

NOTICE OF EXISTING
WATER PERMIT

Notice is hereby given that Donald Butler, P. O. Box 1010, Yuma, Arizona, has received an approved permit No. 35-2138 issued by the Idaho State Reclamation Department authorizing the diversion of 3.20 cubic feet per second of water from a ground-water source, subject to all prior rights. The priority to be established under this permit is December 21, 1958, and the permit was approved April 21, 1949. Water is to be diverted by well, pump and ditches from a point within the SW 1/4 SW 1/4, Sec. 21, T. 4S, R. 33E, B.M., Bingham County to be used for irrigation and domestic purposes in the SW 1/4 of Sec. 21, T. 4S, R. 33E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 21, 1960. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
(2263)
Pub.: Jan. 1 and 8

RECEIVED

FEB 17 1970

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham
State of Idaho

} ss.

I, Drury R. Brown do solemnly

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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 1st day of January, 1970,

and the last publication having been made on the

8th day of January, 1970; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 12th

day of January, 1970.

Raye Dayton

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires

~~June 1, 1963~~ November 10, 1972

35-2138
21024

R. 33 E.

S. & L.

Waste		21
13A	18A	
39A	36A	

P.D.

Q measured 1.70 cfs ✓

Q recommended 1.70 cfs 371 ✓

Volume (3.5)(106 ac) = 371 AF/Acre.

Acreage -

Found 106 ✓

recommended 106 ✓

April 1 - Nov 1 ✓

Subdv. SW 1/4, S 21, 45 33E 4

Amendments

☒ None

☐ P.D.

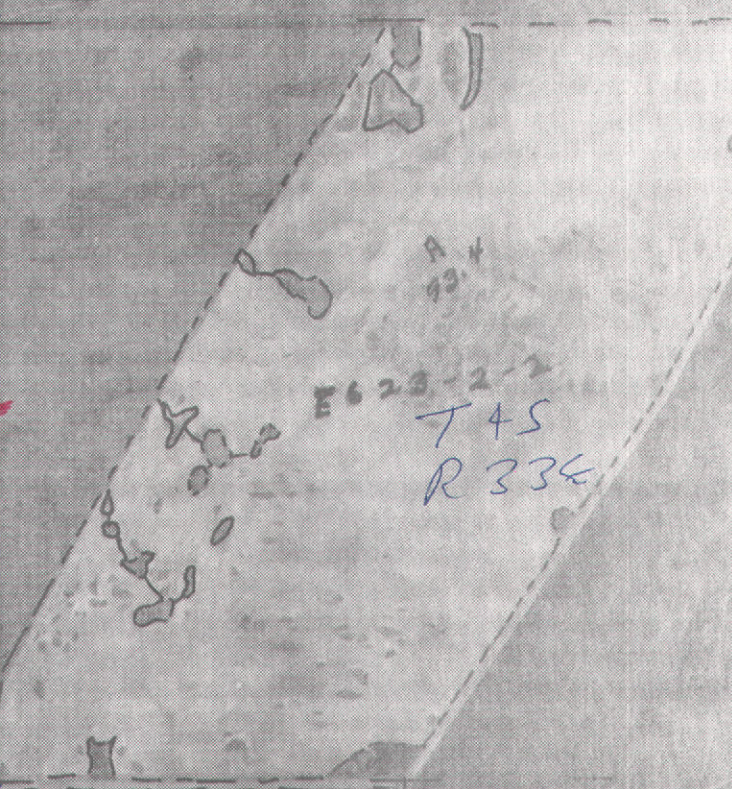
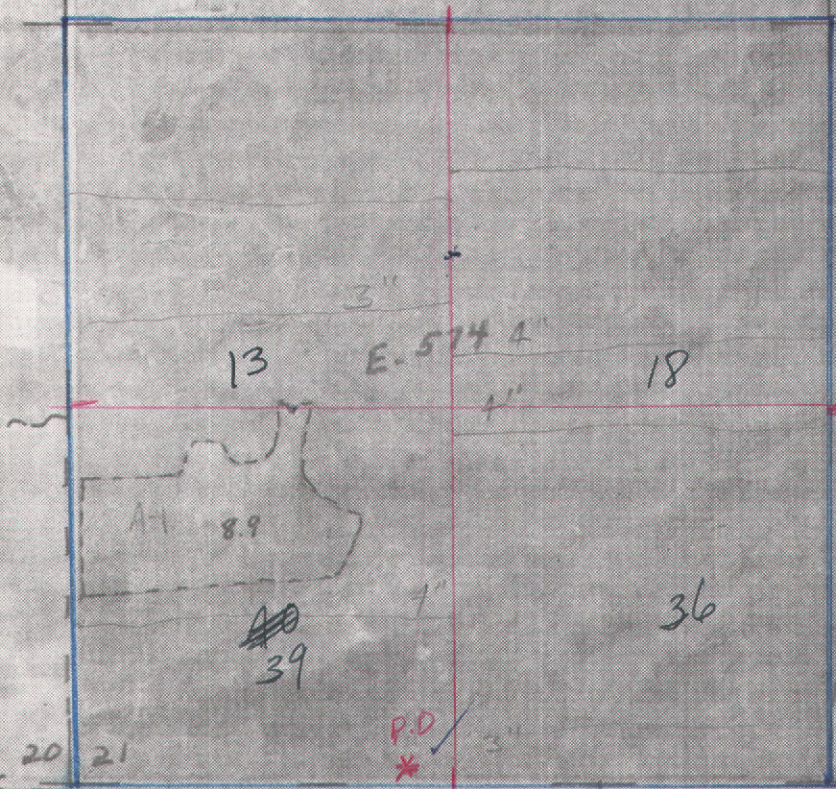
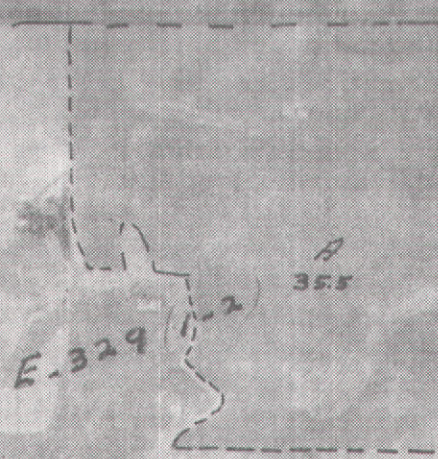
☐ Place of use

☐

Butler

C X N

17 18
20 21



20 21
29 28

35 2138

T. 4S. ~ R. 33E.

Point of Diversion-Well

19

20

21

Permit Map No. 21024

As Approved

APR 21 1949

MARK R. KULP

Civil Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 21024/35-2138 Priority Dec. 21, 1958 Amount 1.70 cfs
(late proof)

THIS IS TO CERTIFY, that DONALD BUTLER
of Yuma, Arizona, has complied with the terms and conditions of Permit
No. 21024/35-2138 issued pursuant to Application for Permit dated April 18, 1949,
and has submitted proof to the Department of Water Administration on December 24, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.70 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.70 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.70 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW¹/₄SW¹/₄ Sec. 21, Twp. 4 S, Rge. 33 E, B.M.
in the county of Bingham, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 371 acre feet per year or _____
3.5 acre feet per acre.

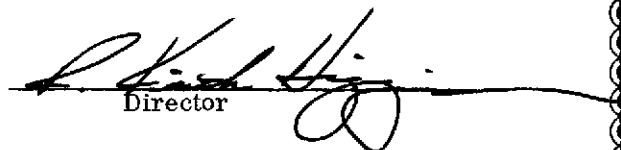
Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
4S	33E	21									18	13	39	36					106

Total number of acres irrigated 106

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1st day of
August, 19 73.


Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

SEP 24 1969

ASSIGNMENT OF PERMIT

I, LOIS E. HAWKER, hereby assign to DONALD BUTLER of P. O. Box 1010, Yuma, Arizona 85634,
(address)

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 35-2138 to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Give that portion of the permit being assigned by describing the land list and the point of diversion - describe by acreage within each 40-acre subdivision.)

Made this 17th day of September, 19 69.

Lois E. Hawker

Permit Holder

Wife of Permit Holder

State of Idaho)
County of Bonanza) ss.

On this _____ day of September, 19 69, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Donna, Idaho
Notary Public residing at

H. Larry Spilker

My commission expires 10 Jan 1970.

21024
35-2138

SEP 29 1969

Department of Reclamation

RECEIVED

SEP 11 1969

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR AMENDMENT

Permit No. 35-2138

Comes now Donald Butler

of (address) P.O. Box 1010

Yuma, Arizona 85634

Yuma, Arizona 85634, and represents to the State Reclamation
Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

No. 35-2138, and requests that the permit and permit map be changed as follows:

Point of diversion: SW 1/4 SW 1/4, Sec. 21 T. 4 South

R. 33 E., B.M. Other points of diversion none

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

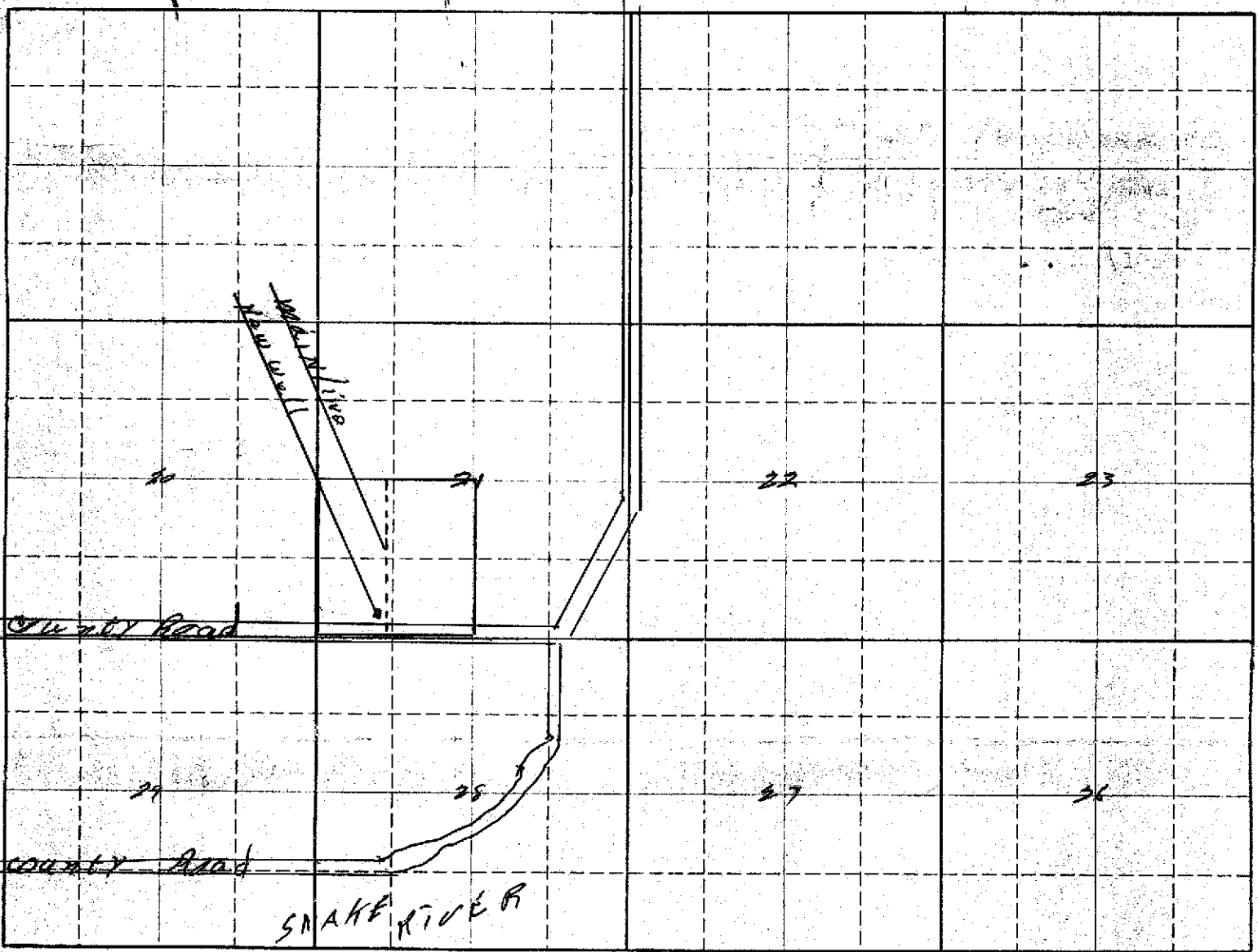
[illegible]

Total number of acres to be irrigated

21024

35-2138

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 8 day of September, 1969

[Signature]
(Signature)

ACTION OF STATE RECLAMATION ENGINEER

I, C. STEPHEN ALLRED, Acting Deputy, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 35-2138.

Witness my hand this 1st day of October, 1969

[Signature]
State Reclamation Engineer
Acting Deputy

21024
35-2138

N^o 21024
25-2138

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28689
PERMIT No. 21024
DISTRICT No.

*Assigned to -
Donald Butler*

1. Name of Applicant: LOIS E. HAWKER

Postoffice address: Springfield

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:

- (b) Treasury stock:
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 3.20

cubic feet per second.

3. Source of water supply: Subterranean flow (well)

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NW¹ SW¹
of Section 21 , T. 4 S. , R. 33 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: \$ 2,000.00

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 2 feet; width at water line 5 feet; depth of water 1 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 Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) 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? 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.

LOIS E. HAWKER Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:45 A. M. April 18, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21024

Recorded in Book 75 Page 21024 Approved April 21, 1949

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 June 21, 1949

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 October 21, 1951

The whole of said work to be completed on or before April 21, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before April 21, 1960

WITNESS My hand this 21st day of April, 1949

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 21st

day of April, 19 49

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: To be used in connection with desert entry

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 S.	33 E	21									40	40	40	40					160
Permit No. 21024 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN: This is to certify that Lois E. Hawker of Springfield, County of Bingham, and State of Idaho, the holder of Permit No. 21024 issued upon Application No. 28789 bearing date of priority of April 18, 1949, authorizing the diversion of 3.2 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 3.2 second feet of the waters of said well; that the point of diversion of said waters is in the NW¼ SW¼ Section 21, Township 4 South, Range 33 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southwest Quarter Section 21, Township 4 South, Range 33 East, B.M.																			
Witness my hand this 12th day of August, A.D. 1953.																			
Proof of Completion of Works made August 10, 1953 Certificate of Completion of Works issued August 12, 1953																			
																MARK R. KULP State Reclamation Engineer			

RECORD USED FOR 170 SEC. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Identification No. _____

Permit No. 35-2138

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Donald Butler
b) Post Office Address P.O. Box 1010, Yuma, Arizona
2. Permit Number 35-2138 formerly Permit No. 21024
3. Date of Priority that you are prepared to establish April 18, 1949 Dec. 21-58
4. a) Source from which water was appropriated ground-water
b) Location of the point of diversion: SW - 1/4 SW - 1/4, Section 21
Township 4 So., Range 33 East Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 3.2 cfs for irrigation purposes from April 1 to Nov. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.2 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Based upon estimate of owner and foreman and specifications of pump and motor.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Owned by applicant.
b) Describe the agreement or understanding by which you take water from the works: N/A

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 60 h.p. electric motor and turbine pump; 750 rpm; 20" casing, 10' deep; 24' to water, 38' total depth.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 1 1/2" measuring device protrudes from pump base at an angle about 6" above base and enters the casing about 1 1/2" above the foundation.
c) Give well drillers name and address and date the well was completed Barrus Drilling and Pump Company, Basalt, Idaho; Completed August 10, 1969.

EXAM TYPED

2-19-70 gns

21024

35-2138

W.D. gns

January 11, 1972

Yuma, Arizona

On this 4 day of December, 1969, personally appeared before me the

State of ARIZONA)
County of Yuma ss.)

(Signature) Donald Butler

(Date)

The above information is a true statement of the extent to which the above numbered permit has been developed.

10. Remarks:

Total number of acres irrigated.

091

[illegible]

Notes:

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Donald Butler, P. O. Box 1616, Yuma, Arizona, has received an approved permit No. 35-2138 issued by the Idaho State Reclamation Department authorizing the diversion of 3.20 cubic feet per second of water from a ground-water source, subject to all prior rights. The priority to be established under this permit is December 21, 1956, and the permit was approved April 21, 1949. Water is to be diverted by well, pump and ditches from a point within the SW 1/4, Sec. 21, T. 4S, R. 33E, B.M., Bingham County, to be used for irrigation and domestic purposes in the SW 1/4 of Sec. 21, T. 4S, R. 33E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 21, 1960. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH JOHNSON
State Reclamation Engineer
(2200)
Pub. 541

AFFIDAVIT of PUBLICATION

County of Bingham
State of Idaho

} ss.

I, Drury R. Brown do solemnly

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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 1st day of January, 1970,

and the last publication having been made on the

8th day of January, 1970; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 12th

day of January, 1970.

Raye Danton
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

My commission expires
~~XXXXXX~~ November 10, 1972

35-2138
21024

COPY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

SEP 24 1969

ASSIGNMENT OF PERMIT

I, LOIS E. HAWKER, hereby assign to DONALD BUTLER Department of Reclamation
of P. O. Box 1010, Yuma, Arizona 85634
(address)

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 35-2138
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in
and to Permit No. _____ to appropriate the public waters
of the State of Idaho. (Give that portion of the permit being assign-
ed by describing the land list and the point of diversion - describe
by acreage within each 40-acre subdivision.)

Made this 17th day of September, 19 69.

Lois E. Hawker

Permit Holder

Wife of Permit Holder

State of Idaho)
County of Bonanza) ss.

On this _____ day of September, 19 69, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Donna, Idaho
Notary Public residing at

H. Lamy Spilker

My commission expires 10 Jan. 1970.

21024
35-2138

RECEIVED

● Connecticut Mutual Life

INSURANCE COMPANY, SINCE 1846

JUN 17 1977

140 Garden Street, Hartford, Connecticut 06115 Tel: (203) 549-4111

Department of Water Resources

Agricultural Investments

June 13, 1977

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Water Permit Nos. 35-7096, G-27113,
G-29200, G-22490, 35-2138
Loan No. 95892-H, Butler et al

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit numbers 35-7096, G-27113, G-29200, G-22490, and 35-2138 as described in mortgage deed dated August 29, 1969, given by Donald Butler et al.

Said mortgage was recorded in the public records of Bingham County, in Book 9 at Instrument No. 150407.

Sincerely,

Jean Wright

Jean Wright
Agricultural Investment Division

jw

cc: Ag-Land Mortgage Company

August 2, 1973

Re: Permit No. 21024/35-2138

**Mr. Donald Butler
Box 1010
Yuma, Arizona 85364**

Dear Mr. Butler:

**Enclosed please find a copy of the Water License issued
on the above referenced permit.**

Sincerely,

**BOBBY DL FLEENOR
Assistant Director**

bjg

Enclosure

35 2138

July 16, 1973

Mr. Donald Butler
Box 1010
Yuma, Arizona 85364

Dear Mr. Butler:

A representative of this Department has made an examination of the works covered by your Permit No. 21024/35-2138 and has found the following:

Quantity of water diverted: 1.70 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.70 cfs

The maximum quantity diverted shall not exceed 371 acre feet per year.

Beneficial use: Irrigation of 106 acres within the SW $\frac{1}{4}$ of Sec. 21, Twp. 4 S, Rge. 33 E, B.M.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, Twp. 4 S, Rge. 33 E, B.M.

Priority date established: December 21, 1958

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:bjg

cc: J. Blaine Anderson

35 2128

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 21024/35-2138

REPORT ON PROOF OF b/u - Donald Butler, Yuma, Arizona

35 2138

25. 4. 25.

F.D.

Waste	21
13A	18A
39A	36A

Q recommended 1.70 CFS 371

Volume $(3.5)(10^6 \text{ ac}) = 3715 \text{ AF/Acre}$

Acreage -

Found 106

recommended 106

Subdv. ~~Sub 1, 2, 3, 4~~ 4

Amendments

☒ None

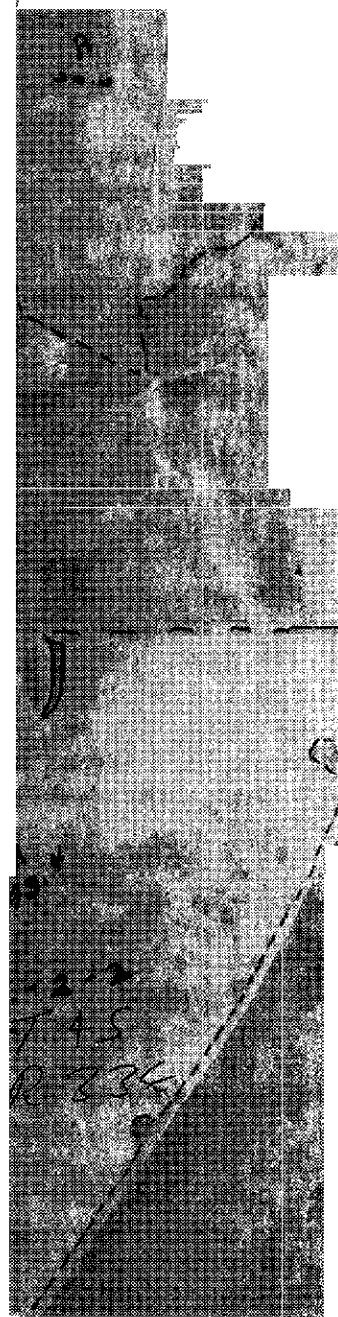
☐ P.D.

☐ Place of use

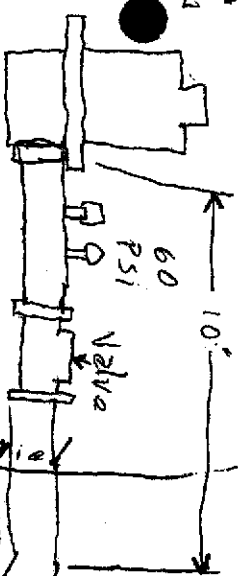
35 2138

Butler

U A N



2



Don Bu 7/10
6/29/72

35 2138

1
35
18
30
23
38
32
46

1
51
16
46
16
46
33
40
48

33
52
46
48

31
50
15
50
56

line
Rainbird
30 W S 5/32

Wall
Nelson F 30 S 5/32
7 10 14 31
56 50 46 35 89
3" line

Pump-Berkley (no plate)
R-261

Motor- GL, Serial # 6EJ709448
IP-60

35. 2138

psi Avg. 18

ALL
5/32"

Donald Butler
6/29/72
EMR

35
 30
 38
 46
 50
 50
 56
 51
 46
 48
 52
 46
 48
 56
 58
 46
 35
 39
 830 ✓

46 psi
 18 | 830
 72
 110
 108

Number Nozzles

1
 32
 31
 33
 33
 31
 160

Type
 30 WS

45 psi → 4.72 gpm
 50 psi → 4.98 gpm
 0.26

45 psi → 4.72 gpm
 1 psi → 0.052 gpm
 46 psi → 4.772 gpm ✓

0.052
 5 | 0.26
 25
 10

4.772
 160
 286320
 4772
 763520 gpm

70
 1.8
 448.8 | 76352
 4488
 31470
 26928
 4542
 31416
 054

1.8
 1.7 cfs ✓

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

Permit No. 21024/35-2138

This proof is for b/u - 3.20 cfs In Water District No. _____

1. Name of applicant Donald Butler, Box 1010, Yuma, Arizona 85364

2. Source of water supply: ground-water

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21

T. 4 S R. 33 E County of Bingham

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

PROOF - 60 HP electric motor and turbine pump, 750 rpm; 20" casing, 10' deep,
24' to water, 38' total depth.

MEASURING DEVICE - 1 $\frac{1}{2}$ " measuring device protrudes from pump base at an angle about
6" above base and enters the casing about 1 $\frac{1}{2}$ " above the foundation.

(Not a m.o.ney)

5. Water is used for: irrigation & domestic

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):

SW $\frac{1}{4}$, Sec. 21, T. 4 S, R. 33 E, B. M. (160 acres)

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

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

Remarks: Leon Mechem was running place land was not
broken up at time air photo was taken. Mr. Mechem
computed acre amount by amount seed used in drilling

This examination was made on the 29 day of June, 1972

(Signed) E. Lepton M. Ramsey Examiner.

5 2138

✓ Norman C. Young, P.E. 12-21-72

ASCS OFFICE - Blackfoot
SCS OFFICE - Blackfoot

Permit No. 21024/35-2138

Examination for b/u - Donald Butler
Box 1010, Yuma, Arizona

County Bingham

Sec. 21 T. 4S R. 33E

Quantity: 3.2 cfs

Source: ground-water

P.D.: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 21

Use: irrigation & domestic

Extension:

Pretest:

Completion of Work:

Other Rights:

Filed: 4-18-49 Made: 12-24-69

Due: 4-21-60 Priority: 12-24-58

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.

35 2138

RECEIVED

35-2138

MAY 24 1972

5-22-72

Department of Water Administration
Eastern District Office

Mr. Young,

I have been contacted by Don Butler, of Tucson Arizona about the examination of the water use on the new well this summer. As I haven't been in touch with Mr. Butler we have just had a meeting this week end and this is one of the matters we took up. Hope it hasn't delayed your program.

I will be gone all summer from June 1st and will be back Sept. 1st so I may not be here when you come for the examination. In such case you may contact Leon Mechom, who is farming the property. He can give you location of well and other help you may need. He is farming our place now and all the wells are at his disposal. He lives on the property which is located 5 mi. ~~of~~ south of Pingree, Ida. as he lives here and farms the place you should have little if any problem getting an examination made. As for signatures you can mail forms to Don Butler, 1730 Tanque Verde Loop Rd. Tucson Arizona, who is the general partner in a limited partnership.

Will Cagle Mgr.

February 19, 1970

Re: Permit No. 21024/35-2138

Donald Butler
Box 1010
Yuma, Arizona 85364

Dear Mr. Butler:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

cc. J. Blaine Anderson
FURCHNER & ANDERSON
178 West Judicial
Blackfoot, Idaho 83221

21024
35-2138

Law Offices

FURCHNER & ANDERSON

178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

February 13, 1970

H. WILLIAM FURCHNER
J. BLAINE ANDERSON
JAMES L. MARTSCH

AREA CODE 208
785-2310

P. O. BOX 752

RECEIVED
J. Blaine Anderson
February 13, 1970

Donald W. McEldowney
Appropriation Examiner
State Department of Reclamation
State House - Annex 2
Boise, Idaho 83707

Re: Donald Butler
Permit No. 35-2138

Dear Mr. McEldowney:

In connection with your letter of February 11, 1970, we
enclose herewith Affidavit of Publication of The Blackfoot
News with respect to final proof under the above numbered
permit.

Sincerely,

FURCHNER & ANDERSON

J. Blaine Anderson
J. Blaine Anderson

Encl:
JBA:fb

cc: Donald Butler

21024
35-2138

February 11, 1970

Re: Permit No. 21024/35-2138

Donald Butler
Box 1010
Yuma, Arizona 85364

Dear Mr. Butler:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with permit No. 35-2138. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Blackfoot News, Blackfoot, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

cc. J. Blaine Anderson
FURCHNER & ANDERSON
178 West Judicial
Blackfoot, Idaho 83221

21024
35-2138

Dec. 30 - 69

NOTICE OF EXISTING
WATER PERMIT

Notice is hereby given that Donald Butler, P. O. Box 1010, Yuma, Arizona, has received an approved permit No. 35-2138 issued by the Idaho State Reclamation Department authorizing the diversion of 3.20 cubic feet per second of water from a ground-water source, subject to all prior rights. The priority to be established under this permit is December 21, 1958, and the permit was approved April 21, 1949. Water is to be diverted by well, pump and ditches from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 4S, R. 33E, B.M., Bingham County to be used for irrigation and domestic purposes in the SW $\frac{1}{4}$ of Sec. 21, T. 4S, R. 33E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 21, 1960. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
(2263)
Pub.: Jan. 1 and 8

21024
35-2138

December 24, 1969

Re: Permit No. 21024/35-2138

Donald Butler
Box 1010
Yuma, Arizona 85364

Dear Mr. Butler:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 21024/35-2138.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Blackfoot News, Blackfoot, Idaho,
(after January 8) upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

cc. J. Blaine Anderson, Attorney
Furchner & Anderson
178 West Judicial Street
Blackfoot, Idaho 83221

21024

35-2138

December 24, 1969

Re: Permit No. 35-2138 - Donald Butler

Blackfoot News
Box 70
Blackfoot, Idaho 83221

Gentlemen:

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

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

The expense of the publication is to be paid by Donald Butler,

Box 1010, Yuma, Arizona 85364,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McKelowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

21024

35-2138

THE UNIVERSITY OF CHICAGO

Department of Reclamation

_____ has received an approved permit No. _____

subject to all prior rights. The priority to be established under this permit is December 21, 1958, and the permit was approved April 21, 1949.
Water is to be diverted by well, pump and ~~disc~~ steel mainline and 6 $\frac{1}{4}$ mile laterals
from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 4S, R. 33E, B.M., Bingham County

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 21, 1960. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

Published in the **Blackfoot News, Blackfoot, Idaho** on

State Reclamation Engineer: Permit No. 35-2138

(Signature)

✓ P.O. Box 1010, Yuma, Arizona
(Address)
✓ 12/4/69
(Date)

21024
35-2138

Law Offices

FURCHNER & ANDERSON

178 W. JUDICIAL STREET

BLACKFOOT, IDAHO 83221

December 22, 1969

H. WILLIAM FURCHNER

J. BLAINE ANDERSON

JAMES L. MARTSCH

AREA CODE 208

785-2310

P. O. BOX 752

Department of Reclamation
Statehouse, Annex 2
Boise, Idaho 83707

Attn: Mr. Donald W. McEldowney
Appropriation Examiner

Re: Donald Butler
Permit No.: 35-2138

Dear Mr. McEldowney:

On behalf of the above named permit holder, we enclose herewith
Proof of Application of Water to Beneficial Use and Notice of
Existing Water Permit for publication.

Will you please acknowledge receipt and filing.

Sincerely,

FURCHNER & ANDERSON


J. Blaine Anderson

JBA:slo

Encl.

cc: Mr. Donald Butler
P. O. Box 1010
Yuma, Arizona 85364

21024
35-2138

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 29, 1969

RE: Permit No. 35-2138

Michael Ferrin
P. O. Box 591
Blackfoot, Idaho 83221

OCT 30 1

Dear Mr. Ferrin:

Per copy of this letter the above numbered permit has been marked to indicate that no assignments, amendments or transfers will be made prior to notification of the Connecticut Mutual Life Insurance Company and the Utah Mortgage and Loan.

Permit No. 35-2138 is a valid permit and priority will be established when proof is submitted.

Very truly yours,

M. Russell Bosch
M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

Receipt No. 3518 in the amount of \$20.00 which covers the fee for Donald Butler application, dated August 20, 1969.

21024
35-2138

October 1, 1969

Re: Permit No. 35-2138

Mr. Donald Butler
P.O. Box 1010
Yuma, Arizona 85634

Dear Mr. Butler:

The assignment for the above referenced has been recorded. The original copy has been placed in our files and we are enclosing the copy for your records. We are also enclosing a copy of the permit for your use.

The amendment to the permit has been APPROVED. You will find enclosed a copy of the approved amendment along with departmental receipt #3676 in the amount of \$5.00 covering the filing fee.

We are forwarding on this date a cover letter with modification order, advertising package and proof form to be used in submitting proof of beneficial use. The priority date for this permit will be established upon receipt of the proof of beneficial use.

If you have any questions regarding the above, please feel free to contact the department at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of assignment
Copy of permit
Copy of amendment w/receipt #3676
Cover letter w/enclosures

21024

35-2138

October 29, 1969

RE: Permit No. 35-2138

Michael Ferrin
P. O. Box 591
Blackfoot, Idaho 83221

Dear Mr. Ferrin:

Per copy of this letter the above numbered permit has been marked to indicate that no assignments, amendments or transfers will be made prior to notification of the Connecticut Mutual Life Insurance Company and the Utah Mortgage and Loan.

Permit No. 35-2138 is a valid permit and priority will be established when proof is submitted.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

Receipt No. 3518 in the amount of \$20.00 which covers the fee for Donald Butler application, dated August 20, 1969.

21024

35-2138

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

DATE	INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
9/25/69	Esc. 1413	Amendment filing fee for 35-2138 Donald Butler			\$5.00

October 1, 1969

Re: Permit No. 35-2138

**Mr. Donald Butler
P.O. Box 1010
Yuma, Arizona 85634**

Dear Mr. Butler:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

**Donald W. McEldowney
Appropriation Examiner**

DWM:DR

**Enc: Order
Advertising package
Proof package**

21024
35-2138

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-2138)

in the name of DONALD BUTLER)

P.O. Box 1010, Yuma, Arizona)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

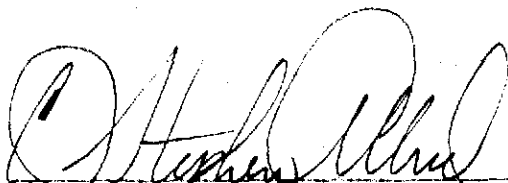
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 35-2138 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this _____ day of _____, 1969.



C. STEPHEN ALLRED, Acting Deputy
State Reclamation Engineer

21024

35-2138

Abstracts of Title

Escrows

Title Insurance

The Bingham Title & Trust Co.

Phone 785-0320

156 West Judicial Street

Box 591

Blackfoot, Idaho 83221

September 25, 1969

M. Russell Bosch, Administrative Assistant
State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 35-2138

Dear Mr. Bosch:

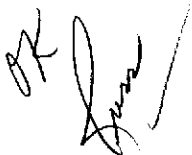
Here is the assignment executed by Lois E. Hawker. We also enclose the Application for Amendment and our check for \$5.00.

Very truly yours,



Michael K. Ferrin
Escrow Department.

encls:



21024
35-2138

September 15, 1969

RE: Permit No. 35-2138

Michael K. Ferrin
Bingham Title and Trust
P. O. Box 591
Blackfoot, Idaho 83221

Dear Mr. Ferrin:

We are returning the application for amendment since it does not have the required fee of \$5.00. Also it is noted that the permit is still in the name of Lois E. Hawker. The amendment is signed by Donald Butler so if the permit has changed hands we also will require an assignment.

The assignment form, as well as an amendment form is enclosed. Please get the assignment form from Lois E. Hawker and return it with the amendment and the proper \$5.00 fee. Sorry the previous correspondence did not mention anything but the number and not the owner.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosures

21024

35-2138

Abstracts of Title

Escrows

Title Insurance

The Bingham Title & Trust Co.

Phone 785-0320

156 West Judicial Street

Box 591

Blackfoot, Idaho 83221

September 11, 1969

RECEIVED

SEP 12 1969

Department of Reclamation

M. Russell Bosch
State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Amendment, Permit 35-2138
Bingham County

Dear Mr. Bosch:

Per your and Mr. Hamilton's recommendations we enclose an Application
For Amendment to change the point of diversion for Permit 35-2138.

Thank you.

Very truly yours,



Michael K. Ferrin
Escrow Department.

encl:

p.s. When this Application is approved would you send this office a
photo copy of the approved Application.

21024

35-2138

August 27, 1969

RE: Permit 35-2138

Bingham Title and Trust Co.
P. O. Box 591
Blackfoot, Idaho 83221

Gentlemen:

Enclosed herewith are the proof forms for the above numbered permit and forms for amending the point of diversion. Be sure the amendment is forwarded to cover the new well location so your proofs can also claim the well that will replace the old one. That way even if you lose the priority, at least the priority will be better than filing a new permit. When you send in the amendment please indicate that the proofs will be forwarded in the near future so we will not cancel the permit.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosures

21024
35-2138

October 26, 1966

RE: Permit 21024
Lois Hawker

Blair W. Archibald, Manager
Federal Land Bank Association of Blackfoot
P.O. Box 72
Blackfoot, Idaho 83221

Dear Mr. Archibald:

This is in reply to your letter of October 24, 1966, regarding property owned by Preston Hawker. We find no permit in his name, however, we do have one in Lois Hawker's name. This permit was filed on April 18, 1949, with the point of diversion being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, T 4 S., R 33 E., B.M. for 3.2 cubic feet per second for use on the SW $\frac{1}{4}$ of Section 21. Completion of works has been made but no beneficial use of the water, therefore, no license has been issued. If they prove beneficial use now they will lose one day's priority for each day the proofs are late. They should have proved beneficial use on April 21, 1960, then the priority date would have been April 18, 1949. Hope this answers your questions. If not, please feel free to write.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: none

210241



FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT

188 WEST JUDICIAL BLACKFOOT, IDAHO 83221 Box 72

TELEPHONE: 785-0820

BLAIR W. ARCHIBALD, MANAGER

October 24, 1966

*Bingham
County*

RECEIVED
OCT 25 1966

George N. Carter
Department of Reclamation
Boise, Idaho

Department of Reclamation

Re: Preston Hawker - Calvin E. Miles

Dear Mr. Carter:

We have an application for a loan from Calvin E. Miles from the proceeds of which he intends to pay for the deed to the SW-1/4 of Section 21 Twp 4 S Range 33 EBM which is presently owned by Preston Hawker. We are unable to obtain the permit number and date of priority and c.f.s. for the deep well which is located on this property. They advise that the well was drilled in 1952. We would appreciate receiving this information from you so that we can proceed with the processing of this application.

Thank you.

Yours truly,

Blair W. Archibald
Blair W. Archibald
Manager

BWA:bmm

21024
Lois Hawker - 21024
3.2 C.F.S.
NW 1/4 Sec 21
SW 1/4 Sec 21
160 acres
Old mts left
Priority - April 18, 1949



"OWNED BY FARMERS : FOR FARMERS"

21024

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

DEPARTMENT OF RECLAMATION

RE: Permit No. 21024 - Lois E. Hawker
21027 O Dalton Hawker ^{1/2 interest}
21027 - Verg J. Waddoups ^{1/2 interest}

Date Feb. 1, 1960

Harley M. McDowell
 Boise, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. see above is due not later than April 21, 1960. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

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

Very truly yours,

GEO. N. CARTER
 State Reclamation Engineer

Enc. Forms 10 - 11 -
 instructions

August 18, 1953

RE: Permit No. 21024

Mr. Farley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose Certificate of Completion of Works issued on Permit No. 21024 for the diversion of three and two-tenths (3.2) second feet of water from a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, Township 4 South, Range 33 East, B.M. for irrigation and domestic use on the SW $\frac{1}{4}$ of said Section.

We also enclose Departmental Receipt No. 26128 for the \$5.00 fee in connection with Completion of Works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.
cc: Lois E. Hawker

21024

Permit No. 21024

STATE OF IDAHO
Department of Reclamation

RECEIVED
AUG 11 1953
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham

SS.

Lois E. Hawker, 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. 21024, and that his postoffice address is Springfield

State of Idaho

Second: That the name of the stream which said water is to be directed is subterranean through a drilled well located in the NW 1/4 Sec. 21, T. 4 S. - R. 33 E. - B.M.

Third: That the point of diversion of said water is NW 1/4 Sec. 21, T. 4 S. - R. 33 E. B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April, 1954

Fifth: That the use for which said water is intended is irrigation and domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (complete) fully completed and consisted of the following:

I. Kind of works: Drilled well (21" casing) equipped with turbine type motor and pump and distribution ditches. 20 h.p. pump. Well drilled to a depth of 72 ft.

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 160 miner's inches second feet of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: T. 4 S. - R. 33 E. Sec. 21, SW 1/4

Ninth: Remarks: That this well has been drilled, cased, equipped with pump and motor and that the distribution works are now in place for irrigation on the 160 acres described as SW 1/4 Sec. 21, T. 4 S. - R. 33 E. Beneficial use has not been made on all the land as yet; however, the pump and well produce more than the 160 miner's inches and it is thought that they can be coordinated so as to give a steady supply adequate to irrigate all of the area applied for.

Lois E. Hawker
(Sign Here)

Subscribed and sworn to before me this 10 day of August, 1953

My commission expires 10-11-55

Notary Public.

21024

April 25, 1949

Re: Permits Nos. 21024, 21025, 21026,
21027, and 21028.

Mr. Robert S. Hawker
Springfield, Idaho

Dear Mr. Hawker:

We enclose herewith, the following Permits: No. 21024, in the name of Lois E. Hawker, No. 21025, in the name of LeVerne H. Hawker, No. 21026, in the name of Robert S. Hawker, No. 21027, in the name of Delton Hawker, and No. 21028, in the name of Samuel G. Hawker.

The attention of the Permit Holders is directed to the limitations and conditions as given on the 4th page, under Approval of State Reclamation Engineer.

Three certified copies of these Permits have been furnished Mr. Harley McDowell, for use in connection with desert entry claims being filed by the several applicants.

Departmental Receipt No. 21458, in the amount of \$42.00 is enclosed, which includes filing fees of \$29.50 and \$12.50 for making the certified copies.

Very truly yours,

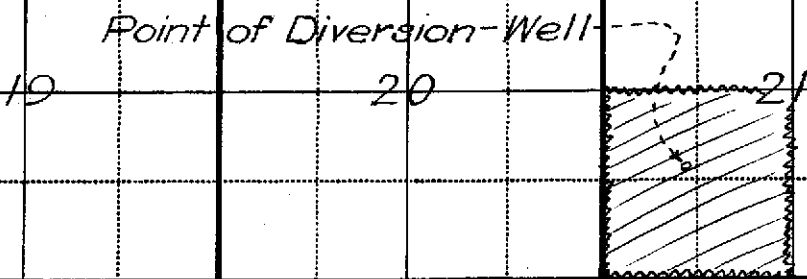
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh

21024

T. 4 S. ~ R. 33 E.



Permit Map No. 21024
As Approved
APR 21 1949
MARK R. KULP
Civil Reclamation Engineer