

Kenneth Shawver, Jr.
Pingree, Idaho

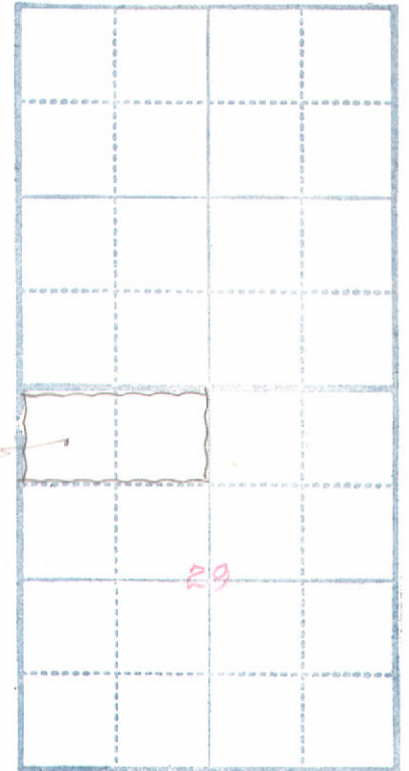
35-2001

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37219
Permit No. G- 29224
District No.

Assigned to Vernial Hawkes
Mountain Home Idaho

1. Name of Applicant: Kenneth Shawver, Jr. & Vernial Hawkes
Postoffice address: Pingree County: Bingham State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 1.6 or Idaho
Miners' inches 80 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29
Twp. 3 S , Rge. 33 E , B.M., County of Bingham
5. Water is to be used for: Irrigation sprinkler system
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Sprinkler system
8. Estimated cost of works: \$ 8062.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 1.6 (cubic feet per second, inches or gallons per minute) is for new lands.



RECEIVED
SEP 8 1966

Department of Reclamation

RECEIVED
MAY 11 1966

Department of Reclamation

RECEIVED
AUG 12 1966

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 4 consecutive

weeks, the first publication having been made on

the 25th day of March, 1966

and the last publication having been made on the

15th day of April, 1966; 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 15th

day of April, 1966

Marjorie Flint

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

January 10th, 1967.

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

Notice is hereby given that at 10 a.m., on the 27th day of April 1966, at Blackfoot, Idaho, County of Bingham, State of Idaho before Dean Williams, Notary Public, at (address) 291 North Broadway, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29224, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ver-nial Hawkes and Kenneth Shaw-ver, Jr. Pingree, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The point of diversion of said water is NW1/4NW1/4, Section 29, T. 3 S., R. 33 E.B.M. Bing-ham County.

5. The place where said water is used is N1/2NW1/4, Section 29, Township 3 South, Range 33 E.B.M.

6. The date of priority which said user is prepared to establish is December 21, 1960.

CARL E. TAPPAN

State Reclamation Engineer

Pub March 25, April 1, 8, 15

29224

Age. 33E

PD



10 10

80 ACRES

Trp. 35.

29

--o Bingle

AREA - 80 ACRES

SUBD - 2

Q - ~~1.88~~ .88 c.f.s. THROUGHT

~~SPRINKLER SYSTEM~~
(1.80 PRODUCED)

29224
pump, sprinkler
16" 122.5'

Vernal Hawkes
1790 N. 7th East, Mountain Home, Idaho

Permit No. G-29224

Examination for Completion of Works & Beneficial Use

County Bingham

Quantity: 1.6 c.f.s. Sec. 29 T. 3S R. 33 E, B.M.

40 + P. 66 motor
Source # PV 032409

Source: Underground

Bureau 24100000
Source # 380820

P.D.: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 29, T. 3 S, R. 33 E, B.M.

Use: Irrigation sprinkler system

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: December 19, 1960

Due: December 21, 1965

Made May 3, 1966

Priority may. 4-61 long proof

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.

13-36-66
12-21-65

5-15-66
12-21-65

18-36

NAME OF APPLICANT Vernon L. Hawkes + Kenneth Shawver Jr.

Form No. 0

Well →



Section →

29

29

R33E

Permit Map No. 29224
As Approved **DEC 21 1960**
GEO. N. CARTER
Reclamation Engineer

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

s/ Kenneth Shawver, Jr.
s/ Vernial Hawkes *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. December 19, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-29224

Recorded in Book 103 Page 29224 Approved December 21, 1960

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 _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before June 21, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before December 21, 1965

Witness my hand this 21st day of December, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, _____, Governor of the State of Idaho,
and _____, 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 _____
day of _____, 19____.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

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	
3 S	33 E	29					40	40											80

Kenneth Shawver, Jr.
Pingree, Idaho

35-2001

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-37219
Permit No. G-29224
District No.

Assigned to Vernial Hawkes
Mountain Home Idaho

1. Name of Applicant: Kenneth Shawver, Jr. & Vernial Hawkes
Postoffice address: Pingree County: Bingham State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 1.6 or Idaho
Miners' inches 80 or gallons per minute
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Underground

4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 29
Twp. 3 S , Rge. 33 E , B.M., County of Bingham

5. Water is to be used for: Irrigation sprinkler system

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.,

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: Sprinkler system

8. Estimated cost of works: \$ 8062.00

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

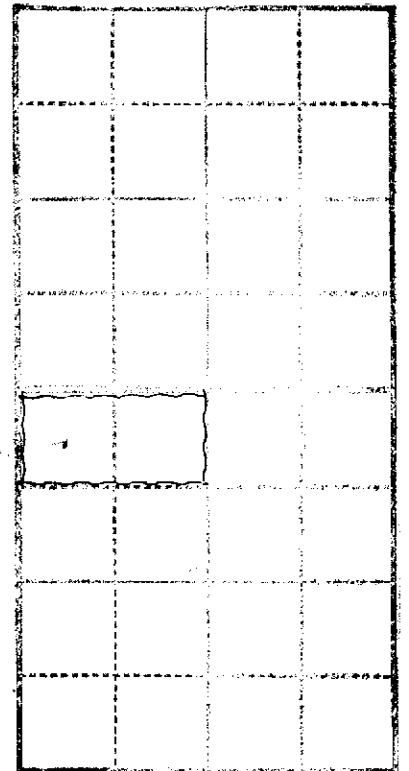
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

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

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 1.6 (cubic feet per second, inches or gallons per minute) is for new lands.



ASSIGNMENT ✓

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29224 to Vernial Hawkes of 1790 N. 7th East, Mountain Home, Idaho. This assignment is for any and all equity, right, title or interest in the said permit or the lands to which it is appurtenant.

/s/ KENNETH SHAWVER JR.
Permit Holder

AFTON H. SHAWVER
Wife of Permit Holder

State of Idaho)
 : ss
County of Bingham)

On this 9th day of July, 1966, before me, a Notary Public for the State of Idaho, residing at Blackfoot, Idaho personally appeared Kenneth Shawver, Jr. and Afton H. Shawver known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires 7-13-69

Joan M. McNeel
Notary Public, residing at
Blackfoot, Idaho

* If fractional part of permit is to be assigned, the same fractional part of the land to which the assigned fraction is appurtenant should be shown.

PERMIT NO. G-29224

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Kenneth Shawver Jr. & Vernial Hawkes-Assignee-VERNAL HAWKES of Mountain Home, County of Elmore, and State of Idaho, the holder of Permit No. G-29224, issued upon Application No. G-37219 bearing date of priority of May 4, 1961 (late proof), authorizing the diversion of 1.6 second feet of waters of a well County of Bingham, State of Idaho, for irrigation sprinkler system 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 0.88 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Township 3 South, Range 33 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 29, Township 3 South, Range 33 East, Boise Meridian.

Proof of Completion of Works made: May 6, 1966

Witness my hand this 4 day of March, A.D. 1968

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 0.88 SEC. FT.
LICENSE PAG: NO. 29224.

dj

RECEIVED

SEP 26 1966

Department of Reclamation

RECEIVED

MAY 11 1966

Department of Reclamation

RECEIVED

AUG 12 1966

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 4 consecutive

weeks, the first publication having been made on

the 25th day of March, 1966

and the last publication having been made on the

15th day of April, 1966; 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 15th

day of April, 1966

Marjorie Flint

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

January 10th, 1967.

NOTICE OF PROOF
OF COMPLETION OF WORKS
and
APPLICATION FOR
TO BENEFIT

Notice is hereby given that at 10:30 a.m. on the day of April, 1966, at Blackfoot, Idaho, the undersigned, Notary Public for the State of Idaho, will receive and hear the testimony of the submitters of the application for the completion of works for the Blackfoot project, to-wit: the construction of a dam and water from the Blackfoot project.

1. The office address of the corporation is Ver-nal H. Shaw-ver, Jr., Blackfoot, Idaho.

2. Said corporation will be fully equipped for such construction work of water works as are capable of being placed of use for the project.

3. The water has been used for the purpose of the project applied to be a public feet per second.

4. The water of said water project is section 29-T. 36N. 36E. Bingham County, Idaho.

5. The water is used for the project on 29-T. 36N. 36E. Bingham County, Idaho.

6. The project of priority which said project is established by the act of March 21, 1960.

E. TAPPAN
State Reclamation Engineer

Pub March 25, April 2, 8, 15

29224

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SEP 8/1966

Department of Reclamation

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Department of Reclamation

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APR 12 1966

Department of Reclamation

STATE OF IDAHO)
County of Bingham) ss.

A F F I D A V I T

Comes now Dean Williams of Blackfoot, Idaho and upon his oath deposes and says:

That I am the proof taking officer on permit #G-29224 in the name of Vernial Hawkes. That publication was made to have final proof on this permit submitted at my office at 291 N. Broadway, Blackfoot, Idaho on the 27th day of April, 1966. That on said date I was personally present in my office from 9:00 A.M. until 6:30 P.M. That no one appeared to protest Mr. Hawkes' claim relative to this permit.

That Mr. Hawkes was detained in Mountain Home, Idaho and therefore, his deposition was not taken until the 6th day of May, 1966.

Your Affiant further states that final proof should have been submitted on this permit on or before the 21st day of December, 1965, however, there was misunderstanding on the part of Vernial Hawkes the holder of said permit and he did not realize this procedure was essential until contacted by me in the forepart of March, 1966. The holder then immediately proceeded to take the necessary steps to publish notice and submit final proof.

Your Affiant further states that Kenneth Shawver, Jr. who was one of the original holders of the permit has assigned any and all equity and rights he had under the original permit to the said Vernial Hawkes.

This Affidavit is made to enable the Department of Reclamation to further process the final proof under this permit and grant the holder Vernial Hawkes a water priority as originally provided.

Dated this 10th day of May, 1966,


Dean Williams
Proof taking officer

29224

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SEP 8/ 1966

Department of Reclamation

RECEIVED
MAY 11 1966

Department of Reclamation

Subscribed and sworn to before me this 10th of May,
1966.

Joan M. McNeel
Notary Public for Idaho
Residing at Blackfoot, Idaho

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AUG 12 1966

Department of Reclamation

29224

ROBERT M. KERR, JR.

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SEP 8 1966

Department of Reclamation

LAW OFFICES

KERR AND WILLIAMS

785-0990

785-1290

291 NO. BROADWAY, P. O. BOX 708

BLACKFOOT, IDAHO 83221

May 10, 1966

RECEIVED

MAY 11 1966

DEAN WILLIAMS

Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

RE: Water Permit #G29224
Vernal Hawkes

Dear Sir:

Enclosed you will find the final proof depositions on the above numbered water permit. Also enclosed is the affidavit of publication and my affidavit as proof taking officer explaining the delay in filing the final proof.

Thank you,

KERR AND WILLIAMS

Dean Williams
Dean Williams

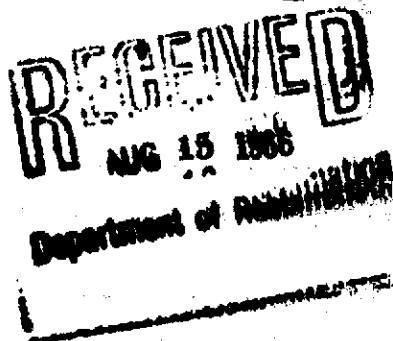
DW/jr

Enclosures

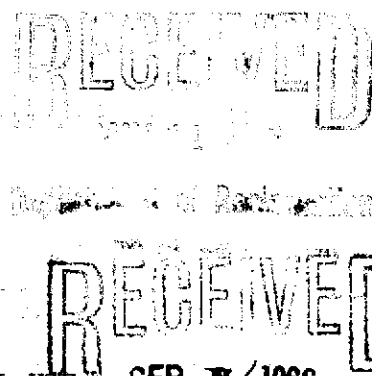
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AUG 15 1966

Department of Reclamation

29224



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. 429324



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

SEP 3 1966
Department of Reclamation

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Vernal Hawkes
1790 North 7th East, Mt. Home - Farmer (Same)

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

Ques. 3. State number, approval date of permit, and date of priority: No. G-29224,
Approved Dec. 21, 1960 - Priority date Dec. 21, 1960

Ques. 4. State source of water supply: underground
Give location of point of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, T.3S, R.33 EBM

Ques. 5. Describe your works of diversion: G.E. pump 40 H.P. Miller Posting Sprinkle
4mi. main line & 3 laterals; state amount of water they are capable of conveying from point of diversion to place of use: 1.6 C.F.S.; Give name of canal or ditch or other works by which water is conducted to such place of use: None
; if a well, state depth of well 122.5 ft.; depth and size of casing 8ft. 16in. casing; depth to water 60 ft.; if pump is used, state discharge of pump: in excess 1.6 C.F.S.; tell how it was measured or determined measured
Depth & H.P. & from observation; if sprinkler irrigation, give number and size of nozzles and operating pressure: 11/64 nozzles 80 lbs. pressure

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ the full 40 acres are irrigated

NE $\frac{1}{4}$ NW $\frac{1}{4}$ the full 40 acres are irrigated

All in Sec. 29, T.3S

R. 33 E.B.M.

29224

State nature of all improvements which have been made as a direct result of said use:

Complete cultivation of 80 acres - fenced- roads etc.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Not applicable

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Not applicable

Ques. 8: 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: Original permit issued to Vernial Hawkes & Kenneth Shawver Jr. Kenneth Shawver assigned his interest to me (Vernal Hawkes). I am now the only holder.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1961 full season - Time used since first use:

Full amount for full irrigation season each year since

Ques. 10. Describe all other water rights appurtenant to same place of use: None

(sign) *Vernal Hawkes*

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

BLACKFOOT, County of BINGHAM

State of Idaho, on this 6th day of MAY, A. D. 1966.

My commission expires: 8/1/68

Dean Williams
Notary Public

29224

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SEP 5 1966
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

RECEIVED
MAY 11 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

RECEIVED
AUG 15 1966
Department of Reclamation

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:

Dean Parks, 39, Blackfoot, Idaho - Farmer, 121 N. Shilling, Blackfoot, Id.

Ques. 2 Are you acquainted with Vernal Hawkes, the holder of
Permit No. G29224? How long have you known him and where does he reside?

Yes, I have known him at least 20 years. He is now residing at Mt. Home, Id.

Ques. 3. Have you read or heard said Permit No. G29224 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Underground

Give location of place of diversion, showing subdivision, section, township and range

The pump is in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29 T. 3S, R. 33 E.B.M.

Describe works for conveying water to place of use: Pump & Sprinkler

consisting of mainline and laterals

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.6 C.F.S. How much water have you seen being so
conveyed? Full capacity. I would estimate 1.6 C.F.S.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

The sprinkling system covers the full 40 acres in each of the following
subdivisions: NW $\frac{1}{4}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 29 T. 3S R. 33 E.B.M.

29224

Only irrigation as far as I have observed

The land is lava ash and requires 1 miners inch per acre for each acre

Ques. 10. When did you first see this water used? 1962 & 1963

(Signed):

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Blackfoot, County of Bingham, State of Idaho, on this 9th day of May, A. D. 19 66

Heane Williams
Notary Public for the State of Idaho
Residing Blackfoot, Idaho

My commission expires 8/1/68

29224

RECEIVED
SEP 16 1966
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
MAY 21 1966
Department of Reclamation

Permit No. _____

RECEIVED
AUG 15 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Richard Clarence Romriell, 63, Route #2, Blackfoot, Id., Farmer and
County Supervisor of Goffer Cons. Dist.

Ques. 2 Are you acquainted with Vernal Hawkes, the holder of

Permit No. G29224 ? How long have you known him and where does he reside?

Ever since he was a kid - approx. 30 yrs. Mt. Home, Idaho

Ques. 3. Have you read or heard said Permit No. G29224 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: underground

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29 T.3S R. 33 E.B.M.

Describe works for conveying water to place of use: Electric pump & sprinklers

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.6 C.F.S. How much water have you seen being so

conveyed? 1.6 C.F.S. according to my estimate

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

It is for irrigation and all of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 29 T.3S
R. 33 E.B.M. are irrigated. It covers 80 acres.

29224

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Irrigation only except to water some livestock also.

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.

Typical desert soil, requires 1 miners inch per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No ✓

Ques. 10. When did you first see this water used? 1961

Other times you have seen such use: Every year since & have seen the growing crops as a result of the irrigation

(Signed):

R. C. Romrell

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in BLACKFOOT

_____, County of BINGHAM, State of Idaho, on

this 2nd day of may, A. D. 19 66

Dean Williams

Notary Public for the State of Idaho

Residing Blackfoot, Idaho

My commission expires 8/1/68

29224

RECEIVED

SEP 16 1966

Department of Reclamation

May 11, 1966

RE: Permit No. G-29224 ✓

Mr. Vernial Hawkes
Pingree, Idaho

Dear Mr. Hawkes:

We are in receipt of your depositions of holder and witnesses, and affidavits of notary public and publication.

In order for this deposition to be acceptable you must submit an assignment of the interest of Mr. Kenneth Shawver, Jr. to yourself. A form for assignment is enclosed. A \$0.50 recording fee is required.

Please return the assignment and fees promptly.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:mr

Enc. assignment form

Office Copy

29224

C
O
P
Y

RECEIVED
SEP 2 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

August 17, 1966

Re: Permit No. G- 29224

To Vernial Hawkes

Pingree, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29224 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to proper completion of the depositions and assignment form

Kenneth Shawyer

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29224 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G-29224 claims the use of 1.6 cubic feet per second of the Subterranean Waters a well with point of diversion located NW1/4NW1/4, Sec. 29, T. 3 S., R. 33 E., B. M. - Bingham County and was approved Dec. 21, 1960.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 17th day of August, 1966.

cc: Mr. Dean Williams
Kerr & Williams
Attorneys at Law
Box 752
Blackfoot, Idaho

R. Keith Higgins Deputy
State Reclamation Engineer

29224

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS
785-0990 785-1290
291 NO. BROADWAY, P. O. BOX 708
BLACKFOOT, IDAHO 83221
September 3, 1966

RECEIVED
SEP 8 1966 DEAN WILLIAMS

Department of Reclamation

Department of Reclamation
107 State House
Boise, Idaho

Re: Permit No. G-29224
Vernal Hawkes

ATTENTION: Donald W. McEldowney

Dear Mr. McEldowney:

Enclosed you will find the original depositions and other correspondence and affidavits in connection with the above permit that was forwarded to Vernal Hawkes.

You will recall I talked to you on the telephone a few days ago and you advised me that you found the assignment in question and you told me that this matter would be re-instated.

I will appreciate hearing from you advising me of the current status of this matter and when further action will be taken.

Thank you,

KERR AND WILLIAMS

Dean Williams
Dean Williams

DW:jm

Enclosures

29224

September 15, 1966

Re: Permit No. G-29224

Vernial Hawkes
1790 N. 7th East
Mountain Home, Idaho

Dear Mr. Hawkes:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~State of Idaho~~ all submitted in proof of completion of works and beneficial use on Permit No. G-29224.

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

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

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

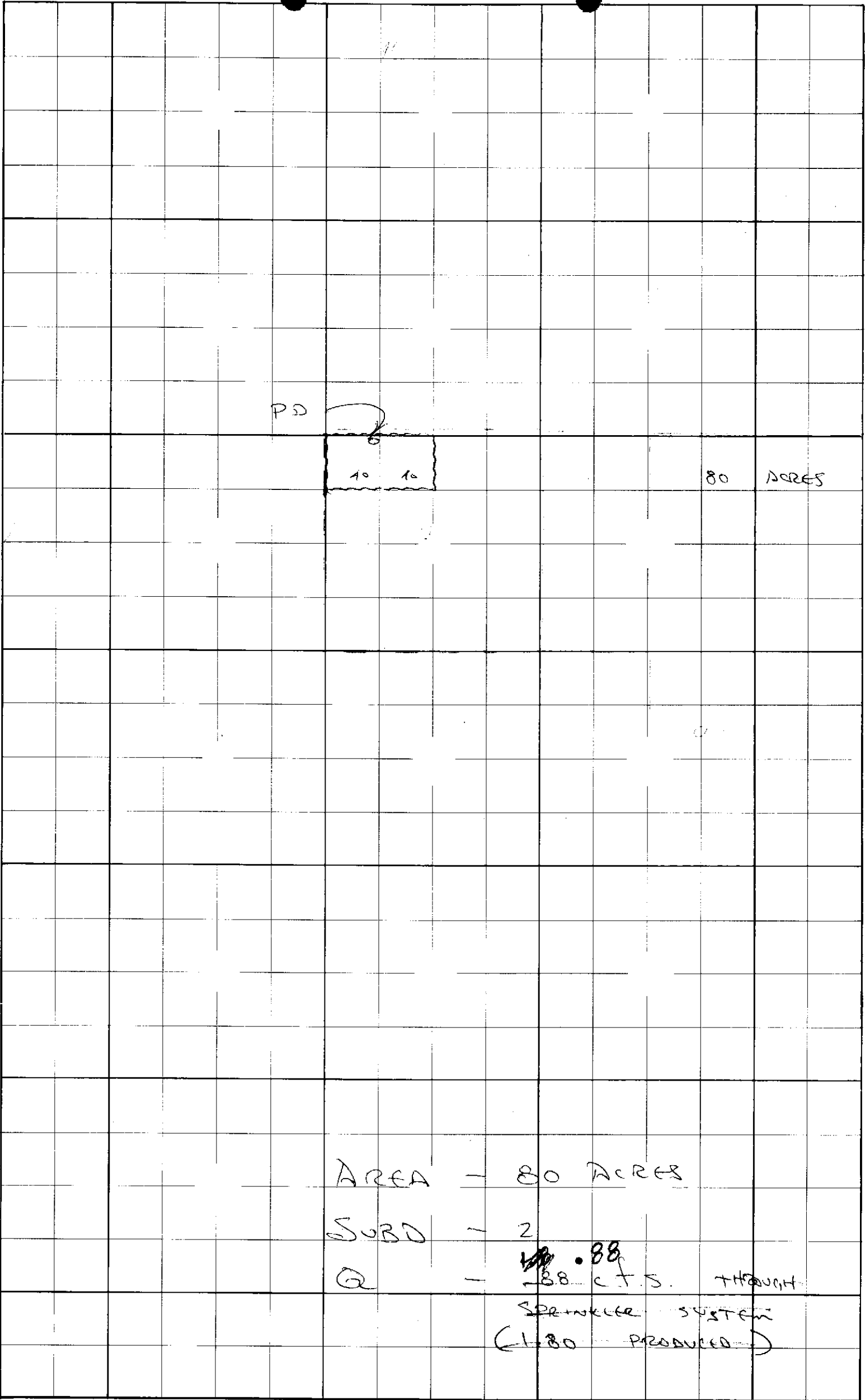
29224
29224

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

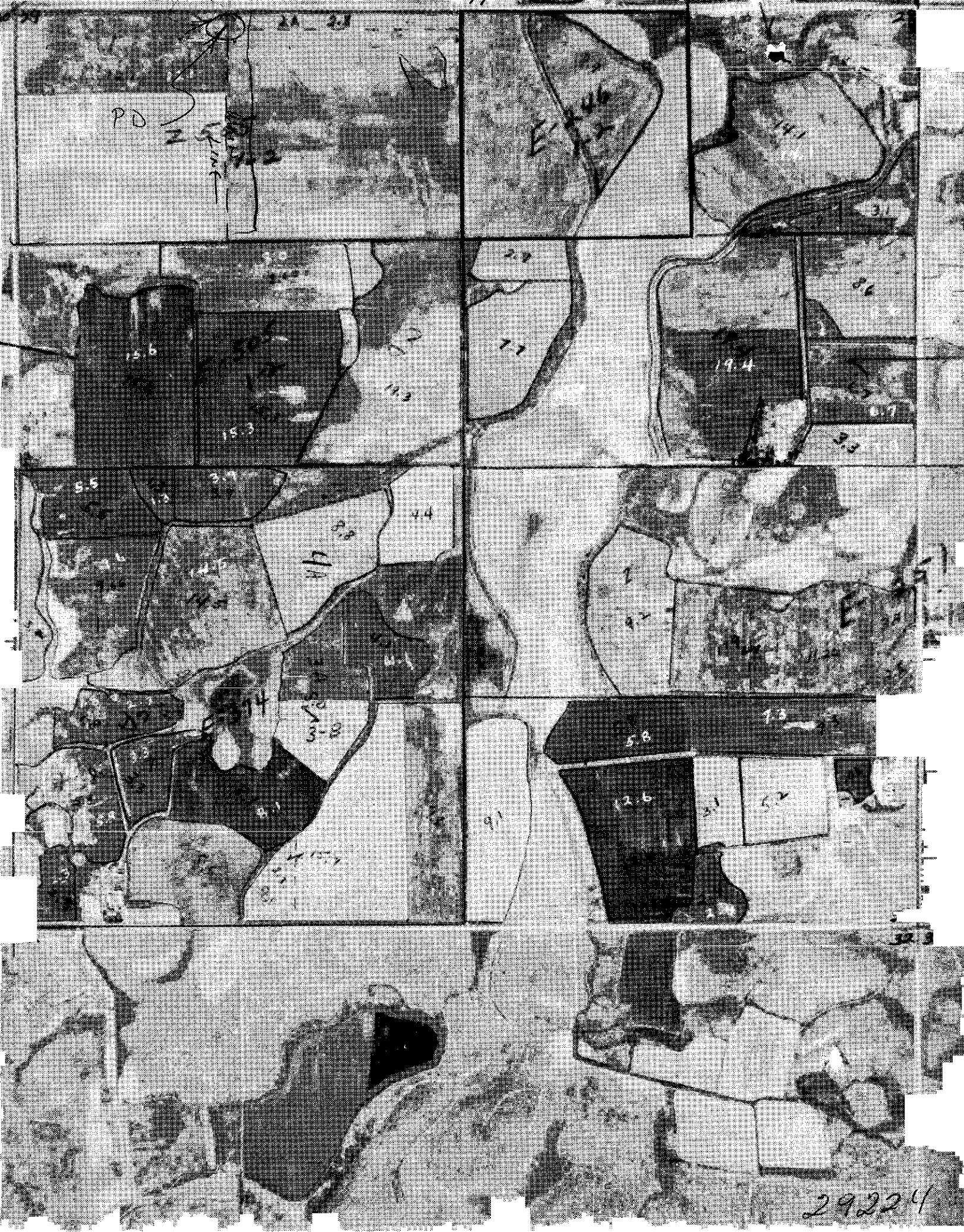
REPORT OF EXAMINER

PERMIT NO. G-29224

REPORT ON PROOF OF Completion of Works & Beneficial Use



E 946 - (1-2)



29224

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

Permit No. G-29224

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

1. Name of applicant Vernal Hawkes

2. Source of water supply: Underground

3. Location of point of diversion: Is in the NW1/4NW1/4 of Section 29

T. 3 S R. 33 E, B.M. County of Bingham

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

40 HP. CE MOTOR # PV U 324109
BYRON JACKSON PUMP # 380880
8" DISCHARGE THROUGH 8" MAIN LINE
2-3" SUB LINES - 100 9/64 RAIN BIRD 30
WS @ 40 lbs.

5. Water is used for: Irrigation sprinkler system

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):

NW1/4, S. 29, T. 3 S, R. 33 E, B.M.

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

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

Remarks: MR DAN DEGIULO FARMING -
PRESENT DURING EXAMINATION

SPARKING METER USED: 1 REV 56 Sec
(1.80 c.f.s.) 1 REV 55 1/2 Sec

110 - 9/64 RAIN BIRD 30 WS @ 40 lbs = .88 c.f.s.

This examination was made on the 9th day of AUG, 1967

(Signed) Dean Reynolds Examiner.

29224

DW
Plat V

SC10110

pump sprinkler
16" 122.5'

Vernal Hawkes
1790 N. 7th East, Mountain Home, Idaho

Permit No. G-29224 ✓

Examination for Completion of Works & Beneficial Use

County Bingham
Quantity: 1.6 c.f.s. Sec. 29 T. 3S R. 33 E, B.M.

Source: Underground

P.D.: NW¼NW¼, S. 29, T. 3 S, R. 33 E, B.M.

Use: Irrigation sprinkler system

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: December 19, 1960

Due: December 21, 1965

Made May ⁶ 1966

Right may. 4-61 last leaf

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.

17-36-66
12-21-65

5-15-61
12-21-61
18-36-61

29224

August 22, 1967

Re: Permit 29224

Vernial Hawkes
1790 North 7th East
Mountain Home, Idaho

Dear Mr. Hawkes:

A representative of this department has made an examination of the works covered by your permit G-29224 and has found the following:

Quantity of water diverted: 0.88 c. f. s.
Amount of water that can be recognized as beneficially used
under Idaho Law: 0.88 c. f. s.
Purpose of use: Irrigation of 80 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29,
T. 3 S, R. 33 E, B.M.

The priority date established is: April 30, 1961.

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

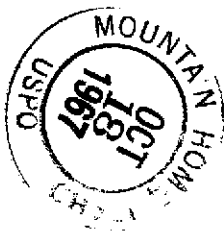
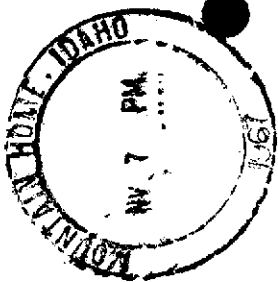
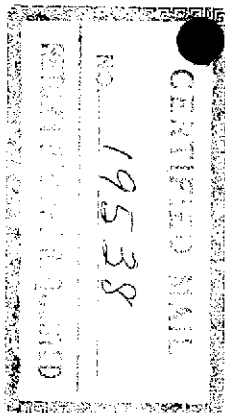
Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:nw

Fees received
12 28 67
29224 KD

AFTER FIVE DAYS RETURN TO
 DEPARTMENT OF RECLAMATION
 ROOM 107, STATE HOUSE
 BOISE, IDAHO 83701



REASON CHECKED
☒ RETURNED TO SENDER
 Unclaimed
 Addressee unknown
 Insufficient address
 No such street
 Do not retail in this envelope

Vernal Hawkes
 1790 North 7th East
 Mountain Home, Idaho 83647

29224

1st Notice 10/18/67
 2nd Notice 11/23/67
 Return

CLC 44

October 16, 1967

Re: Permit No. G-29224

Vernal Hawkes
1790 North 7th East
Mountain Home, Idaho 83657

Dear Mr. Hawkes:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit G-29224 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit licensing fees of \$9.00,

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before November 27, 1967, why said permit should not be cancelled.

Permit G-29224 claims the use of 0.88 cubic feet per second of water. The point of diversion was to be located NW~~1~~NW~~4~~, Sec. 29,
T. 3 S, R. 33 E, B.M., Bingham Co, and the permit was approved
December 21, 1960.

State Reclamation Engineer

29224

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered

☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

19538

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

29224

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**

655-16-71648-10

Apr. 1967

3811

POD Form

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

29224

**POSTMARK OF
DELIVERING OFFICE**

**RETURN
TO**

December 26, 1968

Re: Permit No. G-29224

Vernial Hawkes
1790 North 7th East
Mountain Home, Idaho 83647

Dear Mr. Hawkes:

Enclosed are copies of our letters of August 22, 1967, and October 16, 1967, concerning pending cancellation of the above referenced permit for failure to submit licensing fees.

Please be advised that this permit will be cancelled on January 16, 1968, if the fees have not been received by this department.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJ

Enclosures

29224

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

August 22, 1967

RECEIVED
DEC 28 1967
Department of Reclamation

Re: Permit 29224

Vernal Hawkes
1790 North 7th East
Mountain Home, Idaho

Dear Mr. Hawkes:

A representative of this department has made an examination of the works covered by your permit G-29224 and has found the following:

Quantity of water diverted: 0.88 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.88 c.f.s.

Purpose of use: irrigation of 80 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29,
T. 3 S, R. 33 E, B.M.

The priority date established is: April 30, 1961.

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script that reads "C. Stephen Allred".

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:nw

29224

DON SAMUELSON
GOVERNOR



Hold til 1-16-68
R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 26, 1967

Re: Permit No. G-29224

29224

Vernal Hawkes
1790 North 7th East
Mountain Home, Idaho 83647

Dear Mr. Hawkes:

Enclosed are copies of our letters of August 22, 1967, and October 16, 1967, concerning pending cancellation of the above referenced permit for failure to submit licensing fees.

Please be advised that this permit will be cancelled on January 16, 1968, if the fees have not been received by this department.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJ

Enclosures

29224

March 4, 1968

Re: Permit No. G-29224

Vernal Hawkes
1790 North 7th East
Mountain Home, Idaho 83647

Dear Mr. Hawkes:

Enclosed are your Certificate of Completion of Works
and License and Certificate of Water Right on the above
numbered permit.

Also enclosed is departmental receipt No. 301 in the
amount of \$9.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

29224

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that Kenneth Shawver, Jr. & Vernial Hawkes-Assignee- Vernial Hawkes
of Mountain Home, County of Elmore, and State of
Idaho, the holder of Permit No. G-29224, issued upon
Application No. G-37219 bearing date of priority of May 4, 1961, authorizing the
(late proof)
diversion of 1.6 second feet of waters of a well

County of Bingham, State of Idaho, for irrigation sprinkler system
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 0.88 second feet of the waters of a well, from subterranean
flow,

that the point of diversion of said waters is in the NW¹/₄ NW¹/₄ Section 29, Township 3
South, Range 33 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
described as follows, to-wit: N¹/₂ NW¹/₄ Section 29, Township 3 South, Range 33 East,
Boise Meridian.

Proof of Completion of Works made: May 6, 1966

Witness my hand this 4 day of March, A. D. 19 68

R. Keith Higgins
State Reclamation Engineer

29224

A S S I G N M E N T

RECEIVED
JUL 12 1966

For value received, I hereby assign my right, title and interest

in and to Permit to appropriate the Public Waters of the State of Idaho,

No. G-29224 to Vernal Hawkes

of 1790 N. 7th East, Mountain Home, Id.

* This assignment is for any and all equity, right, title or
interest in the said permit or the lands to which it is appurtenant

Kenneth Hawver Jr.
Permit Holder

Alton H. Shawver
Wife of Permit Holder

State of Idaho)
County of Bingham) ss

On this 9th day of July, 1966, before me, a Notary Public
for the State of Idaho, residing at Blackfoot, Idaho
personally appeared Kenneth Shawver, Jr. and Afton H. Shawver
are
known to me to be the persons whose names is subscribed to the within instru-
ment, and duly acknowledged to me that they executed the same.

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

My commission expires 7-13-69

Joan M. McNeal
Notary Public, residing at
Blackfoot, Idaho

*
If fractional part of permit is to be assigned, the same fractional part of the land to which the assigned fraction is appurtenant should be shown.

29224

September 7, 1966

RE: Permit G-29224
Sawver and Hawkes

Kerr and Williams
P.O. Box 708
Blackfoot, Idaho 83201

Dear Mr. Williams:

Enclosed is the assignment on the above referenced permit which has been recorded in this office.

Also enclosed is departmental receipt No. G-10826 in the amount of \$.50 which covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Assignment
Receipt

29224

August 17, 1966

Re: Permit No. G-29224

Mr. Vernial Hawkes
Pingree, Idaho

Dear Mr. Hawkes:

Returned herewith are the depositions and affidavits for the above referenced permit. Also enclosed is a copy of our May 11, 1966 letter wherein you were requested to supply us with an assignment of Mr. Shawvers part of Permit G-29224.

August 15, 1966, we received the depositions and affidavits back, however, we received no assignment nor any instructions stating what your intent is at this time. Therefore, lacking the receipt of proper proof of completion of the works and application of the water to beneficial use within the required time, Permit G-29224 is hereby held for cancellation, as per Sec. 42-311 of the Idaho Code.

Very truly yours,

DONALD W. McELDOWNEY
Water Rights Clerk

DWM:ew

Enclosure

cc: Mr. Dean Williams
Kerr & Williams
Attorneys at Law
Blackfoot, Idaho

A
CERTIFIED MAIL

29224

STATE OF IDAHO

Boise, Idaho

August 17 , 19 66

Re: Permit No. G- 29224

To Vernial Hawkes

Pingree, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29224 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

proper completion of the depositions and assignment form

~~Kenneth Sawyer~~

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that
said Permit No. G- 29224 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G-20224 claims the use of 1.6 cubic feet per second of the Subterranean Waters a well with point of diversion located

MAINE, Sec. 29, T. 3 S., R. 33 E., E. N. - Bingham County
and was approved Dec. 21, 1960.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 17th day of August, 1966.

cc: Mr. Dean Williams
Kerr & Williams
Attorneys at Law
Box 752
Blackfoot, Idaho

Deputy
State Reclamation Engineer

29224

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom and when delivered

☐

Show to whom, when, and address where delivered

☐

Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

8/19/06

K. E. Bratton

29224

655-218-71548-7 GPO

29224

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107 Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

29224

August 8, 1966

Re: Permit No. G-29224

Mr. Vernial Hawkes,
Pingree, Idaho.

Dear Mr. Hawkes:

On July 12, 1966, we received the assignment and recording fee concerning your Permit No. G-29224. However, to date we have not received the depositions of holder and witnesses, and affidavit of publication, returned to you June 28, 1966. If you would please return the proof of completion of works and application of the water to beneficial use papers, we will try and proceed with the licensing of your permit.

If you have any questions, please contact us.

Very truly yours,

DONALD W. McELDOWNNEY
State Water Rights Clerk

DWMc:pmk

29224

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS

785-0990 785-1290
291 NO. BROADWAY; P. O. BOX 708
BLACKFOOT, IDAHO 83221

July 11, 1966

DEAN WILLIAMS

RECEIVED
JUL 12 1966

Department of Reclamation

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

RE: Permit No. G-29224

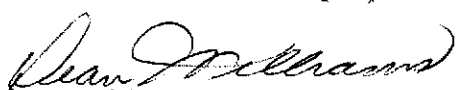
Dear Mr. McEldowney:

In compliance with your letter of May 11, 1966, we enclose herewith Assignment of the interest of Mr. Kenneth Shawver, Jr. to Mr. Vernial Hawkes. We also enclose our Trust account check #4132 for \$0.50 for the recording fee.

We trust that everything is now in order for this deposition to be acceptable. If not, please contact us.

Thank you,

KERR AND WILLIAMS


Dean Williams

DW:jm

Enclosure

cc:Vernial Hawkes

29224

June 28, 1966

Re: Permit G-29224

Mr. Vernal Hawkes
Pinegro, Idaho

Dear Mr. Hawkes:

Returned herewith are the depositions of holder, witnesses and affidavit of publication for the above referenced permit.

May 11, 1966, we mailed you a letter outlining the procedure necessary to make the depositions acceptable. As of this writing we have not received a reply to this letter. Therefore, Permit G-29224 is held for cancellation in accordance with Sec. 42-311 of the Idaho Code unless the acceptable depositions are received within 30 days from this notice. A copy of the May 11, 1966 letter is enclosed

Very truly yours,

DONALD W. McELDOWNY
State Water Rights Clerk

DWN: ew

Enclosures: Depositions
& affidavits
copy of letter

29224

May 11, 1966

RE: Permit No. G-29224 ✓

Mr. Vernial Hawkes
Pangree, Idaho

Dear Mr. Hawkes:

We are in receipt of your depositions of holder and witnesses, and affidavits of notary public and publication.

In order for this deposition to be acceptable you must submit an assignment of the interest of Mr. Kenneth Shawver, Jr. to yourself. A form for assignment is enclosed. A \$0.50 recording fee is required.

Please return the assignment and fees promptly.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:mr

Enc. assignment form

Office Copy

2 9222

C
O
P
Y

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

Re: Permit No. G-29224
Vernal Hawkes & Kenneth
Shawver, Jr.

March 18, 1966

Blackfoot News
Blackfoot, Idaho
Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to 11 April 27, 1966. The expense of the publication is to be paid by Vernal Hawkes & Kenneth Shawver, Jr. of Pingree, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

A handwritten signature in cursive script that reads "Carl E. Tappan".

CARL E. TAPPAN
State Reclamation Engineer

29224

Re: Permit No. G-29224

March 18, 1966

Vernial Hawkes & Kenneth Shaver, Jr.

Dean Williams
Attorney at Law
P. O. Box 708
Blackfoot, Idaho

Dear Mr. Williams:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29224, in the name of Vernial Hawkes & Kenneth Shaver, Jr. Final Proof is to be made before you, as Notary on the 27th day of April, 19 66, at xxx o'clock xxx, at Blackfoot, Idaho, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29224

1/65

RECEIVED
MAR 18 1965NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10: A.M., on the 27th day of April 1966, at Blackfoot, Idaho, County of Bingham, State of Idaho before Dean Williams, Notary Public, at (address) 291 North Broadway, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29224, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Vernal Hawkes and Kenneth Shawver, Jr. Pingree, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, T. 3 S., R. 33 E. B. M. Bingham County

5. The place where said water is used is N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 29, Township 3 South, Range 33 E.B.M.

6. The date of priority which said user is prepared to establish is December 21, 1960.

State Reclamation Engineer

29224

RECEIVED RECEIVED
MAR 18 1966 MAR 15 1966
Department of Reclamation Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 17, 1966
(P. O.) Box 708, Blackfoot, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Holder X Kenneth H. Lawrence Jr.
Verneal Lawrence By
Alan Williams Attorney

(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

29224

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS

DEAN WILLIAMS

785-0990 785-1290
291 NO. BROADWAY, P. O. BOX 708
BLACKFOOT, IDAHO 83221
March 17, 1966

RECEIVED
MAR 18 1966

Department of Reclamation

Department of Reclamation
107 State House
Boise, Idaho

RE: Permit No. G-29224
Kenneth Shawver and
Vernial Hawkes

Dear Sir:

Enclosed you will find a completed duplicate form #36 and also form #11.

Please publish this notice and send me the necessary deposition forms for final proof.

You will note Answer #6 on Form #36 states the priority date consistent with the permit. ✓

There has been a delay in submitting final proof under the permit, however, the holders should have an opportunity in their final proof to explain the reason for delay to see if they cannot be reinstated with the original priority date. If they are caused to suffer a penalty for the delay, the priority date should not be advanced for any longer period than the delay. I will appreciate hearing from you in this regard.

Thank you,

KERR AND WILLIAMS

Dean Williams
Dean Williams

DW/jr

Enclosure

29224

March 16, 1966

RE: Permit No. G-29224
Kenneth Shawver and
Verniel Hawkes

Kerr and Williams
Law Offices
P.O. Box 708
Blackfoot, Idaho 83221

Dear Mr. Williams:

Returned herewith are the forms 36 and 11, Notice of Publication of the above referenced permit.

Form #11, authorization to publish, must be signed by the holders or an agent, before forms #36 will be accepted.

Please sign the form #11 and return all papers promptly.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: form 36 and 11

29224

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS

785-0990 785-1290
291 NO. BROADWAY, P. O. BOX 708
BLACKFOOT, IDAHO 83221

March 14, 1966

DEAN WILLIAMS

MAR 15 1966

Department of Reclamation

Department of Reclamation
Room 107
State House
Boise, Idaho

RE: Kenneth Shawver and
Vernal Hawkes
Permit No. G-29224 ✓

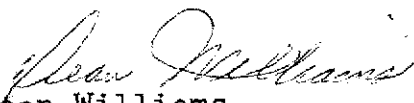
Dear Sir:

Final proof should have been submitted on the above permit on or before the 21st day of December, 1965. However, because of misunderstanding on the part of Vernal Hawkes and other complications, this has not been taken care of. Enclosed you will find a duplicate Form 36 and also Form 11. If Mr. Hawkes can salvage any priority under this permit at this time, please set up the final proof date as specified in Form 36 and proceed to advertise in the Blackfoot News.

If it is too late to submit final proof under this permit, please advise me.

Thank you,

KERR AND WILLIAMS


Dean Williams

DW/jr

Enclosure

29224

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

POSTMARK OF
DELIVERING OFFICE

P. M.

1966

05262

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

C55-16-71548-5-7

29224

29224

POD Form 3811 Sep. 1963

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee

☐ Show address where delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Donald D. Hardy

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

2-1-60

SHOW WHERE DELIVERED (only if requested)

29224

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 29224

January 31, 1966

To Kenneth Shawver, Jr.
Vernal Hawkes, Pingree, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29224 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works and Beneficial Use Proof due December 21, 1965.

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29224 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 29224 claims the use of 1.6 cubic feet per second of the Subterranean Waters well with point of diversion located: NW 1/4, Section 29, T 3 S., R 33 E., S.M.

Bingham County and was approved Dec. 21, 1960.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 31st day of January, 1966.



State Reclamation Engineer

29224

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29224

Oct. 1, 1965

Kenneth Shawver Jr., and Vernial Hawkes
Pingree, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29224 are due not later than **Dec. 21, 1965.**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

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

Very truly yours,

STATE RECLAMATION ENGINEER

Enc.

cc:

29224

December 28, 1960

Re: Permit No. G-29224
Kenneth Shawver, Jr. and
Vernial Hawkes

Mr. Kenneth Shawver, Jr.,
Pingree, Idaho.

Dear Mr. Shawver:

We enclose Permit No. G-29224 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5449 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29224

Well

Section →

29

29

R3BE

Permit Map No. 529224
As Approved **DEC 21 1960**
GEO. H. CARTER
Professional Engineer