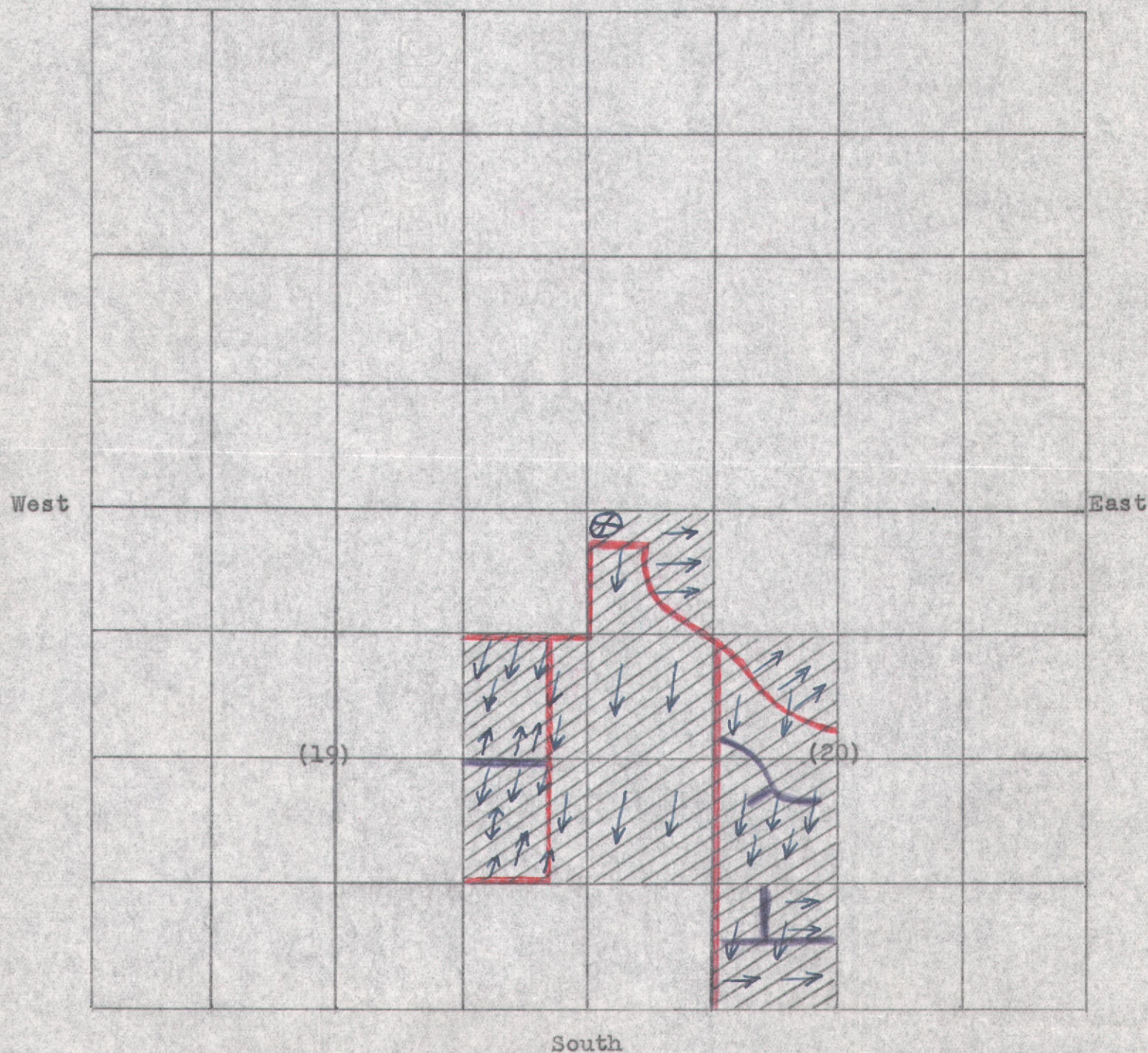
H:fg

21750

HEANEY, WILLIAM M.

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}\ SE\frac{1}{4}$); the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}\ NE\frac{1}{4}$) in Section Nineteen (19); the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}\ NW\frac{1}{4}$); the South Half of the Northwest Quarter ($S\frac{1}{2}\ NW\frac{1}{4}$); the North Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter, ($SE\frac{1}{4}\ SW\frac{1}{4}$) all in Township Four (4) South, Range Thirty-one (31), East Boise Meridian in Bingham County, Idaho.

North



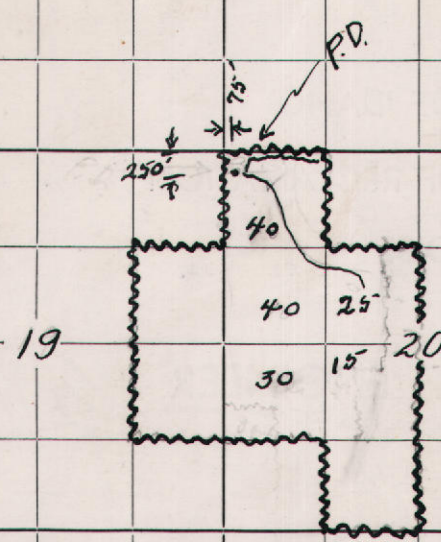
LEGEND:

- Well drilled :
- Land slope :
- Main laterals or canals :
- Small ditches and sub-laterals:

21750

235140
4348
232
80
69
110
180

T. 4. S., R. 30 E.
T. 4. S., R. 31 E.



54°F
217 inches.
150 a. allow
4348
150
217.40

21

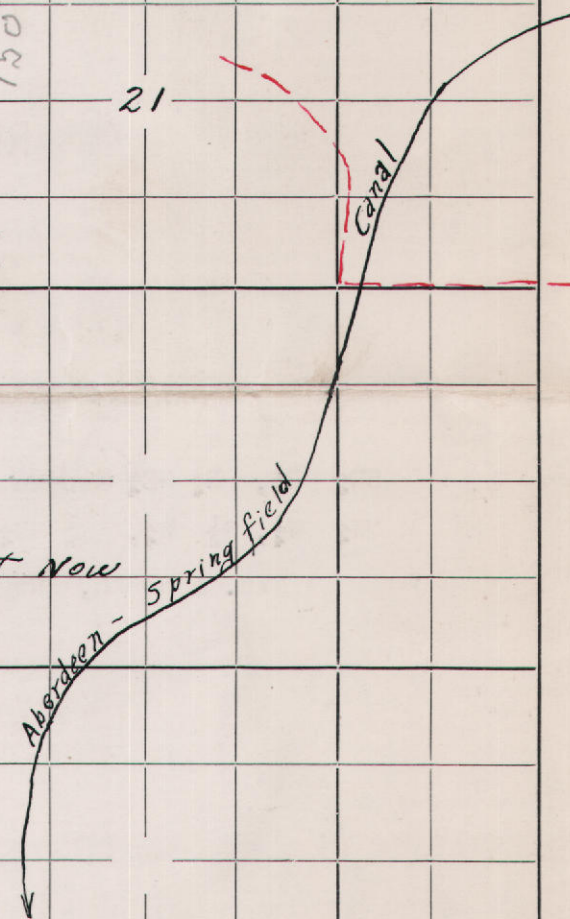
30

29

Allow 150" this permit Now
Area = 150 aere.

Q = 218" Total
Thru Sparling Meter.

T = 34°F



Pump capy = 2250 gpm

$$\begin{array}{r} 250 \\ 9 \overline{) 2250} \\ 18 \\ \hline 450 \end{array}$$

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.

William M. Heaney
 Sterling, Idaho
 Permit No. 21750

Examination for Beneficial use

County Bingham

Sec. 20 4 5 31 E

Q = 6.4 cfs.

S = well

PD = NW⁴ NW⁴ Sec. 20

off - br. & down.

If possible to get title to land
 would like to get time exp.
 on proofs.

wants to make partial proof of
 this and finish this year on balance.

Cousin wants same deal.

priority = Oct. 17, 1950

Due = Oct. 31, 1952

201' { 18" x 110' ced 5' to rock
 16" x balance

Pump down 124'

Column 10" x 120'

2 stage x 14"

H = 100' drawdown

no protect. Concrete base 3 1/2 x 3 1/2

75 hp. 440V. F.M. motor

89 amps. 1460 rpm

F.M. Pump. vert. turb.

PM 7823 10" outlet

5' long into
 concrete pump 4' x 6' x 3'

PD = 249' S. } NW NW
 75 E }

outlets E & W. 2' W x 2 1/2' h
 diked ditches 4' W in bottom
 x 1 1/2' h.

Mongerson Panel # 6366

switched on panel N. of pump.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21750

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Witness

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

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

Ans. Irvin A. Satterfield aged 34 years a farmer by occupation
residence and P.O. Address: Sterling, Idaho

Ques. 2. Are you acquainted with William M. Heaney, the
holder of Permit No. 21750? How long have you known him and where does
he reside?

Ans. Yes. I have known William M. Heaney over 30 years. He
resides at Sterling, Idaho

Ques. 3. Have you read or heard read said Permit No. 21750, 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. Well about 100 feet Southeast of the Northwest corner of
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20 Twp 4 South Range 31 East of Boise Meridian, in Idaho

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. over five (5) cubic feet per second can be carried and that
amount has been delivered.

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? 5 cubic feet per second delivered by pump. Estimated by the
employee of company that installed pump and Electric motor by calibrating

Ans. the consumption of electric energy used to lift and deliver water.

21750

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 used for irrigation purposes only on cultivated lands-
Ans. ~~no meadow or pasture. No improvements except well, motor, pump,~~
~~ditches and laterals. Land irrigated in 1952: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$~~
~~NW $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ all in~~
~~Section 20 Twp 4 South Range 31 East of Boise Meridian, Bingham County,~~
~~Idaho amounting to 200 acres~~

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

Ans. used for irrigation only

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. Soil is sandy loam and 5 cubic feet per second is
required to irrigate land covered by the permit

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 own farm land in this immediate vicinity and have seen
this land being irrigated about every ten days or two weeks during
the season of the year 1952 . About 250 inches or 5 cubic feet
per second used.

(Signed) Irvin A. Satterfield

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 17th day of January,
A. D. 19 53.

(SEAL)

[Signature]

Notary Public.
Residence: Blackfoot, Idaho

My commission expires July 22nd, 1955

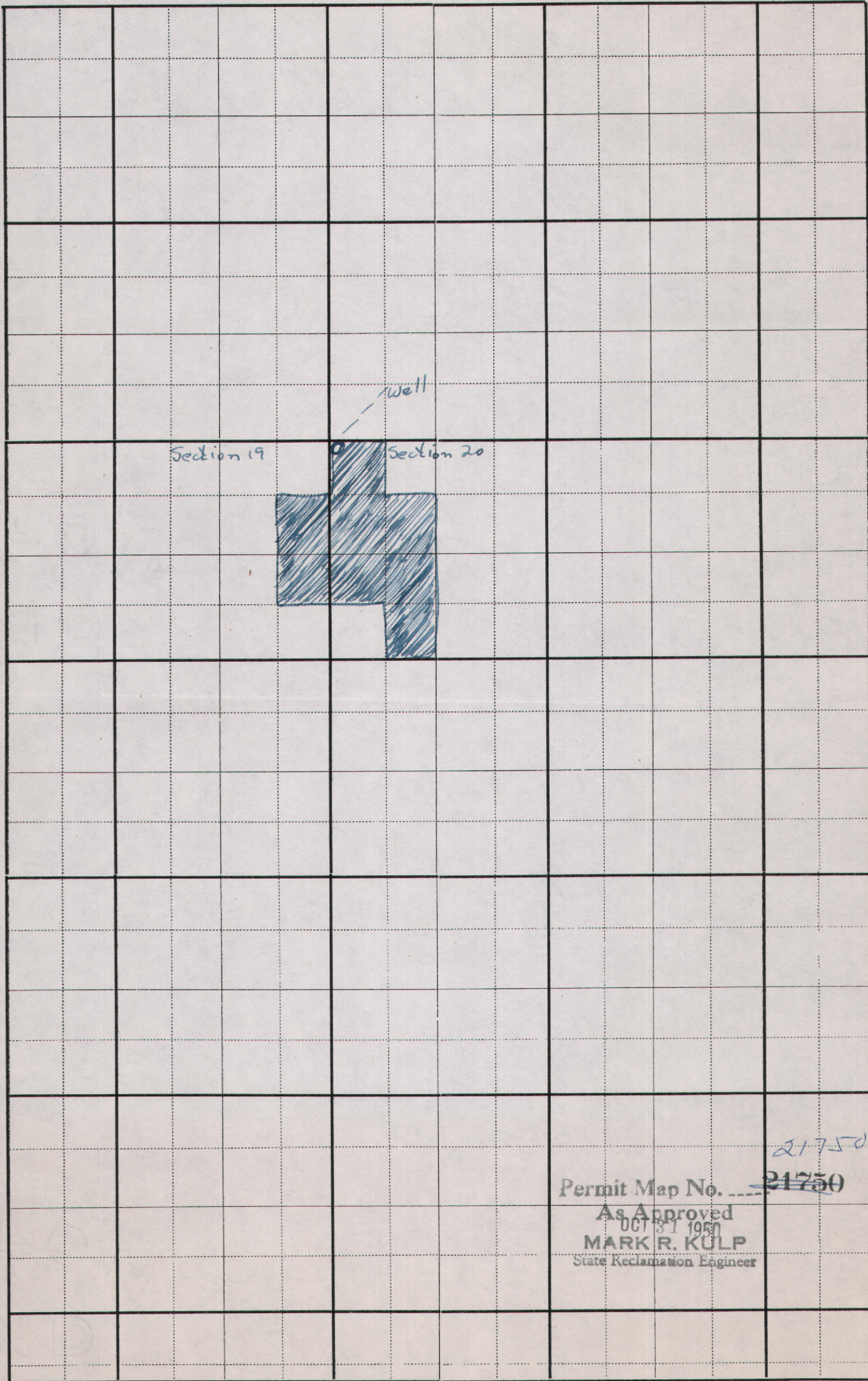
21750

Section 19

Section 20



21750
Permit Map No. ~~24750~~
As Approved
OCT 31 1950
MARK R. KULP
State Reclamation Engineer



21750
Permit Map No. ~~21750~~
As Approved
OCT 31 1950
MARK R. KULP
State Reclamation Engineer

21750

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
35-02187	HEANEY, WILLIAM M.	C	10/17/1950	L/	GROUNDWATER	IRR	WR
X35-02187	HINCKS, ROY E	C	10/17/1950	L/	GROUNDWATER	IRR	WR

35-02187	HINCKS, ROY E	C	10/17/1950	L/	GROUNDWATER	IRR	AJ
A35-02187	HINCKS, ROY E	C	10/17/1950	L/	GROUNDWATER	IRR	AJ
R35-02187	HINCKS, ROY E	C	10/17/1950	L/	GROUNDWATER	IRR	AJ

MICROFILMED

MAY 18 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5629
WATER RIGHT NO(S). 35-02187/35-07603A

This is to certify that: **ROY E HINCKS**
2851 W 900 S
STERLING ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-02187 :			
IRRIGATION	04/01 to 10/31	4.40 CFS	940.0 AF
Priority: 10/17/1950			
Right No. 35-07603A :			
IRRIGATION	04/01 to 10/31	2.12 CFS	648.0 AF
Priority: 02/15/1986			
TOTAL:		5.12 CFS *	1588.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NWNWNW, Sec. 20, Township 04S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	31E	19	NENE 40	SENE 40	NESE 40	120
		20	NENW 38	NWNW 39	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SESW 40			277

Total number of acres irrigated: 397 **

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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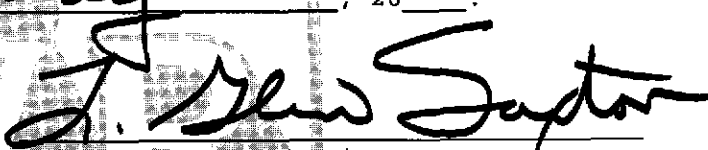
MAY 18 2000

TRANSFER NO. 5629
WATER RIGHT NO(S). 35-02187/35-07603A

CONDITIONS OF APPROVAL AND REMARKS

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Rights 35-02187 and 35-07603A, when combined shall not exceed a total diversion rate of 5.12 cfs, a total annual maximum diversion volume of 1588.0 af at the field headgate, and the irrigation of 397 acres.
- ** 7. Right 35-02187 is limited to the irrigation of 235 acres in the place of use described above in a single irrigation season.
- ** 8. Right 35-07603A is limited to the irrigation of 162 acres in the place of use described above in a single irrigation season.

Dated this 4th day of May, 2000.


Chief, Water Allocation Bureau

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MAY 18 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 529

RECEIVED

JAN 06 2000

Department of Water Resources
Eastern Region

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

FEB 25 2000

Name of applicant ROY E HINCKSPhone (208) 328-2440Post Office address 2851 W 900 S, STERLING ID 83210

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes APPLICANT WISHES TO MOVE 15 ACRES OFF OF BLM LAND AND DISTRIBUTE THESE ACRES IN OTHER AREAS TO INCLUDE ACREAGE WHICH CAN NOW BE IRRIGATED

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|-------------------|--------------------|-------------------|----------------------------|
| <u>35-02187</u> | <u>10-17-1950</u> | <u>4.40 cfs</u> | <u>IRRIGATION</u> | <u>4-1</u> to <u>10-31</u> |
| <u>35-07603A</u> | <u>2-15-1986</u> | <u>2.12 cfs</u> | <u>IRRIGATION</u> | <u>4-1</u> to <u>10-31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 5.12* cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	20	4S	31E	BINGHAM	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4S	31E	19	40			40									40				120
		20					38	39	40	40	40	40		40					277

* SEE CONDITIONS ON PART 2 FOR EACH RIGHT

Total acres 397MICROFILMED
MAY 18 2000

PART 1

6. General Information:

a. Description of diversion system WELL AND PUMP TO PIVOT AND HANDLINES FOR
IRRIGATION OF CROPLAND.

NA

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

IT WILL BE DRIED UP.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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MAY 18 2000

PART 2

TRANS NO. 5629

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-02187

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	4.40 CFS

SOURCE

GROUNDWATER

Priority: 10/17/1950

LOCATION OF POINT(S) OF DIVERSION:NWNWNW , Sec. 20, Township 04S, Range 31E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 31E 19	NENE 39	SENE 40	NESE 36	
	SESE (2)✓			117
20	SWNE (3)✓	NENW 32	NWNW 36	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW (10)✓	SESW 39	280
		Total number of acres irrigated:		397

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
- USE OF THIS RIGHT WITH RIGHT NO. 35-07603A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.12 CFS, A TOTAL COMBINED

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MAY 18 2000

Claim No. 35-02187

ANNUAL DIVERSION VOLUME OF 1588 AF.

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 235 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-07603A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 397 ACRES IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 35-07603A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07603A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.12 CFS

SOURCE

GROUNDWATER

Priority: 02/15/1986

LOCATION OF POINT(S) OF DIVERSION:NWNWNW , Sec. 20, Township 04S, Range 31E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 31E 19	NENE 39	SENE 40	NESE 36	
	SESE 2			117
20	SWNE 3	NENW 32	NWNW 36	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 10	SESW 39	280
	Total number of acres irrigated:			397

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
- USE OF THIS RIGHT WITH RIGHT NO. 35-02187 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.12 CFS, A TOTAL COMBINED

MICROFILMED

MAY 18 2000

Claim No. 35-07603A

ANNUAL DIVERSION VOLUME OF 1588 AF.

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 162 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-02187 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 397 ACRES IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 35-02187 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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MAY 18 2000

Hincks, Roy E.

**Application for
Transfer of:**

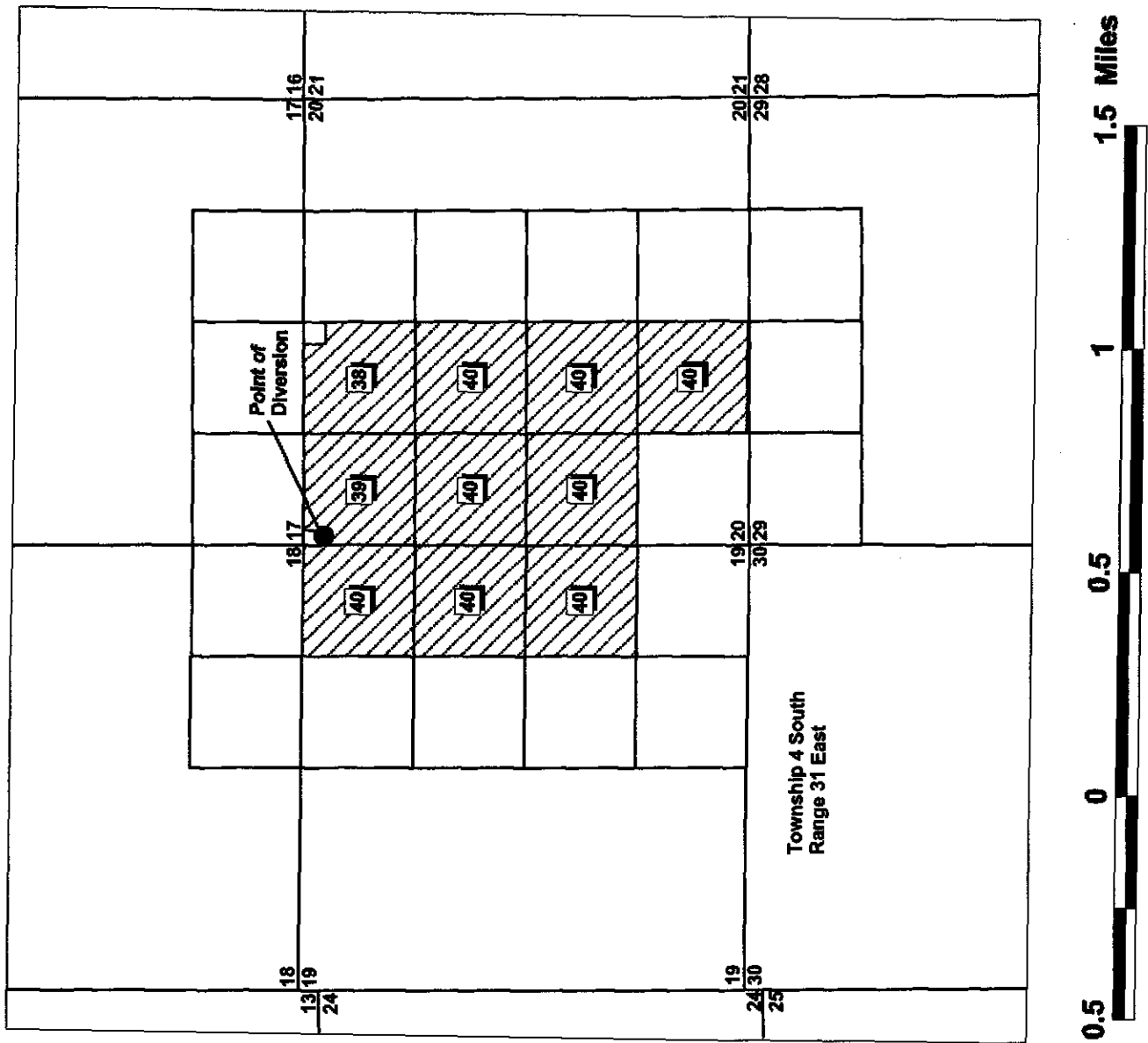
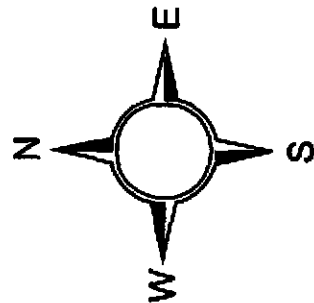
35-02187

35-07603A

**Township 4 South
Range 31 East**

1:24000

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MAY 18 2000



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

5th

day of

January2000Miriam Corbridge

(Notary Public)

My commission expires

08/28/2003

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DEM

Date

1-6-2000

Protest filed by _____

Prelim. check by _____

Fee

\$100.00Receipted by DEM

Date

1-6-2000 E025543Published in Morning News

Copies of protest forwarded by _____

Pub. dates 1-20 & 1-27-2000

Hearing held by _____

Date _____

Watermaster recommendation requested on _____

Recommended for



approval



denial

rec'd. _____

by RDC

Copy of transfer sent to lien holder _____

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MAY 18 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

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MAY 18 2000

State of Idaho

License and Certificate of Water Right

Water License No. 21750

Amount 4.4 c.f.s.

Water District No.

Priority October 17, 1950

THIS IS TO CERTIFY that WILLIAM M. HEANEY of Sterling, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 17, 1950; that Permit No. 21750 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.0 second feet, was issued thereunder on December 1, 1952, showing that said works were completed on the 29th day of October, 1952; and that on the 20th day of October, 1956, WILLIAM M. HEANEY

of Sterling, 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. 21750 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 6143, on the 21st day of October, 1957;

The right hereby confirmed dates from October 17, 1950;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 20, Tp. 4 S., R. 31 E., B. M. County Bingham.

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 4.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	31 E.	20	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	15
		19	NW 1/4 SW 1/4	40	40
			SE 1/4 NE 1/4	40	30
			NE 1/4 SE 1/4	40	30
			Total number of acres irrigated	- - -	235

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

21st day of October, 1957.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

35 2187

APPLICATION FOR PERMIT 35-2187

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29461
 PERMIT No. 21750
 DISTRICT No.

FHA Mortgage

1. Name of Applicant: WILLIAM M. HEANEY

Postoffice address: Sterling

County: Bingham

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 320 miners inches or 6.4 cubic feet per second.

3. Source of water supply: Subterranean (from a well) which is a tributary of

Southeast

4. Location of point of diversion: 100 feet/distant from the Northwest

of the Northwest Quarter

corner of Section 20, T. 4 S., R. 31 E., B.M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 20, T. 4 S., R. 31 E., B.M., County of Bingham.

5. Water is to be used for Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B.M., in the of Section, T., R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.

7. Estimated cost of works: \$3,000.00

8. Kind of works: Well, pump and ditches.

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

WILLIAM M. HEANEY Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. October 17, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21750

Recorded in Book 78 Page 21750 Approved October 31, 1950

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 December 31, 1950

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 30, 1951

The whole of said work to be completed on or before October 31, 1951

Beneficial use of water appropriated in accordance herewith, to be made on or before October 31, 1952

WITNESS My hand this 31st day of October, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 31st

day of October, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: All of the land mentioned and described in this application is owned by the United States Government, and a desert entry application covering the whole thereof is on file in the Bureau of Land Management, Land and Survey Office, Boise, Idaho, and in order to produce agricultural crops thereon applicant intends to immediately drill a well approximately 16 inches in diameter and to a depth of approximately 150 feet, which, according to other wells now in operation in the immediate vicinity, will raise the water level to approximately 40 feet from the surface. An electrically driven pump will be utilized to raise the water upon the land through a system to be constructed as soon as the drilling is completed.

14.

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	
4 S.	31 E.	19				40									40				80
		20					40	40	40		40	40	40						240
Total Number of Acres to be Irrigated																			320

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construct work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21750 to October 31, 1955.

Witness my hand this 26th day of October, 1951.

MARK R. KULP
State Reclamation Engineer

TO ALL WHOM IT MAY CONCERN:

CERTIFICATE OF COMPLETION OF WORKS

This is to certify that WILLIAM M. HEANEY of Sterling, County of Bingham, and State of Idaho, the holder of Permit No. 21750, issued upon Application No. 29461 bearing date of priority of October 17, 1950, authorizing the diversion of 6.4 second feet of the waters of a well (subterranean flow) County of Bingham, State of Idaho, for irrigation and domestic 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 Five (5) second feet of the waters of said well; that the point of diversion of said waters is in the NW 1/4 NW 1/4 Section 20, Township 4 South, Range 31 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE 1/4 NE 1/4 and NE 1/4 SE 1/4 Section 19; NW 1/4 NW 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4 and SE 1/4 SW 1/4 Section 20; All in Township 4 South, Range 31 East, B.M.

Witness my hand this 1st day of December, A.D. 1952

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made October 29, 1952

Certificate of completion of works issued December 1, 1952.

LICENSE ISSUED FOR 1/2 SEC. FT.

Page-6143



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 4, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROY E HINCKS
2851 W 900 S
STERLING ID 83210

RE: TRANSFER OF WATER RIGHTS 35-02187/35-07603A (Transfer 5629)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5629). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as an **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Sections

JP:klt

Enclosures

MICROFILMED

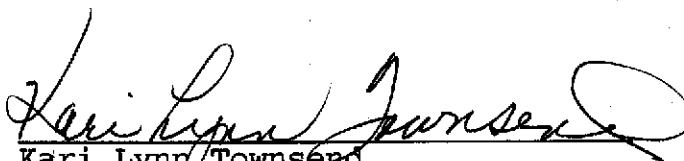
MAY 18 2000

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of May, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 35-02187/35-07603A (Transfer 5629)

ROY E HINCKS
2851 W 900 S
STERLING ID 83210


Kari Lynn Townsend
Secretary

RECORDED
MAY 18 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature)

MICROFILMED

MAY 18 2000

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when (a) the petition for reconsideration is disposed of, or (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) the real property or personal property that was the subject of the agency action is located. The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

MICROFILMED

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 4/21/00

Trans # 5629 WR No(s) 25-02187 07603A
Resulting Splits N/A N/A

Name: Hineks Correct Fee Pd / Ad ok

AREA OF CONCERN: No/Yes Moratorium XFER TYPE: B - Change p/d F - Change use period
C - Add p/d G - Other
TRUST/NON-TRUST GWMA D - Change p/u H - Change p/d & add p/d
E - Change use I - Change p/d & p/u
J - Add p/d & change p/u

GROUNDWATER:
✓ DRILLING PERMIT N/A plus chg only
All wells -046
Basin 34 -085
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -067
WMD
Supp irr (irr = only use) -065-104
Supp irr (+ other uses) -100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -01M

SURFACE WATER:
WD - R04 (WD#)
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -01M or 01Q

LOCATION:
Boise Front LoGeo -058 (<85 GW)
Mitigation -121
Trust -051 (consumptive uses)
Non-Trust -048-049 (cons uses or non-cons. > 1.0 cfs)

USES:
STORAGE -18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
✓ > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING -054-081
FISH/PROP -029(70'S only)-007-042-081
HEAT/COOL - R07(injection well)
FIRE PROT. -077

USES:
POWER -17H-17K (+uses)-025-081
MUNICIPAL
Restricted area -022,075
Irr., GW supp to SW -102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area -070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

- ✓ T07 - 1 yr to develop
- ✓ T08 - comply or rescind
- ✓ T09 - on-going Snake River Basin Adjudication
- T17 - measure all p/d's (used with WB4)

Protested -020-W19
Multiple pd's per 1/4 - W32
Non-consumptive -027
Water Quality -081-R07
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Single p/d intended -076
Zoning ord. (dairys only) -082

W51 - 2+ yrs to develop
W54 - forfeited ac/rate (used rarely)
W55 - (transfer shrinks total water to less ac)
W57 - no right-of-way
W58 - pending claim (statutory or AJ b/u claim)
W59 - measure p/d's (source changed to original trib)
WB4 - + pds, cfs & afa (used with T17)
WD5 - remaining right (only if specifically requested, i.e. protest)
WD6 - measure & report "
WD7 - irr ac removed "

Special T17 & R43 combined - multiple pds in WD

T18

✓ IRRIGATION SEASON 4/1 - 10/31 (Per updated map) IRRIGATION VOLUME/AC 4.0

OTHER CONDITIONS/REMARKS W35 (volume, 397 ac) W01 (2187 - 235 ac)
1603A - 162 ac

COMMENTS

T files created/updated ✓ Approval form printed ✓ Transfer Memo
Post approval update ✓ make X on WR side

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 4/21/00

Trans # 5629 WR No(s) 35-02187 07603A
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7603A - 162 ac

COMMENTS

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Post approval update ☒ make X on WR side

STATE OF IDAHO

RECEIVED DEPARTMENT OF WATER RESOURCES

FEB 25 2000 TRANSFER ANALYSIS SHEET

1-7-2000

75609

Department of Water Resources
INITIAL REVIEW BY: HWT

1. Right number 35-02187 + -07603A Applicant Roy Hincks
2. Type of right: ☐ Decree ☐ License ☐ Claim ☒ SRBt Recommend
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☐ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☐ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments _____
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RPC Date 2/18/2000

RECEIVED

JAN 11 2001

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

SS

Department of Water Resources
Bureau of Water

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said

newspaper 2 consecutive Weeks the first publication having been made on the 20th day of Jan. 2000, and the last publication having been made on the 27th day of Jan. 2000; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

On this 27th day of Jan. in the year of 2000, before me a Notary Public of the State, personally appeared Jacqueline Graham known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that the executed the same

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2004

Affidavit Processing Fee.....\$5.00

(4467)
Pub.: 1/20, 27

Point(s) of Diversion: NWNWNW, Sec. 20, T04S, R31E, Bingham County.
The water is used for irrigation of 397 acres within Sec. 19 and 20, T04S, R31E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to transfer 15 acres of BLM trespass to his own acreage in Sec. 19 and 20, T04S, R31E.
Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Drive, Idaho Falls, Idaho, 83402, together with a protest fee of \$25 on or before February 7, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5629

Notice is hereby given that Roy E. Hincks, 2851 W. 900 S., Sterling, Idaho, 83210, has applied to the Department of Water Resources to change the place of use of a groundwater source. The rights sought to be changed are evidenced by SRBA Recommendations and recorded as follows:

SRBA Recommendation No.: 35-02187

Source: Groundwater

Amount: 4.40 cfs

Priority: 10/17/1950

SRBA Recommendation No.: 35-07603A

Source: Groundwater

Amount: 2.12 cfs

Priority: 02/15/1986

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
(208) 522-7161
Fax: (208) 525-7177



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 12, 2000

ROY E HINCKS
2851 W 900 S
STERLING ID 83210

RE: Application for Transfer #5629

Dear Applicant:

This office is currently in the process of advertising the application in the Morning News on January 20 and 27, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED
MAY 18 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 12, 2000

MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before February 7, 2000.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.

MICROFILMED

MAY 18 2000

**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5629**

Notice is hereby given that Roy E Hincks, 2851 W 900 S, Sterling ID 83210, has applied to the Department of Water Resources to change the place of use of a groundwater source. The rights sought to be changed are evidenced by SRBA Recommendations and recorded as follows:

SRBA Recommendation No.:	35-02187	Source: Groundwater
Amount:	4.40 cfs	Priority: 10/17/1950
SRBA Recommendation No.:	35-07603A	Source: Groundwater
Amount:	2.12. cfs	Priority: 02/15/1986
Point(s) of Diversion: NWNWNW SEC 20 T04S R31E, BINGHAM COUNTY		

The water is used for irrigation of 397 acres within SEC 19 and 20 T04S R31E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to transfer 15 acres of BLM trespass to his own acreage in SEC 19 and 20 T04S R31E.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before February 7, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Morning News on January 20 and 27, 2000.

MICRO FILM
MAY 18 2000



UNITED STATES
DEPARTMENT OF
AGRICULTURE

FARM
SERVICE
AGENCY

BINGHAM COUNTY FSA
USDA SERVICE CENTER
725 JENSEN GROVE DR., STE. 2
BLACKFOOT, ID 83221

November 29, 1999

Roy E. and Delores B. Hincks
2851 West 900 South
Aberdeen, ID 83210

Dear Mr. and Mrs. Hincks:

This letter is to serve as notice that Farm Service Agency, fka Farmers Home Administration is in agreement with the Application For Transfer Of Water Right filed by Roy E. Hincks, as long as the water being transferred remains in Sections 19 and 20, of Township 4 South, Range 31 East of the Boise Meridian. The water rights described in the application are #35-02187, and #35-07603A.

The application describes the reason for the proposed changes as "Applicant wishes to move 15 acres off of BLM land and distribute these acres in other areas to include acreage which can now be irrigated."

Sincerely,

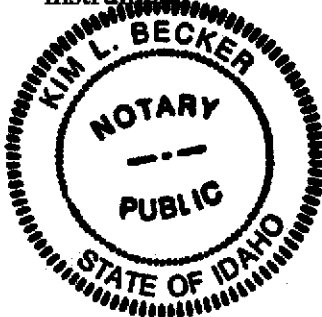

BRADLEY J. MCMURTREY
Farm Loan Manager

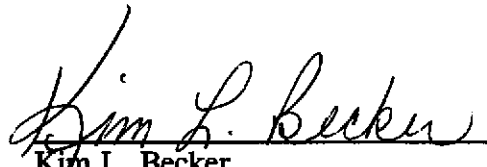
STATE OF IDAHO)

)ss

County of Bingham)

On this 29th day of November 1999, before me personally appeared Bradley J. McMurtrey know to me to be an authorized agent of the Farm Service Agency that executed the within instrument, and acknowledged to me that such person executed the same as its free act and deed; and stated that he was authorized to execute said instrument.




Kim L. Becker
Notary
Residing in Blackfoot, ID
Commission expires 07/27/2004

MICROFILMED
MAY 18 2000

TELEPHONE (208) 785-2090
FAX (208) 785-5847
AN EQUAL OPPORTUNITY EMPLOYER



Farm Credit Services

2225 W. Broadway, Suite A
P.O. Box 50030
Idaho Falls, Idaho 83405-0030
208/523-1785

October 1, 1999

Roy E. and Delores B. Hincks
2851 West 900 South
Aberdeen, Idaho 83210

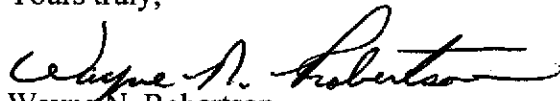
Re: FCB Loans #10782-301 & #10782-302

Mr. and Mrs. Hincks,

This letter is to serve as notice that Northwest Farm Credit Services, ACA, fka The Federal Land Bank of Spokane is in agreement with the Application For Transfer Of Water Right filed by Roy E. Hincks, as long as the water being transferred remains in Sections 19 and 20, of Township 4 South, Range 31 East of the Boise Meridian. The water rights described in the application are #35-02187, and #35-07603A.

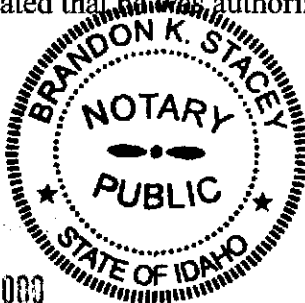
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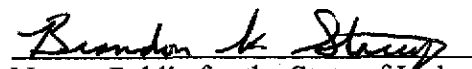
Yours truly,


Wayne N. Robertson
Authorized Agent

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 1st day of October, 1999, before me personally appeared WAYNE N. ROBERTSON, know to me to be an authorized agent of the Northwest Farm Credit Services, ACA that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to execute said instrument.




Notary Public for the State of Idaho
Residing at Idaho Falls
My commission expires: 9-7-2005



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

7250

November 5, 1999

Paul Meyer
Eastern Region Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RE: Transfer Request from Roy E. Hincks - SRBA Claim #s 35-02187 & 35-07603A

Dear Mr. Meyer:

By this letter I state that I have the authority to act on behalf of the United States, Department of Interior, Bureau of Land Management (U.S.D.I., BLM), with myself as its agent, to the matters discussed herein. I understand that Roy E. Hincks wishes to transfer water under the above water rights from federal public property to land which he owns as private property. The federal public property legal descriptions are as follows:

T.04S, R.31E, S.19 SESE (2 acres)
T.04S, R.31E, S.20 SWNE (3 acres)
T.04S, R.31E, S.20 SWSW (10 acres)

I understand that the Idaho Department of Water Resources cannot complete such a transfer of water under a water right without the notarized consent of the land owner where the water right describes land not owned by the transfer applicant.

On behalf of the United States and the U.S.D.I., BLM, my notarized signature below provides the necessary consent to facilitate the transfer, which will result in the discontinuance of water being applied to federal public land. The United States' non-opposition to the application for transfer does not represent recognition by the United States of the claim elements nor their validity.

If there are questions regarding any statements above, please do not hesitate to contact Deena Teel at (208) 524-7533 or at the address provided above.

Sincerely,

Joe Kraayenbrink
Field Manager

MICROFILMED
MAY 18 2000

SUBSCRIBED and SWORN to before me this 5th day of November, 1999.

STATE OF IDAHO

)
) ss:
)

COUNTY OF BONNEVILLE

On this 5th day of November, 1999, personally came before me, a notary public in and for said County and State, the within-named JOE KRAAYENBRINK, to me personally known to be the identical person(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Sandra S Hoffer

Sandra S Hoffer

Notary public in and for the

State of Idaho,

County of Bonneville

Residing at Bingham, Co.

My commission expires: 11-25-2002

MICROFILMED
MAY 18 2000

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

PO Box 471
Blackfoot, Idaho
August 25, 1958

RECEIVED
AUG 26 1958

Department of Reclamation

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

Dear Mr. Carter:

In a Warranty Deed dated July 30, 1958, Mr. William M. Heaney of Sterling, Idaho, transferred to John O. Hinkle, Sterling, Idaho, the following:

"Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of Section Nineteen (19), the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}NW\frac{1}{4}$) the South Half of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$), the North Half of the Southwest Quarter ($N\frac{1}{2}SW\frac{1}{4}$), the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Twenty (20) all in Township Four (4) South of Range Thirty-one (31) East of the Boise Meridian.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to rights to underground waters produced and to be produced from a well or wells located upon the mortgaged premises, especially under License and Certificate of Water Right, pursuant to Permit No. 21750 issued by the Idaho State Reclamation Engineer, and also all pumps, motors and other irrigation equipment now or hereafter used upon the mortgaged premises."

Our lien is subject to First Mortgage held by the Federal Land Bank, Please withhold approval of any request of the permittee for assignment or transfer of, or other change in permit adverse to the interests of the mortgagee, without prior written consent to the mortgagee.

Kindly acknowledge this letter by signing and dating the copy and returning it to this office.

Thanking you for your cooperation.

Very truly yours,

L. D. Crawford
L. D. Crawford
County Supervisor

encl.

21750

October 21, 1957

Re: Permit No. 21750
William M. Heaney

Mr. Harold A. Ranquist
Attorney At Law
Thoreson Bldg.
Blackfoot, Idaho

Dear Mr. Ranquist:

Enclosed is the License and Certificate of Water Right issued to William M. Heaney, Sterling, Idaho, under the terms of Permit No. 21750, confirming the right with priority of October 17, 1950, to his use of 4.4 second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, for irrigation of 235 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 20 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, all in Township 4 South, Range 31 East, B.M.

Enclosed also is departmental receipt #28820 for \$14.00, issued as receipt of the fee for the License.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

21750

September 13, 1957

Re: Permit No. 21750
William M. Heaney

Mr. Harold A. Ranquist
Attorney At Law
Thoreson Bldg.
Blackfoot, Idaho

Dear Mr. Ranquist:

Our field engineer's report on the inspection of the application of water to beneficial use under the terms of Permit No. 21750, William M. Heaney, Sterling, Idaho, shows that his well is capable of conveying 220 miner's inches (4.4 c.f.s.) of water for irrigation of 235 acres. This permit is now entitled to a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$14.00 (based at the rate of two dollars for each 40-acre subdivision) we will issue to Mr. Heaney, the License and Certificate of Water Right confirming the right with priority of October 17, 1950, to his use of 4.4 second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, for irrigation of 235 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 20; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, all in Township 4 South, Range 31 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

21750

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

Permit No. 21750This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant William M. Heaney
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20
T. 4 S. R. 31 E., B.M. County of Bingham
4. Describe works as they exist, giving dimensions and capacities of same: Drilled Well 20' x 16"
Static water level 100' - draw down < 1' -
Pump: Fairbanks Morse #PM 7823 - Column 120' x - - 3 stage - Discharge 10"
Motor: Fairbanks Morse #F 143653 HP 70
Meter: GE 30 325251 - Demand 525 x ?
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):

80 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20.,

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 19., all in Twp. 4 S., Rge. 31 E., 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: _____

Examined for Proof once before when smaller acreage
was under irrigation, but no action was taken at request
of owner. Quantity of water measured then - according
to owner - was 218 Miners inches.

This examination was made on the 19th day of July, 1957

(Signed) _____

James Harr

Examiner.

21750

William M. Heaney
Sterling, Idaho

Permit No. 21750

Examination for Beneficial Use

County Bingham

20-4S. -3/E.

Q₂ 6.4 c.f.s.

S= Well

P.D. = NW. NW, Sec. 20, T. 4S. -R. 3/E.

Use = Irrigation & Domestic

Filed: Oct. 17, 1950

Due: Oct. 31, 1956

C/W = 12-1-52

Well - 20" x 16" - 18"
Static. 100
P.D. - 21

Pump: Fairbanks Morse PM 7823
Col. 120' x (4?)
Disc 10"
Stages 3
Bowls - 7 1/4"

Motor: Fairbanks Morse 70 HP
F 1436 53
V - 440
Amp - 89

Meter: GE 30 325 251
Demand 5,250?

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
AUG 20 1957

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21750

REPORT ON PROOF OF Beneficial Use

William M. Heaney, Sterling, Idaho

app.	6.4 cfs
sn	5.0 cfs
sub - -	6
acres - -	235

4.4 cfs
max

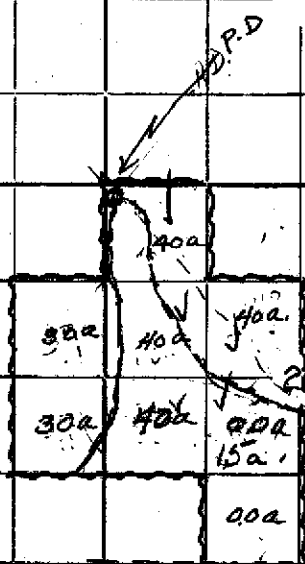
R-31E.

T.
4
S.

19

20

21



Land subdivisions 6

Area as shown on map 225 Acres

Quantity of Water 220 Miners inches
as measured with Sparling meter

Measurement $Q = 300 \text{ cfs in } 69 \text{ sec.} + 2" \text{ leakage around meter}$
 $= 220 \text{ Miners Inches}$

Sub divisions = 7

Area = 235 acres

$Q = 220 \text{ inches.}$

4.4 cfs.

October 29, 1956

Re: Permit No. 21750
W. M. Heaney

East Idaho National Farm Loan Association
Box 607
Blackfoot, Idaho

ATTENTION: Mr. Ross A. Soward
Secretary-Treasurer

Dear Mr. Soward:

We acknowledge receipt of your letter of October 26th, with your check in the amount of \$1.50 to cover the costs for making certified copy of the above mentioned Permit.

We enclose our *departmental* receipt No. 28237 in the amount of \$1.50 for same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

RPR
Enc.

21750

OK Enc. 150

EAST IDAHO NATIONAL FARM LOAN ASSOCIATION

BLACKFOOT, IDAHO

ROSS A. SOWARD, SECRETARY-TREASURER

October 26, 1956

FEDERAL LAND BANK LOANS

RECEIVED
OCT 29 1956
Department of Reclamation

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

Re: 89811 - W. M. Heaney

Dear Mr. Kulp:

This will acknowledge receipt of your letter of October 23, 1956 regarding your charge of \$1.50 for issuing a Certified copy of a Permit.

This matter was over-looked at the time we closed Mr. Heaney's loan and we wish to thank you for calling it to our attention. We enclose our check of \$1.50 for the past due account.

Yours truly,


Ross A. Soward
Secretary-Treasurer

RAS:jmc

Enclosure

21750

October 26, 1956

Re: Permit No. 21750
W. M. Heaney

Harold A. Ranquist
Attorney-At-Law
Thoreson Bldg.
Blackfoot, Idaho

Dear Mr. Ranquist:

We acknowledge receipt of the depositions of Mr. Heaney, the holder of the Permit and also the two witnesses, also affidavit of publication in the Aberdeen Times, all submitted in proof of beneficial use on Permit No. 21750.

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 Mr. Heaney at the time he reaches the examination so that arrangements may be made to show him over the grounds.

We also acknowledge receipt of the personal check of Mr. W. M. Heaney in the amount of \$5.00. The only remaining fee is that of the License which you will be informed of after the above mentioned inspection. This fee is based at the rate of \$2.00 for each 40 acre subdivision. Therefore, we return the \$5.00 check of Mr. W. M. Heaney.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

RPR
Enc.

cc: Mr. W. M. Heaney
Sterling, Idaho

21750

cf Enc #500
PHONE 286

HAROLD A. RANQUIST
ATTORNEY-AT-LAW
THORESON BLDG.
BLACKFOOT, IDAHO

October 24, 1956

RECEIVED
OCT 25 1956
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Dept. Of Reclamation
State House
Boise, Idaho

Re: Permit # 21750 William Heaney

Dear Sir:

Enclosed please find the deposition of the holder and two witnesses in the Proof of Application to beneficial use and the affidavit of publication together with Mr. Heaney's check in the sum of \$5.00.

This should constitute the final steps necessary for Mr. Heaney in completing of the final proof on his water rights. If any further step is needed please notify me.

Your cooperation has been appreciated.

Sincerely yours,

Harold A. Ranquist
Harold A. Ranquist

HAR:eg

Encl:

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 25 1956
Department of Reclamation

Permit No. 21750

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. WILLIAM M. HEANEY: Sterling, Idaho: Farmer: Sterling, 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. NONE

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

Ans. No.: 21750 October 17th 1950 10-31-50

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

Ans. Underground Well is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Township 4 South Range 31, East of Boise Meridian, In 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. 75 HP pump: capable of conveying 250 Miners Inches: depth of well is 201 feet: size of casing 18 inches 5 ft. depth: water is at a depth of 110 feet: pump discharges 250 inches determined: by the HP and design of the pump and the depth and voltage

Flood 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. Irrigation of crop land: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec. 20 Twp. 4 South R. 31, E.B.M. and 40 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20, and 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 Twp. 4 S of Range 31 E.B.M.

All cultivated land

21750

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

Ans. None

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

Ans. One miners inch per acre of land

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. ----- no corporation

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

Ans. used for Five seasons starting in the Spring of 1952. The pump has been used at full capacity

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)

William M. Heany

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 October, A. D. 1956.

Dean Williams
Notary Public

My commission expires Aug. 1, 1960

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 25 1956
Department of Reclamation

Permit No. 21750

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. T.T. Edwards : 53: Springfield, Idaho : Farmer :
Springfield, Idaho

Ques. 2. Are you acquainted with William M. Heaney, the holder of Permit No. 21750? How long have you known him and where does he reside?

Ans. Yes: App 25 years: Sterling, Idaho

Ques. 3. Have you read or heard read said Permit No. 21750, and are you familiar with its provisions and conditions?

Ans. Yes: 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. Underground water: Diversion is at NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 Twp. 4 South
Range 31, E.B.M. 75HP Pump and dirt ditches

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. Will safely conduct 250 Miners inches to place of use and
I have seen that much 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. 250 Miners Inches: I have been a water user all of my life and
base this estimate on past experience.

21750

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. Used for irrigation purposes: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ all in sec. 20 Twp. 4 South R. 31, E.B.M. and 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 Twp. 4 S of Range 31, E.B.M.
All cultivated, Ditches etc.

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

Ans. None

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. Lava Ash, One Miners inch per acre

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 know from my own knowledge he has pumped for at least three seasons 1954, 1955, and 1956. I was on the place and witnessed the use of water.

(Signed) *J. J. Edwards*

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 October, A. D. 1956.

John Williams
Notary Public.

My commission expires August 1, 1960

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 25 1956
Department of Reclamation

Permit No. 21750

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Irvin A. Satterfield: 38: Sterling, Idaho; Farmer:
Sterling, Idaho

Ques. 2. Are you acquainted with William M. Heaney, the holder of Permit No. 21750? How long have you known him and where does he reside?

Ans. Yes: All of My life.

Ques. 3. Have you read or heard read said Permit No. 21750, and are you familiar with its provisions and conditions?

Ans. Yes: 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. Underground: In the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 Twp. 4 S, Range 31, E.B.M. 75 HP Pump and dirt ditches and headgates.

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. 250 Miners inches: I have seen this much water being 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 250 miners inches: by experience and sight and by a knowledge of what that size pump will deliver with that amount of lift.

21750

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. Used for irrigation purposes: all cultivated land: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec. 20 Twp. 4 South R. 31, E.B.M. and 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19 Twp. 4 S of Range 31, E.B.M.

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

Ans. None

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. Lava Ash: requires at least one miners inch per acre

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 on the farm and seen it for the past five seasons. The amount being used is App. 250 miners inches.

(Signed) Irvin A. Searfield

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 October, A. D. 1956.

Dean Williams
Notary Public.

My commission expires August 1, 1960

21750

AFFIDAVIT OF PUBLICATION

RECEIVED
OCT 25 1956
Department of Reclamation

STATE OF IDAHO

COUNTY OF BINGHAM

MICHAEL W. BONAN, being first duly sworn, ^{on his oath} states: That he is the Publisher of The Aberdeen Times a newspaper of general circulation in Bingham County, Idaho, published in Aberdeen, in said County. That the

~~newspaper has been published in said~~

and continuously for over seventy-eight consecutive weeks prior to the first publication of the annexed *Notice of Application*

and that said *Notice of Application* was published as per clipping attached, in the regular and entire edition of said newspaper and not in any supplement thereof, in ⁴

consecutive issues, the date of the first publication being the

20 day of Sept, 1956 and the last publication being the 11 day of Oct, 1956

Michael W. Bonan
(publisher)

Subscribed and sworn to me this 22 day of Oct, 1956

Oliver Cook

My commission expires 12/8/58 Notary Public Residing in Aberdeen, Idaho

Legal Notice

Legal Notice For Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 20 day of October, 1956, at Blackfoot, County of Bingham, State of Idaho, before Harold A. Ranquist, Notary Public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of Subterranean Source, in accordance with the terms and conditions of Permit No. 21750 heretofore issued by the State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are William M. Heaney, Sterling, Idaho.

The use to which said water has been applied is Irrigation and domestic.

The amount applied to beneficial use is 6.4 cubic feet per second,

The place where said water is used (If for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ -SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Twp. 4.S. R. 31, E.

The well is located in NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Section 20, Twp. 4.S. R. 31.E.

The right to take water from such works is based upon Permit No. 21750

The source of supply from which water is diverted is Subterranean,

The date of priority which user is prepared to establish is October 17, 1950,

S/ MARK R. KULP.

State Reclamation Engineer.

(Publish in the Aberdeen Times Sept. 20, 27, Oct. 4 and 11.)

21750

October 23, 1956

Re: Permit No. 21750
Wm. M. Heaney

East Idaho National Farm Loan Assoc.
Box 607
Blackfoot, Idaho

ATTENTION: Mr. Ross A. Soward
Secretary-Treasurer

Dear Mr. Soward:

On July 10, 1956, we mailed you a certified copy of Permit No. 21750
as requested in your letter of July 9, 1956.

In our letter of that date we stated that the cost for making the
certified copy of the above captioned Permit in the name of Wm. M. Heaney,
was \$1.50 and ask for a check to cover same. To date the check for this
small amount has not been received.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 21750

Date: September 11, 1956

Aberdeen Times
Aberdeen
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 20th, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **Attorney Mr. Harold A. Ranquist** of **Thoreson Bldg. 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. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

vm

21750

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 20 day of October, 1956,
at Blackfoot, County of Bingham, State of Idaho, before
Harold A. Ranquist, Notary Public, proof will be submitted of the
application to beneficial use of 6.4 cubic feet per second of the waters of Subterranean Source,
in accordance with the terms and conditions of Permit No. 21750
heretofore issued by the State Reclamation Engineer, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

William M. Heaney, Sterling, Idaho.

The use to which said water has been applied is Irrigation and domestic

The amount applied to beneficial use is 6.4 cubic feet per second,

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE 1/4 NE 1/4, NE 1/4 SE 1/4, Section 19, NW 1/4 NW 1/4, S 1/4 NW 1/4, N 1/4 SW 1/4, SE 1/4 SW 1/4,
Section 20, Twp. 4.S. R. 31.E.

The well is located in NW 1/4 NW 1/4 Section 20, Twp. 4.S. R. 31.E.

~~The name of the owner of the land on which the water is diverted is~~

The right to take water from such works is based upon Permit No. 21750

The source of supply from which such water is diverted is Subterranean,

The date of priority which said user is prepared to establish is October 17, 1950

MARK. R. KULP.

State Reclamation Engineer.

21750

September 11, 1956

Mr. Harold A. Ranquist
Attorney-at-Law
Thoreson Bldg.
Blackfoot, Idaho

RE: Permit No. 21750
William Heaney

Dear Mr. Ranquist:

We have your letter of September 7, 1956, enclosing notice for Beneficial Use Proof on Permit No. 21750, in the name of William M. Heaney, of Sterling, Idaho. to be made October 20, 1956 before you as Notary Public.

We shall send a copy of the Notice to the Aberdeen Times with instructions to publish it once a week for four weeks prior to that date and to send you the Affidavit of publication together with statement of costs.

At the time set, you should contact Mr Heaney, the policy holder, to appear before you together with two disinterested witnesses who are familiar with the terms of the Permit and the work done there under for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm

Enc.

cc. William M. Heaney
Sterling, Idaho

21750

HAROLD A. RANQUIST
ATTORNEY-AT-LAW
THORSON BLDG.
BLACKFOOT, IDAHO

September 7, 1956

RECEIVED
SEP 10 1956
Department of Reclamation

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

RE: William Heaney
Permit No. 21750

Dear Sir:

Enclosed please find Notice of Proof of Application of Water to Beneficial Use completed in duplicate under the above permit.

Please have the same published and please forward to us the proper forms to be completed by witnesses and Mr. Heaney.

Your cooperation is greatly appreciated.

Sincerely yours,


Harold A. Ranquist

HAR:mld

P.S.-

I have not been able to obtain Mr. Heaney's signature on the authority to publish at his expense; consequently, I have signed his name as his agent. I trust that this will be sufficient.

H.A.R.

21750

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 7, 1956

(P. O.) Sterling, 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

Aberdeen Times of Aberdeen, Idaho published in

the county in which the works are situated.

x Wm. M. Heaney
by Paul A. Ruffert agent

(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.

21750

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 1, 1956

Mr. William M. Heaney
Sterling
Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21750. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than October 31, 1956, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

21750

July 10, 1956

RE: Permit No. 21750

East Idaho National Farm Loan Assoc.
Box 607
Blackfoot, Idaho

ATTENTION: Mr. Ross A. Soward
Secretary-Treasurer

Dear Mr. Soward:

We acknowledge receipt of your letter of July 9, 1956, requesting a certified copy of Permit No. 21750 in the name of William M. Heaney.

We are enclosing a certified copy of the above mentioned Permit; the cost for making same will amount to \$1.50, for which you may send us your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

21750

EAST IDAHO NATIONAL FARM LOAN ASSOCIATION

Box 607
BLACKFOOT, IDAHO

ROSS A. SOWARD, SECRETARY-TREASURER

July 9, 1956

FEDERAL LAND BANK LOANS

RECEIVED
JUL 10 1956
Department of Reclamation

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

Re: 89811-W. M. Heaney

Dear Mr. Kulp:

Please furnish us a Certified copy of Remit
No. 21750 in favor of Wm. M. Heaney.

I do not know what your charge for this copy is,
but upon receipt of bill from you we shall be glad
to remit for such charge.

Yours truly,

Ross A. Soward
Ross A. Soward
Secretary-Treasurer

RAS:jmc

21750

April 16, 1956

RE: Permit No. G-21750

National Farm Loan Association
Preston
Idaho

ATTENTION: Mr. J. P. Garner
Federal Land Bank Appraiser

Dear Mr. Garner:

We acknowledge receipt of your letter of April 14, 1956, regarding Permit No. G-21750 in the name of William M. Heaney. Will state that completion of works proof was made on October 29, 1952. Beneficial use proof was made and withdrawn by applicant for the reason that at the time applicant did not have sufficient acreage under cultivation to enable him to receive a License for the amount of water developed.

Beneficial use proof can be made at this time to allow applicant to get the total amount of water that he can pump from the one well which is approximately, as measured by our field engineer, 218 miner's inches. This proof is due June 26, 1956.

In answer to the questions raised in your letter of April 14, will say:

The number of the Permit is - G-21750
The point of diversion is in - NE 1/4 Sec. 20, Twp. 4 S., Rge. 31 E.
The priority date is - October 17, 1950
The amount of water filed on - 6.4 cubic feet per second
Depth of the well is - 201 feet (110 feet with 18" diam.
Balance with 16" diam.)
Static water level is - 100 feet
Draw down is - Unknown
Water Q measured with Sparling meter = 218 inches

We hope this information will be of assistance to you.

Very truly yours,

MARK R. KULF
State Reclamation Engineer

Chi # C1

21750
Rch11

IDAHO PIONEER
NATIONAL FARM LOAN ASSOCIATION

PRESTON, IDAHO

April 14, 1956

CLIFFORD WARR, SECRETARY-TREASURER

RECEIVED
APR 16 1956

FEDERAL LAND BANK LOANS
Department of Reclamation

Re: W. M. Heaney

State Bureau of Reclamation
Boise, Idaho

Gentlemen:

Mr. W. M. Heaney has applied for a loan on the following described property: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20, all in Twp. 4 S. Rng 31 EBM, Bingham County, Idaho.

It will assist me greatly in making the appraisal if you would furnish the following information on the well he is using as an irrigation water supply:

Permit number - Location of well - Priority and amount of CFS appropriated - depth of well - Static water level and draw down level, etc.

Thank you for your assistance.

21750

J. P. Garner
J. P. Garner
Federal Land Bank Appraiser
416 E. Arvida
Preston, Idaho

jpg

Filed:
10-17-50
6.4 c.f.s.

5 c.f.s. - c/w. 12-1-52

P.D. NW. NW. 20-48-31E.

B/D. is due 6-26-56.

21750

January 10, 1956

RE: Permit No. G-21750
Mr. Wm. M. Heaney

Mr. Harold A. Ranquist
P. O. Box 188
Blackfoot, Idaho

Dear Mr. Ranquist:

We have your letter of January 5 requesting the status of Permit No. G-21750. Will state that completion of works proof was made on October 29, 1952. Beneficial use proof was made and withdrawn by applicant for the reason that at the time applicant did not have sufficient acreage under cultivation to enable him to receive a License for the amount of water developed.

Beneficial use proof can be made at this time to allow applicant to get the total amount of water that he can pump from the one well which is approximately, as measured by our field engineer, 218 miner's inches; or, he can wait until he can construct another well to bring the total amount of water in inches up to the amount of acreage he has in cultivation based upon one inch per acre for the lands irrigated.

In case applicant wishes to make beneficial use proof at this time, we enclose forms for this proof. Before this proof is made, the statutes require publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the notary public before whom the proof is to be made.

The proof may be made at any place convenient for the applicant and his two witnesses but the date must be set far enough ahead to allow for four weeks publication.

Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at applicant's expense in the designated county newspaper.

21750

Mr. Harold A. Ranquist

-2-

January 10, 1956

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 applicant and two disinterested witnesses in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hl1

Enc.

cc.- Mr. Wm. M. Heaney
Sterling
Idaho

2/7/56

HAROLD A. RANQUIST

ATTORNEY AT LAW

Thoreson Building

Blackfoot, Idaho

January 5, 1956

RECEIVED
JAN 6 1956
Department of Reclamation

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

Re: Permit No. 21750

Dear Sir:

The holder of the above permit, Mr W. M. Heaney, has requested me to determine the status of the above permit. May he now proceed to establish Final Proof of Completion of Works and application to beneficial use?

The present well will produce only 218 miners inches according to your measurement. The tract of land to be irrigated contains approximately 300 acres. If Mr Heaney desires to drill another well to get the additional water, must he file a new application or may he file an amended-ment to the existing application?

Thankyou for the information and your cooperation in this matter.

Sincerely yours,

Harold A. Ranquist
Harold A. Ranquist

P.S. Send-a copy of your
answer to Mr Wm. M. Heaney
Sterling, Idaho

21750

December 23, 1953

RE; Permit No. 21750

Mr. Donald R. Good
Attorney At Law,
Blackfoot, Idaho

Dear Mr. Good:

In reply to your letter of December 22nd relative to Permit No. 21750 in the name of William M. Heaney:

Mr. Heaney's request to withdraw proof of Beneficial Use in connection with Permit No. 21751 is accepted.

The request to resubmit proof of Beneficial Use in 1954 is satisfactory.

As soon as Mr. Heaney has irrigated all of the land, it is to his best interest to make proof of Beneficial Use and get his license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H/re

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

December 22, 1953

RECEIVED
DEC 23 1953
Department of Reclamation

Department of Reclamation
Boise, Idaho

Attention: E. N. Humphrey, Deputy State Reclamation
Engineer

Re: William M. Heaney,
Permit # 21750

Gentlemen:

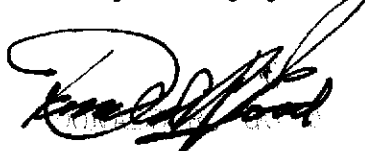
Please refer to your letter of November 23rd outlining the status of the water permit indicated above.

Mr. Heaney has decided to ask for permission to withdraw his present proofs submitted in support of his application of water to beneficial use, which was prepared and mailed to your office on or about the 17th day of January, 1953, for the reason that he submitted this proof prematurely for a sufficient amount of water to cover the full number of irrigable acres embraced within his Desert Entry Application; Mr. Heaney understands, of course, that this will mean the additional expense of preparation and new proofs of both himself and witnesses and the cost of the re-publication of the Notice of Proof, but he would rather wait until your field examination can corroborate the proof of himself and witnesses to show the application of water to all of the land.

I have prepared and am transmitting to you herewith, to supplement and explain the new drawing showing the location and dimensions of the various main canals and lateral ditches, mailed to you with my letter of October 27th, a detailed description.

Please let me know that permission to withdraw the proof has been granted and that we may resubmit final proof during the irrigation season of the year 1954.

Very truly yours,



Encl:

21750

WILLIAM M. HEANEY

The main canal running from the well in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20 in a Southeasterly direction diagonally through the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20 is approximately 2,800 feet in length and the main canal which intersects this near the Southeast Corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and runs due South along the West Quarter Section lines of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ is approximately 3,910 feet in length; the main canal which runs straight South from the well along the West line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 20 is approximately 1,250 feet in length and the canal then runs at right angles due West along the South Quarter Section line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19 a distance of 1,320 feet and is intersected by a main canal running straight South through the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19 and then runs due West a distance of approximately 1,200 feet along the North Quarter Section line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19.

There is a smaller ditch or lateral running from the main canal a distance of 1,200 feet due West along the North Quarter Section line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, and also a smaller ditch or lateral running Southeast and also branching in a Southwest direction which runs from the main canal on the West Quarter Section line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 20, and thence into the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ a total distance of 1,800 feet and there is also a smaller ditch or lateral which takes water from the main canal along the West Quarter Section line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20 and runs due West through the said Quarter Section a distance of approximately 1,320 feet with a branch running straight North from the center thereof a distance of approximately 600 feet.

All of the foregoing smaller ditches and laterals as indicated on the attached map are shown in purple crayon; the main canals or laterals are indicated in red crayon.

All main canals are approximately four feet in width and three feet in depth and the smaller sub-laterals and ditches are approximately three feet in width and three feet in depth.

All lands, well, ditches and canals are located in parts of Sections 19 and 20, Township 4 South, Range 31, East of the Boise Meridian, Bingham County, Idaho.

21750

November 23, 1953

Re: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

Permit No. 21750 has a priority of October 17, 1950. Proof of completion of works was due on October 31, 1951, and beneficial use proof was due October 31, 1952.

On October 26, 1951, Mr. Heaney was granted an extension of time for proof of completion of works to October 31, 1955. A Certificate of Completion of Works was issued on October 29, 1952, for an amount of 5 cubic feet per second. Proof of application of water to beneficial use was made on January 17, 1953, before you as Notary Public.

On January 23, 1953, a letter from the Chief Clerk advised that an inspection was necessary before issuance of License. On May 7, 1953, inspection was made and the water from Mr. Heaney's well was measured and found to be 218 inches. On May 9, 1953, a letter was written from this office advising that the present proof of beneficial use could be accepted as a partial proof and License issued for 150 inches of water for the land on which it was then being used.

The second paragraph advised that supplemental proof could be made any time before October 31, 1956, by notifying this office in writing that beneficial use proof was ready to be made on the balance of the water for Permit No. 21750. Up to the present time the statutory fee in connection with the present proof has not been received at this office and therefore the license for the first 150 inches has not been issued.

As I remember the case, Mr. Heaney was making this proof in order to furnish proof to the Land Office that water had been developed, so that he could prove up on his Desert Land Entry. This office furnished a statement that the water had been measured, which was apparently satisfactory for making his Desert Entry proof.

21750

November 23, 1953

The status of Permit No. 21750 now is:

1. Mr. Heaney may submit his fees of \$10.00, as stated in the letter of May 9, 1953, and a License will be issued for 150 inches of water for the land on which it was being used, and he can obtain the balance of the water, up to 218 inches, or 68 inches under a supplemental license at a later date.

2. He may request the State Reclamation Engineer for permission to withdraw his present proofs, giving the reason that proofs were made prematurely because he had felt that it was necessary to do so in order to make his proofs for Desert Entry. Then, as soon as he has all the water and land that he intends to put to use under this permit, he may again make proof in the regular manner. This, of course, will mean the expense of republication; but there will be the expense of publication in connection with a supplemental proof anyway, if he chooses No. 1 above.

In the one case, he will have the License for the whole place as one License and in the other he will have a License and a supplemental License.

It would be well for Mr. Heaney to take care of this matter right away.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO
November 21, 1953

RECEIVED
NOV 23 1953
Department of Reclamation

Department of Reclamation
Boise, Idaho

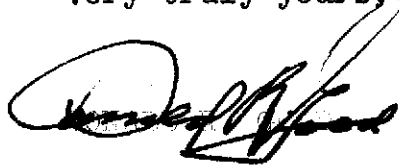
Attention: E. N. Humphrey, Deputy State Reclamation
Engineer

Re: William M. Heaney, Permit # 21750

Gentlemen:

The records of this office do not indicate that you have ever made reply to my letter of October 31 and I would like very much to receive some definite information regarding the water right.

Very truly yours,



21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

October 31, 1953

RECEIVED
NOV 2 1953
Department of Reclamation

Department of Reclamation
Boise, Idaho

Attention: E. N. Humphrey, Deputy State Reclamation Engineer

Re: William M. Heaney, Permit # 21750

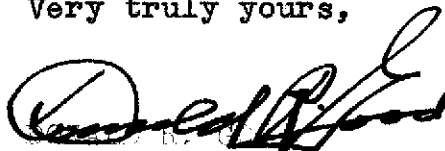
Gentlemen:

I wish to acknowledge your letter of October 29th regarding the application and permit indicated above.

It would seem to me that Mr. Heaney would be well advised to wait until he can establish a water right for the 320 inches with which to irrigate the 320 acres covered by his Desert Entry Application and I assume that you will make another inspection of his land during the irrigation season of the year 1954 with the view of granting a license for the full amount of water which Mr. Heaney is producing from his well which we, of course, understand cannot exceed one inch per irrigable acre of the lands to which he intends to apply the water.

It would be appreciated if you would view the files and correspondence on this matter and let me have your recommendations and if possible make your reply in duplicate in order that I may furnish Mr. Heaney with a copy thereof.

Very truly yours,



21750

October 31, 1953

Mr. William M. Heaney
Sterling, Idaho

Dear Sir:

Please note paragraph three of the enclosed triplicate copy of letter I received today from the Department of Reclamation.

You will observe that the State Department of Reclamation will not issue the license for your full water right until their inspection shows that you are in reality utilizing the full amount of 320 inches or 6.4 cubic feet per second of water on the land covered by your permit and also your Desert Entry Application.

I am also enclosing a copy of my letter to the Department of Reclamation with respect to this matter; this copy of letter you may retain.

On your proof under the application of the water for beneficial use previously submitted to the Department of Reclamation you show by your deposition and also those of your witnesses, Irvin A. Satterfield and Edward P. Heaney that you have actually used about 250 inches or 5 cubic feet per second which is hardly sufficient to irrigate the 320 acres covered by your application for the Department of Reclamation Permit to drill a well and a like amount of acreage covered by your Desert Entry Application. I believe that the proper course to pursue is to wait until the irrigation season of 1954 when you have actually applied the water from this well in a sufficient quantity to irrigate the entire 320 acres and there will then be no question regarding the adequacy of your proof of a water right sufficient for the irrigation of all of the lands covered by your Desert Entry Application.

You will recall that the only thing you or your witnesses could swear to last January was the fact that 250 inches of water was actually delivered and that measurement was determined by calibration of the electric current consumed by the motor operating the pump; this does not agree

21357
C O P Y

October 31, 1953

with the Department of Reclamation's measurement made with a 1 1/4 inch Sparling Water Meter which registered a total quantity of only 218 inches actually discharged by the pump.

You should give this matter your thorough consideration and let me know, in writing, whether you still desire to submit proof on your Desert Entry Application with a water right of only 218 inches actually available.

The enclosed triplicate copy of letter dated October 29 should likewise be returned to me together with your decision as to the submission of proof on your Desert Entry Application in the self-addressed and stamped envelope enclosed.

Very truly yours,

DONALD R. GOOD

Encls:

2/25/53
C O P Y

October 29, 1953

TO ALL WHOM IT MAY CONCERN:

On May 7, 1953, I measured the water being pumped from a well in the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East, B.M., owned by Mr. William M. Heaney.

The water was measured by use of a standard 14 inch Sparling Water Meter and the quantity was 218 inches. Temperature was 54° Fahrenheit. At that date the water was being used on approximately 150 acres of land in said Section 20.

Application of all of the water to the land for which it was intended was not fully completed at that time and it was suggested to Mr. Heaney that it would be better to wait for licensing for at least another year, inasmuch as his per- it for development of the water allowed him until October 31, 1955.

MARK R. KULP

State Reclamation Engineer

By

E. N. H.

E. N. Humphrey

Deputy State Reclamation Engineer

7-250

✓
October 29, 1953

RE: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

In reply to your letter of October 27, 1953.

I have just talked to Mrs. Maxine Hancock in the Idaho Land & Survey Office regarding Desert Entry Application #01612 by Mr. William M. Heaney. She verifies the statement I made to you in letter of May 9, 1953.

Accordingly, we enclose a statement regarding Mr. Heaney's well that should be sufficient proof of water development for his proof required in connection with his Desert Entry Application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

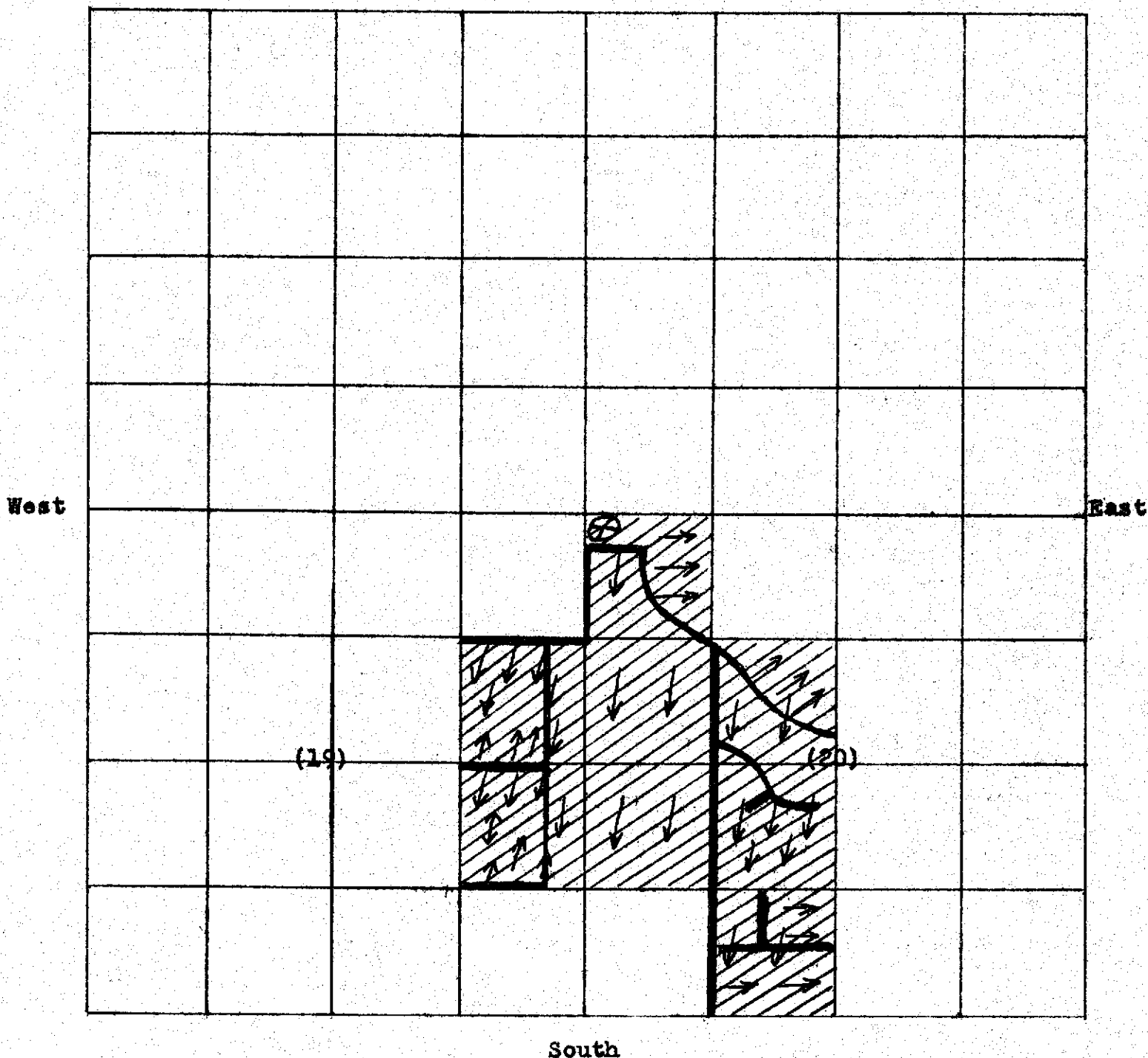
H:fg
Enc.

21750

HEANEY, WILLIAM M.

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}\ SE\frac{1}{4}$); the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}\ NE\frac{1}{4}$) in Section Nineteen (19); the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}\ NW\frac{1}{4}$); the South Half of the Northwest Quarter ($S\frac{1}{2}\ NW\frac{1}{4}$); the North Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter, ($SE\frac{1}{4}\ SW\frac{1}{4}$) all in Township Four (4) South, Range Thirty-one (31), East Boise Meridian in Bingham County, Idaho.

North



South

LEGEND:

Well drilled

:

Land slope

:

Main laterals or canals

:

Small ditches and sub-laterals:

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

October 27, 1953

RECEIVED
OCT 29 1953

Department of Reclamation

Department of Reclamation
Boise, Idaho

Attention: E. N. Humphrey, Deputy State Reclamation Engineer

Re: William M. Heaney, Permit # 21750

Gentlemen:

Please refer to your letter to Mr. Heaney dated May 9, 1953, a carbon copy of which was forwarded to me.

After receipt of your letter to which reference is made above and after discussing the matter with Mr. Heaney, I wrote to the Land & Survey Office, Bureau of Land Management at Boise, Idaho with reference to Mr. Heaney's Desert Entry Application # 01612 stating that after a conversation with someone in the Land & Survey Office you were informed that a signed statement from the State Department of Reclamation showing that 150 inches of water then being used under State Permit #21750 to irrigate approximately 150 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East, B.M. would be satisfactory and sufficient evidence of water rights to enable Mr. Heaney to make final proof for the entire 320 acres covered by his Desert Entry Application.

I requested that the Land & Survey Office inform me if this was correct in order that we could proceed to make final proof, but I have never received a definite answer regarding the sufficiency of this method of proof of the water right.

Mr. Heaney has now completed his entire irrigation system of main ditches and canals and also his laterals and smaller ditches to place all of the land covered by his water permit and also his Desert Entry Application under

21750

October 27, 1953

irrigation; a map showing the location of the well and the ditches and laterals used to apply the water upon the land is enclosed for your examination in order that you may have a further discussion with the Land & Survey Office regarding the proof they will accept from you as sufficient under the Desert Entry Application.

Very truly yours,



Encl:

21750

✓
May 9, 1953

RE: Permit No. 21750

Mr. William M. Heaney
Sterling
Idaho

Dear Mr. Heaney:

Your request that your present proof of beneficial use on Permit No. 21750 be accepted as a partial proof can be granted and license can be issued for the 150 inches now being used on the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East, B.M., upon receipt of a statutory fee of \$10.00, which is at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

The record of this permit shows that the time for proof of completion of works was extended to October 31, 1955, and as an additional year was requested for making proof of beneficial use, your supplemental proof of beneficial use is not actually due until October 31, 1956. Proof may be made at any time prior to that date by writing in to this department advising that you are ready to make final beneficial use proof.

Through conversation with the Land Office, I learned that a signed statement from this office regarding the amount of water would be satisfactory for making proof on your desert entry.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

A:fg
cc: Mr. Donald R. Good

21750

This is a desert entry and Mr. Heaney, not yet having title, cannot get a loan. Financially he is in a rather straitened condition. He must have evidence of a water right apparently in order to get title to the land so that he can borrow money to continue operation.

He does not want to lose any priority on the water in his well and so he is asking that this be considered as partial proof and allow him some additional time in which to make final proof on the balance and maintain the same priority. He will have sufficient time to get the balance in and be within his 5 year completion of works period.

He has handled this through a lawyer in Blackfoot in order to be sure that everything was right. If it is possible I recommend that he be given additional time to get the balance of his water with the same priority.

TR # 21750 Allow License for 3 cfs under present proof and balance in later if application is made for ext time for B.W. or withdraw present proof. apply for ext time for B.W. mrx 5/8/52

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

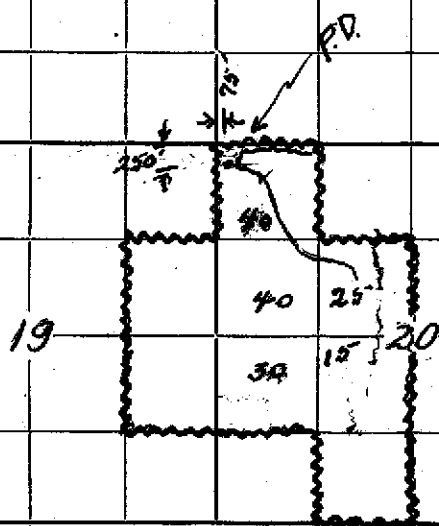
PERMIT NO. 21750

REPORT ON PROOF OF Beneficial use

WILLIAM M. HEANEY, Sterling, Idaho

4348
237/100
180
62
180
180
180

4. S., R. 30 E.
4. S., R. 31 E.
T.



54°F
217 inches.
150 a. allow
4348
180
21740

30

29

Allow 150" this permit New
Area = 150 aere.

Q = 218" Total

Thru Sparling Meter.

T = 34°F

Abolished - Springfield
Canal

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

Permit No. 21750This proof is for Beneficial use In Water District No. _____1. Name of applicant William M. Heaney, Sterling, Idaho2. Source of water supply: Subterranean from a well3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20T. 4 S. R. 31 E. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: Well is 201' deep, 110' by 18" diameter and the balance 16" diameter, cased 5' to rock. Pump sets down 124', column is 10" by 120'. Bows are 2 stage by 14" diameter. Static H is 100'. Draw down unknown. There is no protection, no well house. Concrete base 3 $\frac{1}{2}$ by 3 $\frac{1}{2}$. Motor is 75 h.p. 440 V. Fairbanks Morse, 89 amps, 1160 r.p.m., 3 phase, 60 cycle. Pump is Fairbanks Morse vertical turbine No. P.M. 7823. Outlet through 10" pipe, 5' long into concrete sump, 4' by 6' by 3'. Distribution is through ditches 4' wide in the bottom by 12 to 18" deep. Long diked ditches. Controls are Mongerson panel No. 6366. Water was measured through Sparling meter and measured 218". Temp is 54° Fahrenheit. 150 acres irrigated.

5. Water is used for: Irrigation and domestic purposes6. State whether or not water has been turned into works of diversion: yes.

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19;NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20;Twp. 4 South, Range 31 East, B. M.See Map

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

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

Remarks: _____

This examination was made on the 7 day of May, 1953(Signed) E. J. Humphrey Examiner.

21750

Pump Cap 2250 gpm.
 9/2250
 18/45-

William M. Heaney
 Sterling, Idaho
 Permit No. 21750

Examination for Beneficial use

County Bingham
 Sec 20 4 5 3 1 E

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.

Q = 6.4 cfs.

S = 0.0001

PD = NW 1/4 Sec. 20

See - loc. & down.

If possible to get title to land would like to get time apt. on proofs.

wants to make partial proof of this and finish this year on balance.

Cousin wants same deal

Priority = Oct. 17, 1950
 Date = Oct. 31, 1952

201' of 18" x 110'
 16" x balance
 ced 5' to rock

Pump down 124'

Column 10" x 120'
 2 stage x 110"

H = 100' drawdown

no protect Concrete base 3' x 3' 1/2

70 hp. 440V. F.M. motor
 89 amps. 1460 rpm

F.M. Pump. vert turb.

PM 7823 10" outlet

Concrete pump 4' x 6' x 3'
 5' long int

PD = 249' 5. } NW NW
 75' E }

Outlets E & W. 2' W x 2' 1/2 h.
 diked ditches 4' W in bottom
 x 1 1/2 h.

Morgan Panel # 6366
 Switched on panel N. of pump.

✓
January 23, 1953

RE: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We acknowledge receipt of your letter of January 17, 1953, enclosing depositions of William M. Heeney and two witnesses, also affidavit of publication in the Blackfoot Daily Bulletin, all submitted in proof of beneficial use under Permit No. 21750.

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

Meanwhile, we return the receipted bill for cost of publication which doubtless Mr. Heeney will wish to keep in his own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

January 17, 1953

RECEIVED
JAN 20 1953
Department of Reclamation

Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson, Chief Clerk.

Re: Permit No. 21750 - William M. Heaney.

Gentlemen:

I am transmitting to you herewith original
Deposition of Holder and Deposition of Witnesses
Edward P. Heaney and Irvin A. Satterfield, in
connection with the proof submitted before me today.

I am also enclosing a Proof of Publication of
the Notice of Hearing on the Submission of Proof,
receipted copy of the bill of The Daily Bulletin for
publication of the notice and ~~Mr. Heaney's check in~~
~~the sum of \$16.00, representing your fee of \$2.00~~
~~for each forty-acre tract covered by his permit.~~

When the inspection shall have been made and
the final certification of water right issued, please
mail it to Mr. Heaney in care of this office in order
that it may be properly recorded.

Very truly yours,



Encls.

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21750

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. William M. Heaney, Sterling, Idaho, by occupation
a farmer, Post Office Address: Sterling, 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. an individual

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

Ans. #21750 dated October 17th, 1950. Priority dated Oct 17th, 1950

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

Ans. Well about 100 feet Southeast of the Northwest corner of
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20 Twp 4 South Range 31 E.B.M. in 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.

Ans. Well 201 Ft in depth 18" diameter with rock walls no casing re-
quired. 112 feet from water level to surface. 75 PH Elect motor and
pump. 250 inches of water delivered and measured and determined by
calibration of electric current consumed by pump and motor discharging
water at surface.

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. Well used for irrigation purposes on cultivated lands - no pasture
or meadow. No improvements except well, motor, pump, ditches and laterals;
Land irrigated: 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ all in Sect 20 Twp 4 S of Range
31 E.B.M. in Bingham County, Idaho containing a total of 200 acres; 40 acres
in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sect 20 and 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 40 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sect.
19 Twp 4 S of Range 31 East of Boise meridian prepared and will be
irrigated during season of year 1953 making a total of 320 acres as
covered by permit.

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

Ans. used for irrigation only

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

Ans. 250 inches or 5 cubic feet per second required

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 the original permittee

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

Ans. over 100 acres of potatoes raised irrigated, grown and harvested in 1952 and an additional 50 acres prepared for planting in 1953

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 - no other water used or available.

(Sign) William M. Healey

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 17th day of January, A. D. 19 53,

(SEAL)

Harold P. Good
NOTARY PUBLIC: STATE OF IDAHO

My commission expires July 22nd, 1955

Residence: Blackfoot, Idaho

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21750

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Witness

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

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

Ans. Ed ward P. Heaney ages 33 years a farmer by occupation
residence and P.O. Address: Sterling, Idaho

Ques. 2. Are you acquainted with William M. Heaney, the
holder of Permit No. 21750? How long have you known him and where does
he reside?

Ans. Yes. I have known William M. Heaney over 25 years. He
resides at Sterling, Idaho

Ques. 3. Have you read or heard read said Permit No. 21750, 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. Well about 100 feet Southeast of the Northwest corner of
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20 Twp 4 South Range 31 East of Boise Meridian, in Idaho

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. over five (5) cubic feet per second can be carried and that
amount has been delivered.

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? 5 cubic feet per second delivered by pump. Estimated by the
employee of company that installed pump and Electric motor by calibrating

Ans. the consumption of electric energy used to lift and deliver water.

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 used for irrigation purposes only on cultivated lands-
Ans. ~~no meadow or pasture. No improvements except well, motor, pump, ditches and laterals. Land irrigated in 1952: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 20 Twp 4 South Range 31 East of Boise Meridian, Bingham County, Idaho amounting to 200 acres~~

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

Ans. used for irrigation only

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. Soil is sandy loam and 5 cubic feet per second is required to irrigate land covered by the permit

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 own farm land in this immediate vicinity and have seen this land being irrigated about every ten days or two weeks during the season of the year 1952. About 250 inches or 5 cubic feet per second used.

(Signed) Edward J. Heaney

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 17th day of January, A. D. 1953...

(SEAL)

David J. Hood

Notary Public.
Residence: Blackfoot, Idaho

My commission expires July 22nd, 1955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21750

Proof of Application of Water to Beneficial Use
~~and Completion of Works~~

Deposition of Witness

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

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

Ans. Irvin A. Satterfield ~~age~~ 34 ~~years~~ a farmer by occupation

~~residence and P.O. Address:~~ Sterling, Idaho

Ques. 2. Are you acquainted with William H. Heaney, the holder of Permit No. 21750? How long have you known him and where does he reside?

Ans. Yes. I have known William H. Heaney over 30 years. He

resides at Sterling, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21750, 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. Well about 100 feet Southeast of the Northwest corner of NW 1/4 Section 20 Twp 4 South Range 31 East of Boise Meridian, in Idaho

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. over five (5) cubic feet per second can be carried and that amount has been delivered.

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? 5 cubic feet per second delivered by pump. Estimated by the employee of company that installed pump and Electric motor by calibrating

Ans. the consumption of electric energy used to lift and deliver water.

21750

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 used for irrigation purposes only on cultivated lands-
Ans. ~~no meadow or pasture. No improvements except well, motor, pump,~~
~~ditches and laterals. Land irrigated in 1952: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$~~
~~NW $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ all in~~
~~Section 20 Twp 4 South Range 31 East of Boise Meridian, Bingham County,~~
~~Idaho amounting to 200 acres~~

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

Ans. used for irrigation only

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. Soil is sandy loam and 5 cubic feet per second is
required to irrigate land covered by the permit

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 own farm land in this immediate vicinity and have seen
this land being irrigated about every ten days or two weeks during
the season of the year 1952 . about 200 inches or 2 cubic feet
per acre used.

(Signed) Irvin A. Satterfield

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 17th day of January,
A. D. 19 53.

(SEAL)

[Signature]
Notary Public.
Residence: Blackfoot, Idaho

My commission expires July 22nd, 1955

21750

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at Ten A. M. on the 17th day of January, 1953, at Blackfoot, County of Bingham, State of Idaho, before Donald R. Good, a Notary Public, State of Idaho, proof will be submitted of the application to beneficial use of five (5) cubic feet per second of the waters of a well in accordance with the terms and conditions of Permit No. 21750 heretofore issued by the Department of Reclamation, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are William M. Heaney, Sterling, Idaho.

The use to which said water has been applied is domestic and irrigation.

The amount applied to beneficial use is five (5) cubic feet per second.

The place where said water is used SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, all in Township 4 South, Range 31, East of Boise Meridian in Bingham County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East of Boise Meridian, in Idaho.

The right to take water from such works is based upon Permit No. 21750.

The source of supply from which such water is diverted is subterranean flow from a well.

The date of priority which said user is prepared to establish is October 17th, 1950.

MARK R. KULP
State Reclamation Engineer
Dec. 12, 19, 26, Jan. 2.

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Bingham

ss

I, Low Haller, do solemnly

swear that I am the Gen. Mgr. 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 Four

consecutive weeks the first publication having been

made on the 12th day of Dec., 1952

and the last publication having been made on the

2nd day of Jan, 1953; 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.

Subscribed and sworn to before me this 10th

day of January, 1953

Notary Public in the State of Idaho,
Residing at Blackfoot, Idaho.

21750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21750

Date: December 9, 1952

Blackfoot Daily Bulletin

Blackfoot, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 17, 1952** the date set for proof, the expense of the publication to be paid by the applicant, **William M. Heaney** of **Sterling, 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

Chief Clerk

See ark - 21538

21750

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at Ten A. M. on the 17th day of January, 1953,
at Blackfoot, County of Bingham, State of Idaho, before
Donald R. Good, a Notary Public, State of Idaho proof will be submitted of the
application to beneficial use of Five (5) cubic feet per second of the waters of a well
in accordance with the terms and conditions of Permit No. 21750
heretofore issued by the Department of Reclam. of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
William M. Haeney, Sterling, Idaho

The use to which said water has been applied is Domestic and irrigation

The amount applied to beneficial use is Five (5) Cubic Feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 20, All in Township 4 South, Range 31, East of Boise
Meridian in Bingham County, Idaho

The name of the canal or ditch or other works by which said water is conducted to such place of use is

a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 South, Range 31
East of Boise Meridian, in Idaho

The right to take water from such works is based upon Permit No. 21750

The source of supply from which such water is diverted is a well
xxxxxxxxx subterranean flow from a well.

The date of priority which said user is prepared to establish is October 17th, 1950

MARK R. KULP

State Reclamation Engineer.

21750

December 9, 1952

RE: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We acknowledge receipt of your letter of December 8, 1952, enclosing two copies of Form 8 for proof of completion of works, two copies of Form 10 for proof of beneficial use under Permit No. 21750 of William M. Heaney, and Form 11 which is authorization to have same published in the Blackfoot Daily Bulletin.

It is not necessary to publish notice for proof of completion of works on this permit as it is for less than 6.4 cubic feet per second, and if you will refer to office letter addressed you on December 4, you will note that we sent you Certificate of Completion of works issued under this permit.

Since the statutes provide that notice of beneficial use proof shall be ordered by the Department of Reclamation, we cannot comply with your request to return the papers to you for delivery to the newspaper. We think we explained this to you in our letter of a few days ago.

By this same mail, we are sending a copy of the notice to the Blackfoot Daily Bulletin with instructions in regard to publishing and have instructed them to send the affidavit of publication together with statement of costs to Mr. Heaney at Sterling.

We enclose herewith the necessary forms of deposition to be used in making this proof, and at the time set Mr. Heaney should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:fg
Enc.

copy of letter to Daily Bulletin enclosed -

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO
December 8, 1952

RECEIVED
DEC 9 1952
Department of Reclamation

Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson, Chief Clerk

Re: Permit No. 21750 - William M. Heaney

Gentlemen:

I am transmitting to you herewith Form No. 11 and two copies each of Forms No. 8 and No. 10, and ask that you kindly return the papers to me to be delivered to the newspaper here at Blackfoot.

Very truly yours,

Encls.



21750

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 15th, 1952

(P. O.) Sterling, 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
Daily Bulletin of Blackfoot, Idaho published in
the county in which the works are situated.

William M. Healey

(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.

21750

December 4, 1952

RE: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We enclose Certificate of Completion of Works issued under Permit No. 21750 in the name of William M. Heesney for the diversion of 5 second feet of water from a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East, B.M., for irrigation and domestic use on the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 4 South, Range 31 East, B.M.

We also enclose departmental receipt No. 25181 for the \$5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21750

November 13, 1952

Re: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We acknowledge receipt of your letter of November 12th enclosing affidavit of William M. Heaney in proof of completion of works under Permit No. 21750/ However you failed to enclose the statutory fee of \$5.00 in connection with this proof.

We note that Mr. Heaney wishes to proceed to make final proof, or proof of beneficial use on this permit. Notice should be made in duplicate on Form 10 enclosed, setting time and place, and naming the Notary Public before whom the proof is to be made. Both copies of Form 10 to be returned to this department, together with Form 11, which is authorization for us to have the notice published, at Mr. Heaney's expense, in the designated county newspaper.

We shall then send the notice to the newspaper, with instructions in regard to publishing, and will send you the necessary forms of deposition to be used in making this proof.

We are also enclosing a number of Form 6, as requested in your letter of November 11th.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encls.

4 Form 6 sent -
6 " sent - 10-27
21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

November 25, 1952

RECEIVED
NOV 28 1952
Department of Reclamation

The Department of Reclamation
Boise, Idaho

Attention: Jeane L. Anderson
Chief Clerk

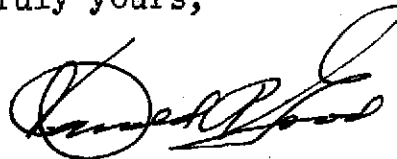
Re; William M. Heaney, Permit # 21750

Gentlemen:

Please refer to your letter of November 15th, I am enclosing herewith Mr. Heaney's check in the sum of \$5.00 to cover the fee for filing his affidavit of Proof of Completion of Work.

Please forward to me a certificate of Completion of Work in order that I may proceed to have forms #8, 10 and 11 completed and forwarded to you at the earliest possible date.

Very truly yours,



P.S. It would be greatly appreciated if you would, when you can conveniently do so, forward to me a statement commencing with your form #1 and continuing through to and including the final certificate of water right for water derived from subterranean surfaces, the numbers and quantities of each of the various forms required to be filed in your office indicating the cost if any for filing each instrument and also the cost of certifying copies as prepared by the applicant.

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

November 12, 1952

RECEIVED
NOV 13 1952
Department of Reclamation
no fee

Department of Reclamation
Boise, Idaho

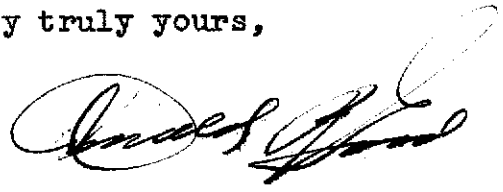
Re: William M. Heaney - Permit No. 21750.

Gentlemen:

I am transmitting to you herewith proof of completion of works on well drilled by Mr. Heaney under the permit indicated above.

Mr. Heaney will wish the notice of proof to be published in The Daily Bulletin of Blackfoot, Idaho, and you may send all of the necessary papers to Mr. Heaney, c/o this office, in order that we may proceed with the publication and make final proof to secure the water right.

Very truly yours,



DRG:vb
Encl.

21750

Permit No. 21750

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham

ss.

William M. Heaney, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21750, and that his postoffice address is Sterling State of Idaho

Second: That the name of the stream which said water is to be ~~directed~~ ^{DIVERTED} is water not diverted from a ~~stream~~ ^{FROM} but from a well.

Third: That the point of diversion of said water is 100 ft S.E. of the N.E. corner of N.W. 1/4 of the N.W. 1/4 Section 20 Twp 4 South Range 31 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 31, 1955, 19.

Fifth: That the use for which said water is intended is irrigation and agricultural purposes.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Well, 201 ft deep, 18 inches diameter, 75 H.P. pump, completed and in operation April 15, 1952 (Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line (State whether ditch, flume or pipe)

 feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 250 inches or 5 second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: NE 1/4 SE 1/4, SE 1/4 NE 1/4 sect. 19, NW 1/4 NW 1/4, S 1/4 NW 1/4, N 1/4 SW 1/4, SE 1/4 SW 1/4. Sect. 20, Twp 4 S, Range 31 E Boise Meridian all in Bingham County, Idaho.

Ninth: Remarks: That 100 acres of potatoes raised in 1952.

No Casing in well. 112 ft. lift.

William M. Heaney
(Sign Here)

Subscribed and sworn to before me this 29th day of October, 19 52

My commission expires July 22, 1955

[Signature]
Notary Public.

State of Idaho.

21750

November 1, 1952

RE: Permits Nos. 21750 and 21538

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

Reference is made to your letter of October 28, 1952, in which you state that the necessary papers for proof of beneficial use under the above numbered permits in the names of William M. Heeney and Edward P. Heeney, will be submitted shortly, and requesting that our field engineer make his inspection in the immediate future.

Permit No. 21751 is in the name of Elwyn Lynn Satterfield, but we assume you refer to Permit No. 21750 in the name of William M. Heeney.

We have not yet received copy of notice in connection with these two permits, but when they are received, they will be given immediate consideration.

So far as the field inspection is concerned, it is not our custom to make this examination prior to submission of proofs, but in any event it is now so late in the season that such inspection will not be made until sometime after the irrigation season commences next spring.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21752

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

RECEIVED
OCT 29 1952
Department of Reclamation

October 28, 1952

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson
Chief Clerk

Elwyn Lynn Sallorfield
Re: William M. Heaney Permit No. 21751
and
Edward P. Heaney, Permit No. 21538 *etc.*

Gentlemen:

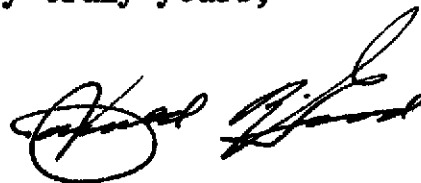
In the course of a few days the necessary papers will be submitted to your office to make final proof under both permits indicated above.

The wells have been drilled, pumps and motors installed together with main ditches and laterals and crops have been raised, grown, irrigated and harvested this year on a substantial portion of acreage covered by the permits.

In view of the lateness of the season, the electric power will be cut off soon for the winter and it would expedite matters considerably and prevent unnecessary delay if your Department could make the required inspection of the wells and land at this time or in the immediate future while the open weather still continues in this vicinity.

Anything you can do to make the inspection now will be indeed greatly appreciated.

Very truly yours,



21750 from H

C/W not made -

21750

October 30, 1952

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

Under separate cover, we are sending you a supply for Forms 16 and 17, but direct your attention to the fact that there are two different forms of No. 17, one of which is for use on surface water and the other on wells.

We are also enclosing one set of Forms 16 and 17 to be used in making both proofs of completion of works and beneficial which will be required on one of Mr. Heaney's permits.

We will write you a separate letter in regard to Mr. Heaney's permits.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21750



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 27, 1952

RECEIVED
OCT 30 1952
Department of Reclamation

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

In reply to your request of October 25, 1952, we are sending you, under separate cover, 6 forms of Form 6, and one set of Forms 16 and 17 (depositions to be used in proof of beneficial use).

The reason we are not sending you more of Forms 16 and 17 is that these forms cannot be used until after notice has been published, and these forms are always sent by this office to either the applicant or the Notary Public before whom the proof is to be made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannie L. Anderson*
Chief Clerk

A:fg
Enc.

Note: With reference to the foregoing letter, I am very sorry that you do not wish to forward 6 of each of the forms No. 16 and 17. As you know I have several applications pending and about to start publication of the Notice of Proof for William M. Heaney Permit # 21750 and Edward P. Heaney # 21538.

Most of the clients reside a distance of 40 miles from Blackfoot and I need extra copies for work sheets to assemble the information required to complete the forms and also provide a full copy for my files and record and there will doubtless be some unnecessary delay in completing and filing them with your office unless I can work on them in advance.

I can assure you the forms will not be wasted and ask you to reconsider the matter.

Very truly yours,

Donald R. Good

21750

November 1, 1951

RE: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We thank for your letter of October 30, 1951,
calling attention to our error as to the middle initial
of William M. Heaney.

No doubt this was caused in part because of your
letter of October 12, 1951, referring to William J Heaney.
We have made the necessary corrections in this depart-
ment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

October 30, 1951

RECEIVED
NOV 1 1951
Department of Reclamation

Re: Permit No. 21750
William M. Heaney

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson
Chief Clerk

Gentlemen:

This will acknowledge your letter of October 29 with respect to the extension of time for completion of works under the permit indicated above.

I desire to call your attention to the fact that Mr. Heaney's correct middle initial is "M" rather than "J" as you have frequently used in correspondence.

Yours very truly,



21750

October 29, 1951

RE: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We enclose approval of the State Reclamation Engineer of William J. Heaney's application for extension of time for completion of works on Permit No. 21750, to October 31, 1955.

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:fg
Enc.

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO

October 12, 1951

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Jeanne L. Anderson
Chief Clerk

Re: Permit No. 21750
William J. Heaney

Gentlemen:

I am transmitting to you herewith application of Mr. Heaney for extension of time of the permittee indicated above.

Please let me know the date for which the extension is granted.

Very truly yours,



Encl.

21750

Permit No. 21750

Application for Extension of Time
FOR COMPLETION OF WORKS

RECEIVED
OCT 20 1951
Department of Reclamation

William M. Heaney, of Sterling,

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 21750

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by October 31, 1951

That he has heretofore performed the following work described under said permit:

No work has yet been done nor any amount expended in
drilling the well.

costing \$

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

That the inspectors from the Bureau of Land Management
have not made an examination of the land and indicated
their approval or disapproval of the Desert-entry
application.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to October 31, 1955.

Subscribed and sworn to before me this 13th day of October, 1951.

William M. Heaney
[Signature]

Notary Public.

My commission expires July 22, 1955.

Date of receipt at office of Department of Reclamation

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION
State Reclamation Engineer

I, MARK R. KULP, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21750 to

October 31, 1955

Witness my hand this 26th day of October

1951
Mark R. Kulp
[Signature]

State Reclamation Engineer

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. William J. Heaney

Boise, Idaho **August 1, 1951**

Sterling, Idaho

Dear Sir:-

Under the terms of your Permit No. 21750 you are required to complete your diversion works on or before October 31, 1951. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

21750

November 8, 1950

Re: Permits Nos. 21750 and 21751

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We enclose Departmental Receipt No. 22798
for the balance of \$.75 due for certified copies of
Permit No. 21750 in the name of William M. Heaney
and 21751 in the name of Elwyn Lynn Setterfield.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21750

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO
November 6, 1950

State Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson

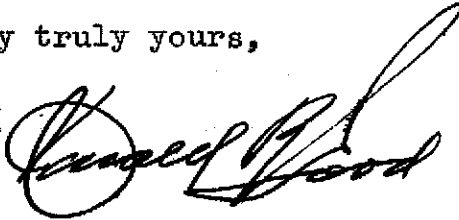
Re: Permit No. 21751-Elwyn Lynn Satterfield
and
Permit No. 21750-William M. Heaney

Gentlemen:

Please refer to your two letters of November 4,
1950, regarding the permits indicated above.

I am enclosing herewith, my check in the
sum of 75¢, which includes the 50¢ due on the
William M. Heaney permit and 25¢ due on the
Elwyn Lynn Satterfield permit.

Very truly yours,



Encl.

21750

RECEIVED
NOV 8 1950
Department of Reclamation

November 4, 1950

Re: Permit No. 21750

Mr. Donald R. Good
Attorney at Law
Blackfoot, Idaho

Dear Mr. Good:

We enclose Permit No. 21750 in the name of William M. Heaney, and direct his attention to the limitations and conditions as given on the fourth page of the Permit, under approval of the State Reclamation Engineer.

We also enclose two certified copies of this Permit for use in connection with his desert entry.

Departmental Receipt No. 22747 for \$7.50 is also enclosed, which includes the filing fee of \$6.50 and \$1.00 for completing and certifying these two copies. The cost of certifying is \$.50 for each copy and \$.25 each for completing same, so there is a small balance of \$.50 due on this account.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

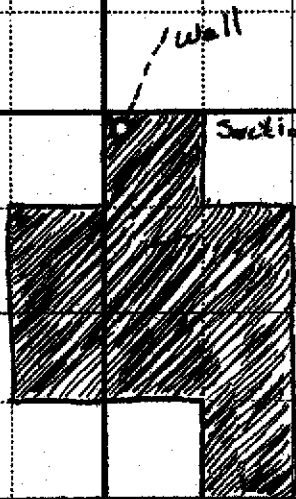
Chief Clerk

A:bn
Enc.

21750

Section 19

Section 20



21750
Permit Map No. 21750
As Approved
OCT 31 1950
MARK R. KULP
State Reclamation Engineer

DONALD R. GOOD
ATTORNEY AND COUNSELOR AT LAW
BLACKFOOT, IDAHO
October 16, 1950

RECEIVED
OCT 17 1950
Department of Reclamation

RECEIVED
OCT 17 1950
9am
Department of Reclamation

State Department of Reclamation
State of Idaho
Boise, Idaho

Re: William M. Heaney

Gentlemen:

I am transmitting to you herewith, three (3) copies of an application for Permit to Drill a Well by Mr. William M. Heaney of Sterling, Idaho, and covering approximately 320 acres of land, as mentioned and described in the application.

When this application has been approved, please return the original permit to me, together with two certified copies thereof for filing with the Bureau of Land Management.

Mr. Heaney's check in the sum of \$7.50, to cover the required fees for the permit and two certified copies thereof, is also enclosed.

If there are any additional charges please let me know and I will immediately forward a check to cover.

Very truly yours,

Encl.

Donald R. Good

21752