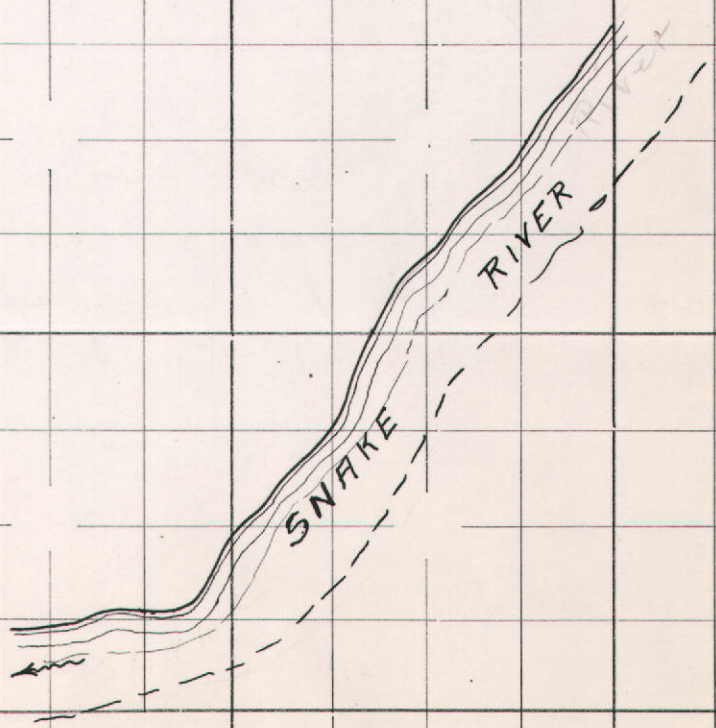
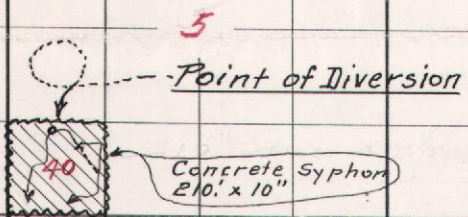




AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Bingham } ss

I, Harold H. Smith do solemnly swear that I am the Publisher 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 in said newspaper four consecutive weeks, the first publication having been made on the 10th day of Oct 194 7, and the last publication having been made on the 31st day of Oct, 194 7; 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.

Harold H. Smith
Subscribed and sworn to before me this 5th day of Nov 194 7
Leona J. Kupperman
Notary Public for the State of Idaho, residing at Blackfoot, Idaho.

My Commission Expires April 6, 1950

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE
Notice is hereby given that at 10:00 A.M. on the 15th day of November, 1947, at Rockford, County of Bingham, State of Idaho, before J. A. Peterson, Notary Public, proof will be submitted of the application to beneficial use of 40 miners inches of the waters of the State of Idaho, in accordance with the terms and conditions of Permit No. 19963 heretofore issued by the Reclamation Engineers of the State of Idaho.
The name and postoffice address of the person or corporation holding said permit are Kenneth Thurston, Pingree, Idaho.
The use to which said water has been applied is irrigation.
The amount applied to beneficial use is 40 miners inches.
The place where said water is used: SW 1/4 SW 1/4 of Sec. 5, Twp 4, South, Range 33 E. B. M.
The right to take water from such works is based upon Permit No. 19963.
The source of supply from which such water is diverted is a drilled well, 12 inches in diameter.
The date of priority which said user is prepared to establish is November 12, 1947.
MARK R. KULP 19963
State Reclamation Engineer,
Published Oct. 10, 17, 24, 31.

19963

State of Idaho
License and Certificate of Water Right

Water License No. 19963

Amount 0.8 second foot

Water District No.

Priority November 12, 1946

THIS IS TO CERTIFY that KENNETH THURSTON
of Pingree, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 12, 1946; that Permit No. 19963
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
foot
0.8 second foot, was issued thereunder on October 4, 1947, showing that said works
were completed on the 24th day of September, 1947; and that on the 15th
day of November, 1947,

KENNETH THURSTON
of Pingree, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of drilled
well ~~not tributary of~~, for the purpose of irrigation
under Use Permit No. 19963 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
8 of Licenses at page 4443, on the 21st day of February, 1949;

The right hereby confirmed dates from November 12, 1946;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 5, Tp. 4 S., R. 33 E., B. M. (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 0.8 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.	33 E.	5	SW 1/4 SW 1/4	40	40

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
21st day of February, 1949.

(SEAL) MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 18922Amount One second foot

Water District No. _____

Priority December 20, 1939

THIS IS TO CERTIFY that EDITH AND DOROTHY MUSSER, By Boise Trust Company, of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 20, 1939; that Permit No. 18922 was issued under said application; that Certificate of Completion of works, with a carrying capacity of One second foot, was issued thereunder on June 28, 1945, showing that said works were completed on the 26th day of December, 1944; and that on the 17th day of December, 1947,

EDITH AND DOROTHY MUSSER, By Boise Trust Company

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well, a tributary of -----, for the purpose of irrigation

, under Use Permit No. 18922 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

8 of Licenses at page 4444, on the 23rd day of February, 1949;

The right hereby confirmed dates from December 20, 1939;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 7, Tp. 1 South, R. 2 West, B. M. Owyhee County

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

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	2 W.	7	SW 1/4 SW 1/4	39	10
			SE 1/4 SW 1/4	40	30
		18	NE 1/4 NE 1/4	40	35
			NW 1/4 NE 1/4	40	30
Number of Acres actually Irrigated - - -					105

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

23rd day of February, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

35-2065

Application No. 27528
 Permit No. 10063
 District No.

1. Name of Applicant: KENNETH THURSTON

Postoffice address: Pingree

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:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 4/5 cubic feet per second.

3. Source of water supply: Drilled 12" well which is a tributary of

4. Location of point of diversion: 160 feet distant from the Southwest corner of Section 5, T. 4 S., R. 33 E., B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T. 4 S., R. 33 E., B.M., County of Bingham

5. Water is to be used for Irrigation

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: Drilled 12" well with 10" turbine pump and gas motor

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 years.

13. The time required for the complete application of the water to the proposed use is None additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

15. (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 waters of the State of Idaho as herein set forth.

KENNETH THURSTON *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. November 12, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19963

Recorded in Book 72 Page 19963 Approved November 16, 1946

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 January 16, 1947

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 May 16, 1947

The whole of said work to be completed on or before November 16, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before November 16, 1947

Witness my hand this 16th day of November, 1946

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th
day of November, 1946.

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By ARNOLD WILLIAMS

Governor.

Remarks: This well is to furnish water to take the place of the aforementioned water. The existing water right is inadequate for the irrigation of this land and is very impractical to use as the land has to be pumped to. The ditch that carries the water to the pump is about level with the highwater level of the canal and it is only when the canal is running at a full 14. head that I can get water to irrigate.

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.	33 E.	5											40						40
14-A:	Existing water rights and/or valid permits appurtenant to the lands to be irrigated are 33 shares of Aberdeen-Springfield Canal Co. water, without American Falls storage right.																		
			PERMIT NO. 19963 Certificate of Completion of Works																
To All Whom it May Concern:			This is to certify that KENNETH THURSTON, of Pingree, County of Bingham, and State of Idaho, the holder of Permit No. 19963, issued upon Application No. 27528, bearing date of priority of November 12, 1946, authorizing the diversion of 40 inches, or 0.8 second foot of the waters of a drilled well (subterranean), County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 40 inches or 0.8 second foot of the waters of said drilled well; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 4 South, Range 33 East, B.M.; and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 4 South, Range 33 East, B.M.																
			Witness my hand this 4th day of October, A. D. 1947.																
Proof of completion of works made September 24, 1947																			
Certificate of completion of works issued October 4, 1947																			
			MARK R. KULP State Reclamation Engineer																

RECORDED OCT 28 1947
P. 4442

MEMO

TO: File No. 35-2065

FROM: Bob Fleenor

DATE: September 5, 1975

A portion (45 acres) of this land has been sold and the water right removed from the land by the Grant of Water Right received August 20, 1975.

This portion of the right may be lost if no transfer is filed to change the place of use.

RECEIVED

AUG 20 1975

Department of Water Resources
Eastern District Office

GRANT OF WATER RIGHTS

FOR VALUE RECEIVED, JOHN C. HARRISON and JERILYN L. HARRISON, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto KENNETH THURSTON and MARIE BERG THURSTON, husband and wife, of Pingree, Idaho, the Grantees, a perpetual right to the use of that portion of water right License No. 35-2065, appurtenant to the following described premises to-wit:

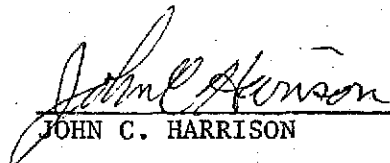
A portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 4 South, Range 33, E. B. M., Bingham County, Idaho, described as:

Beginning at the NW corner SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5 and running thence E. at right angles thereto 450 feet more or less, to an existing North South ditch line; thence S. parallel to the W. Section line 484 feet; thence W. 450 feet to the W. Section line; thence N. along said West Section line 484 feet to the point of beginning.

Being the same land conveyed to us by the Grantees herein.

This is a water right only and shall not be construed as granting any other right or privileges.

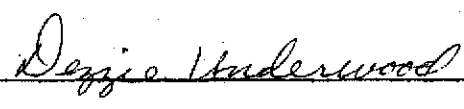
DATED this 18 day of August, 1975.


JOHN C. HARRISON


JERILYN L. HARRISON

STATE OF IDAHO)
 : ss.
County of Bingham)

On this 18 day of August, 1975, before me, a notary public in and for said State, personally appeared JOHN C. HARRISON and JERRILYN L. HARRISON, husband and wife, known to me to be the person whose names are subscribed to the within instrument, and scknowledged to me that they executed the same.


Notary Public for Idaho
Residing at Pingree, Idaho

MICROFILMED

✓
February 22, 1949

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We enclose License and Certificate of Water Right issued under your Permit No. 19963, confirming your right to the use of 0.8 cubic foot per second of water from a drilled well located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 4 South, Range 33 East, B.M., with priority of November 12, 1948, for the irrigation of the same subdivision.

We also enclose Departmental Receipt No. 21302 for the \$2.00 fee paid by you in connection with Beneficial Use Proof.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

19963

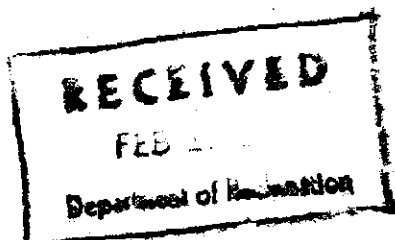
Kingman, Idaho.
Feb. 14, 1949

State Bureau of Reclamation,
Boise, Idaho.

Gentlemen:

Enclosed find a check for \$2.00 for
the fee for the license on my irrigation
well.

Yours truly,
Kenneth Thurston



January 31, 1949

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We now have on file the report of our Field Engineer on examination for beneficial use on your Permit No. 19963.

Therefore, upon receipt of the statutory fee of \$2.00 a license will be issued for 0.8 of a second foot of water from a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, Twp. 4 S., Range 33 E. B.M. for the irrigation of this same 40 acre tract.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

19963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER

PERMIT NO. 19963

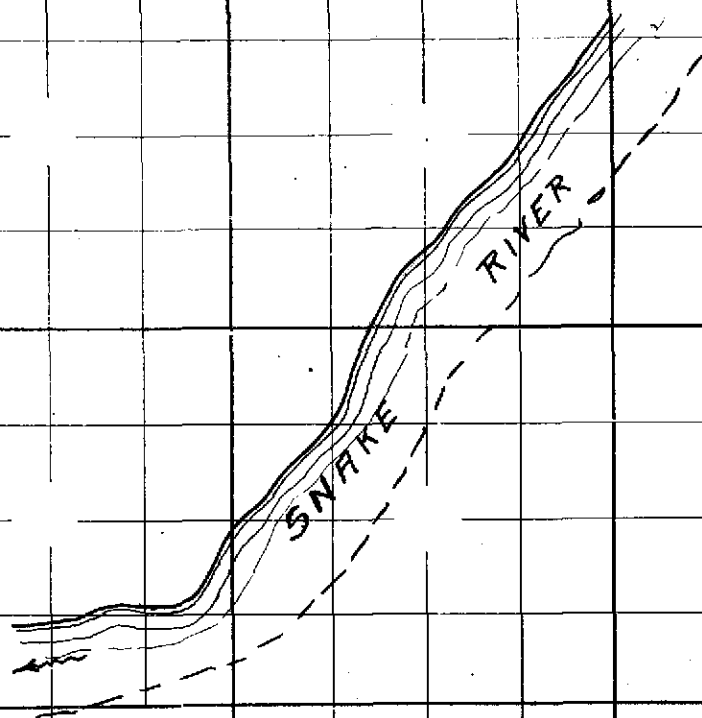
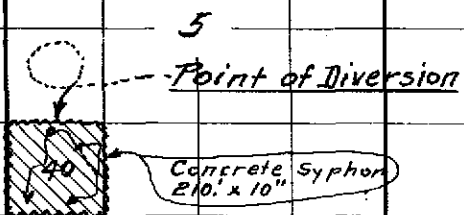
REPORT ON PROOF OF Beneficial use

.8 cfs
inlet

app. 0.8 cfs

40 acres

1-40



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19963

This proof is for Beneficial use

In Water District No.

1. Name of applicant Kenneth Thurston, Pingree, Idaho
 2. Source of water supply: Drilled well
 3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5
T. 4 S. R. 33 E. County of Bingham
 4. Describe works as they exist, giving dimensions and capacities of same: A Drilled Well 85 feet deep and of 12 inch diameter. Well is cased 4 $\frac{1}{2}$ feet to solid lava. Ditches are 1 $\frac{1}{2}$ feet wide, and 1 foot deep. Diversion is by means of a Fairbanks-Morse deep well turbine and 7 $\frac{1}{2}$ H.P. motor
 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):
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 4 South, Range 33 East, B.M.
- (Submit map on attached plat, showing location and details of above description.)
8. What large stream would the water here appropriated finally reach? Unknown

Remarks:

This examination was made on the 20th. day of July, 1948

(Signed)

F. H. Johnson

Examiner.

19963

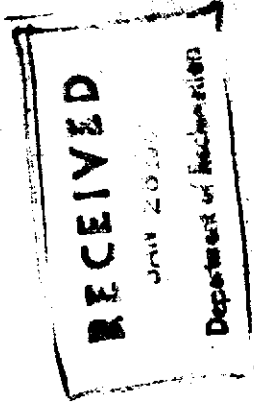
Kenneth Thurston
Pingree, Idaho
Permit No. 19963

Examination for Beneficial use

County Bingham

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.



✓
December 11, 1947

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We acknowledge receipt of your letter of December 9th, enclosing affidavit of publication in the Blackfoot Daily Bulletin, which completes your beneficial use proof under Permit No. 19963.

Our Field Engineer will probably not make an inspection of your project until some time next spring or early summer, when weather conditions are more suitable.

It is not always possible for him to give notice in advance, as he plans his trips so as to include as many adjacent inspections as possible at one time.

However, he will try and contact you by telephone a day in advance when he is in that vicinity, so that you may make your own plans accordingly.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19963

Pinckney, Idaho,
December 9, 1947,

State Reclamation Engineer,
State House,
Boise, Idaho.
Dear sir:

Enclosed is the Affidavit of Publication that is necessary in my proof of Beneficial Use. If you let me know the date ahead of time when the field engineer is coming I can make arrangements to be here to show him over the ground under this project.

yours truly,

Kenneth Thurston

RECEIVED

DEC 11 1947

Department of Reclamation

19943

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Bingham

ss

I, Harold H. Smith do solemnly

swear that I am the Publisher 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 in said newspaper four

consecutive weeks, the first publication having been

made on the 10th day of Oct 194 2

and the last publication having been made on the

31st day of Oct, 194 2; 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.

Harold H. Smith
576

Subscribed and sworn to before me this

day of Nov 194 7

Leon H. Thompson
Notary Public for the State of Idaho,
residing at Blackfoot, Idaho.

NOTICE OF PRIORITY APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 15th day of November, 1947, at Rockford, County of Bingham, State of Idaho, before J. A. Peterson, Notary Public, proof will be submitted of the application to beneficial use of 40 miners inches of the waters of the State of Idaho, in accordance with the terms and conditions of Permit No. 19963 heretofore issued by the Reclamation Engineers of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Kenneth Thurston, Pingree, Idaho.

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

The amount applied to beneficial use is 40 miners inches.

The place where said water is

used is Rockford, Idaho.

such works is based upon Permit No. 19963.

The source of supply from which such water is diverted is a drilled well, 12 inches in diameter.

The date of priority which said user is prepared to establish is November 12, 1947.

MARK R. KULP 19963
State Reclamation Engineer.

Public

19963

19963

19963

19963

✓

November 29, 1947

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We acknowledge receipt of your letter of November 24th, enclosing depositions of yourself and two witnesses in proof of beneficial use under Permit No. 19963. However, the affidavit of publication was not enclosed, and this is a necessary part of the proof. If you have not received this from the Blackfoot Bulletin, we suggest that you write them for it.

Before final action can be taken in the matter and a license issued, the law requires that an examination be made by a field engineer from this department. We cannot say just when this examination will be made, but it is now so late in the season that it will probably not be made until spring.

Mr. Tolman, Field Engineer for this department, will try to contact you at the time he makes the examination, so that you may arrange to show him over the ground.

When this examination has been made and the engineer's report filed, you will be duly notified of the amount of fees, and the license will be issued in accordance with your proofs and the Engineer's report.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19963-----

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Kenneth Thurston

Pingree Bingham County, Idaho

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

Ans. No

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

Ans. 19963 Nov 12th 1948. Same.

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

Ans. Drilled Well. 660 feet distant from the S. W. corner of Sec 5 T 43 N, R 33E B. M. and is in the SW 1/4 of Sec 5, T 43 N, R 33E, B. M.

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.

Ans. Drilled 12" well with 12" Turbin Pump. And Gas Motor.

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. 40 Acres. SW 1/4 of the SW 1/4 of section 5 T 43 N R 33 E. B. M. Cultivated. All land has been plowed and leveled and cultivated.

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

Ans. None

19963

19963

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

Ans. Forty inches.

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

Ans. _____

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

Ans. 40 inches pumped in 1947.

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. Previous to this last season this land was partly irrigated with 33 shares of Aberdeen-Springfield Canal Co. water.

(Sign)

Kenneth Thurston

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 Rockford, County of Shoshone,

State of Idaho, on this 15th day of November, A. D. 1947.

My commission expires

6-10-51

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____ I9963

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. Henry H , Berg 68. Springfield Idaho Farmer.

Ques. 2. Are you acquainted with Kenneth Thurston, the holder of Permit No. I9963? How long have you known him and where does he reside?

Ans. 30 years
Pingree Idaho.

Ques. 3. Have you read or heard read said Permit No. I9963, and are you familiar with its provisions and conditions? **Yes**

Ans. _____

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

Ans. Drilled Well. 12" with 12" Turbin Pump and Gas Motor.
660 feet distant from the SW corner of Sec 5 T 43 R 33 EBM.

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. Capable of conducting 2 second feet. I have seen 40 inches
pumped

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

Ans. Irrigation. Cultivated. All land has been plowed and leveled

19903

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Carey land reclaimed. Forty Inches

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have witnessed water pumped and crops growing on this land.

(Signed)

Henry H. Berg

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 Rockford, County of Bozeman, State of Idaho, on this 15th day of November, A. D. 1947.

My commission expires

6-10-51

James Peterson
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19963**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. Vernon W, Lloyd. 34 Pingree Idaho Farmer,.

Ques. 2. Are you acquainted with Kenneth Thurston, the holder of Permit No. 19963? How long have you known him and where does he reside?

Ans. Twenty Years. Pingree Idaho.

Ques. 3. Have you read or heard read said Permit No. 19963, and are you familiar with its provisions and conditions?

Ans. Yes,.

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

Ans. Drilled Well. 12" with 12" Turbin pump and Gas Motor.

660 feet distant from the SW $\frac{1}{4}$ corner of the Sec 5 T 43 R 33 EBM,

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. Capable of pumping and handling 40 inches water.

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

Ans. Irrigation. 40 acers land. Cultivated.

19963

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Carey Land. Reclaimed. Forty inches.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have witnessed water pumped and drops growing on this land.

(Signed)

Vernon W. Lloyd

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 Rafford, County of Bonanza, State of Idaho, on this 15th day of November, A.D. 1947.

My commission expires

6-10-51

James E. Burton
Notary Public.

Pinergo, Idaho,
November 24, 1947.

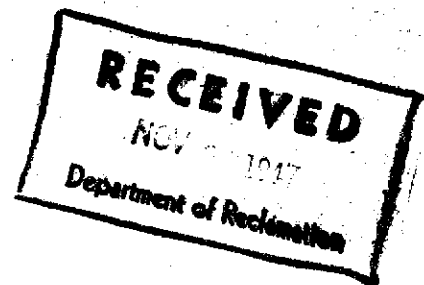
State Reclamation Engineer,
State House,
Boise, Idaho.
Dear sir:

This water mentioned in question 11 on Form 16 has proven insufficient to irrigate this piece of land (this was stated in my application for a permit) and I would like to dispose of it as soon as possible. After filing the enclosed papers, is there any objection to transferring my canal water shares to other land? As I understand this transfer has to be made through the canal office in Aberdeen and passed on by the board of directors. I would appreciate it if I could have an answer in time to make arrangements to have a transfer made at the company's annual meeting on December 8, of this next month.

Yours sincerely,

Kenneth Thurston

35 shares Aberdeen - Springfield
without Am. Falls storage right



19963

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, November 5, 1947

Re: Permit No. 19963
K. Thurston

Mr. J. A. Peterson
Notary Public
Blackford, Idaho

Blackford

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19963

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On November 15, 1947, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Blackford, Idaho before J. A. Peterson, Notary Public

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

19963

After 5 days, return to
DEPARTMENT OF RECLAMATION,
State House,
BOISE, IDAHO.

Post Office, Boise, Idaho
or better, nearest
Post Office, Boise, Idaho
Moved. Let us address
the such office in state

Mr. J. A. Peterson

Notary Public

Rockford, Idaho

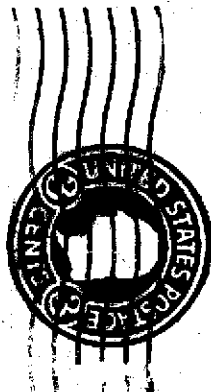
RETURN TO WRITER

REASON FOR NOT DELIVERY CHECKED

(Use)

Address unknown

No such post office in state named



19963

October 4, 1947

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit, to appropriate 40 inches of water from a drilled well, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, Township 4 South, Range 33 East, B.M., with priority of November 12, 1946, for the irrigation of land in the same subdivision.

A copy of the notice of beneficial use proof to be made on November 15, 1947, at Rockford, Idaho, before J. A. Peterson, Notary Public, has been sent to the Blackfoot Daily Bulletin, with instructions to publish it once a week for four consecutive weeks, prior to that date, and to send the affidavit of publication to you, together with statement of costs.

About ten days prior to that date we shall send to Mr. Peterson, the Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear at Mr. Peterson's office, together with two disinterested witnesses, who are familiar with the terms of your permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 19963

Date: October 4, 1947

The Daily Bulletin

Blackfoot, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 15, 1947**. the date set for proof, the expense of the publication to be paid by the applicant, **Kenneth Thurston** of **Pingree, 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

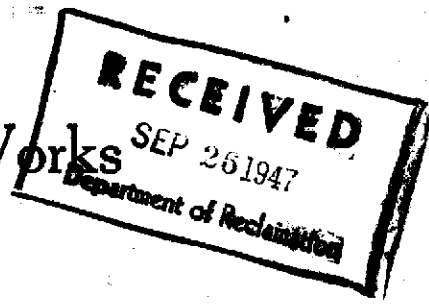
By **Chief Clerk**

19963

Permit No. 19963STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Bingham

SS.

Kenneth Thurston, 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. 19963, and that his postoffice address is PanguitchState of Idaho

from

diverted

Second: That the name of the stream/which said water is to be diverted isA wellThird: That the point of diversion of said water is on SW 1/4 SW 1/4 Sec 5Twp 4 South Range 33 E. B. M. located 40 rods NE end of NW corner.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by November 16, 1947.Fifth: That the use for which said water is intended is irrigationSixth: 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: drilled irrigation well

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: 12" diameter + 85' deep

(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 40 more or less second feet of water.Eighth: That water appropriated under said permit is available for 40 acres of land described as follows: SW 1/4 SW 1/4 of Sec. 5 Twp 4 SRange 33 E. B. M.Ninth: Remarks: That the well is equipped with a 12" turbine pump with a belt head and powered by a 1937 Studebaker motorKenneth Thurston

(Sign Here)

Subscribed and sworn to before me this 24 day of Sept, 1947.My commission expires 6-10-51

Notary Public.

3

Chk. in cash

19963

E. H. H.

✓
September 29, 1947

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We acknowledge receipt of your affidavit in proof of completion of works under Permit No. 19963, together with your check for the \$5.00 fee.

However, the proof is incomplete in several particulars, and we return it for correction as follows:

1. Answer Question 2, as to source of the water, which we assume to be a well.
2. Answer Question 3, by giving the subdivision, section, township and range in which the well is located.
3. The permit application describes the works as including a turbine pump and gas motor. Are these in place and in operation? Please state under Remarks.

We enclose Departmental Receipt # 20167 for the \$5.00 fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19963

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

September 18, 1947

(P. O.)

Pringree, Idaho

STATE RECLAMATION ENGINEER:

TO THE ~~COMMISSIONER OF RECLAMATION~~

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.

Kenneth Thurston

(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.

19963

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

Notice is hereby given that at 10:00 A. M. on the 15th day of November, 1947
at Rockford, County of Bingham, State of Idaho, before
J. A. Peterson, Notary Public, proof will be submitted of the
application to beneficial use of 40 miners inches cubic feet per second of the waters of The State
of Idaho. in accordance with the terms and conditions of Permit No. 19963
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 _____

Kenneth Thurston, Pinger, Idaho.

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 40 miners inches

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5 Twp. 4 South Range
33 E. B. M.

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

The right to take water from such works is based upon Permit No. 19963

The source of supply from which such water is diverted is 9 drilled well
12 inches in diameter

The date of priority which said user is prepared to establish is November 15, 1947

Mark R. Kuep

State Reclamation Engineer.

19963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Mr. Kenneth Thurston

September 2, 1947

Pingree, Idaho

Dear Sir:

Under the terms of your permit No. 19963 you are required to complete your diversion works and make proof of beneficial use on or before November 16, 1947.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The 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 November 16, 1947, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

19963

✓
July 24, 1947

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We are in receipt of an unsigned letter, but enclosed in an envelope with your return address requesting information as to the procedure to be followed in connection with your permit No. 19963.

In reply we enclose a copy of a letter addressed you on June 30, 1947, in reply to your previous inquiry.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS

Encl.

19963

Pingree, Idaho.

July 21, 1947.

State Commissioner of Reclamation,

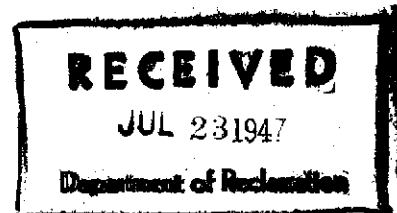
Boise, Idaho.

Dear sir:

I wrote a letter to your office quite some time ago asking for information as to the procedure I must follow to file on the water in my irrigation well to establish a permanent right. So far I have received no answer to my inquiry. I have finished my project and have sufficient water for my requirements. My permit is number 19963, issued November 16, 1946,

I would like to have you send me the necessary forms to fill out and the procedure I must follow.

Yours truly,



19963

✓
June 30, 1947

Re: Permit No. 19963

Mr. Kenneth Thurston
Pingree, Idaho

Dear Mr. Thurston:

We acknowledge receipt of your letter of June 26th, informing us that you are now prepared to make the necessary proofs to complete your water right under permit No. 19963.

The first proof is the Proof of Completion of Works which is made on form 8 enclosed. This should be executed before a Notary Public and returned to this Department with a fee of \$5.00.

The final, or Beneficial Use Proof, requires publication once a week for four consecutive weeks prior to the date set for proof. This notice should be made out in duplicate on form 14 enclosed setting the time and place, and naming the Notary Public before whom the proof is to be made. The date should be set sufficiently far ahead to allow for the two weeks publication.

Both copies of form 10 should be returned to this Department together with form 11, which is your authorization for us to have the notice published at your expense in the designated newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

Encl.

19963

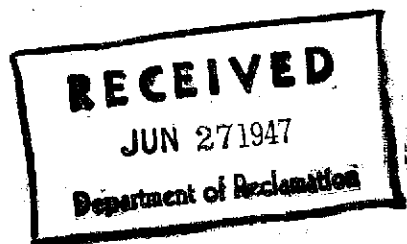
Pingree, Idaho.
June 26, 1947.

Commissioner of Reclamation,
State Building,
Boise, Idaho.

Dear sir:

I have finished my work on my well as a requirement as stated in Permit No. 19963, recorded in Book 72 and approved Nov. 16, 1946. I have the pump installed and all the work completed and have a sufficient supply of water. Now, I would like to fill out papers necessary for establishing permanent right. Would you please send me the necessary forms and instructions as to the procedure for doing this?

Yours sincerely,
Kenneth Thurston.



19963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No ~~19965~~

Date ~~November 20, 1946~~

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer on the fourth page.

Mr. Kenneth Thurston
Pinegrove, Idaho
Enc. Receipt # 19701

MARK R. KULP
State Reclamation Engineer

19963

*Kenneth Thurston**Section 5**Sup. 45. R. 33 E. B. M.**Point of supply*

Permit Map No. *19963*
As Approved
NOV 16 1946
MARK R. KOLP
State Reclamation Engineer

19963